



## Summary of Contractual Obligations for Third-Party Youth Activities Operating at Multiple UW Universities

*This document provides third parties interested in hosting activities for minors (“Youth Activities”) at multiple UW universities with an overview of key contract requirements. Universities may have requirements that exceed the minimums below. Third parties are responsible for contacting all universities at which they are interested in hosting a Youth Activity to discuss applicable requirements.*

*Third parties should contact each university as early as possible, but no less than 30 days prior to the event. This timeline is longer (up to 90 days) for some universities. Universities may deny requests to host Youth Activities if their requirements are not met or for any other legally permissible reason.*

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### Contract

Third parties must have a written contract with each university at which its Youth Activity will operate. Handshake or other informal arrangements are not permitted. Fees may be charged for use of facilities; charges may vary by university.

### Insurance Coverage

The minimum insurance requirements for UW universities are listed below. By requiring such minimum insurance, the Universities of Wisconsin shall not be deemed or construed to have assessed the risk that may be applicable to the third party arising from the third party’s operations. The third party shall assess its own risk and if it deems appropriate and/or prudent, maintain higher limits and/or broader coverages. The third party is not relieved of any liability or other obligations assumed or pursuant to its agreement with the university by reason of its failure to obtain or maintain insurance in sufficient amounts, duration, or types.

Minimum insurance coverages and requirements are as follows:

#### **Commercial General Liability**

General Aggregate	\$2,000,000
Each Occurrence Limit	\$1,000,000
Damage to Rented Premises	\$100,000
Medical Payments (Any One Person)	\$5,000

#### **Sexual Abuse and Molestation**

General Aggregate	\$2,000,000
Each Occurrence Limit	\$1,000,000

A Commercial General Liability policy with no abuse or molestation exclusion is also acceptable.

#### **Automobile**

Combined Single Limit	\$1,000,000
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Required when automobiles are used to transport youth or perform other third-party operations while on campus, to include non-owned, hired, or rented vehicles.

#### **Workers’ Compensation and Employers Liability**

Statutory limits

Must include an endorsed Waiver of Subrogation in favor of Board of Regents of the University of Wisconsin System, its officers, employees, and agents.

All required liability policies must:

- Be written on an occurrence basis, or if claims-made coverage is provided, coverage must be maintained for a minimum of five (5) years after the termination of the program.
- List the “Board of Regents of the University of Wisconsin System, its officers, employees, and agents” as an additional insured. Additional insured status shall be on a primary and non-contributory basis.
- Include an endorsed Waiver of Subrogation in favor of Board of Regents of the University of Wisconsin System, its officers, employees, and agents.
- Cover all activities to be performed by the external party (i.e., athletic/ physical activities)
- Be provided by a carrier with a minimum A.M. Best rating of A-.

Third parties with insurance requirements that do not meet the minimum requirements could explore purchasing University Risk Management and Insurance Association (URMIA) Camps Insurance, <https://ucamps.rpsins.com/policy-limits-and-coverage/>, which is designed to meet these minimums.

### Criminal Background Checks

Third parties must ensure that all third-party staff (e.g., paid employees, volunteers, contractors) pass a criminal background check prior to the start of the Youth Activity. Criminal background checks conducted by the third party must comply with [Regent Policy Document 20-19](#). Most UW universities require criminal background checks to be completed within two to four years prior to the start of the Youth Activity.

### Training

Third parties must provide third-party staff with information on university reporting requirements on sexual misconduct, abuse and harassment, incidents resulting in serious harm requiring professional medical care, and illegal or unauthorized drug use. Reporting procedures vary by university.

### Supervision

Third parties providing custodial care for youth participants are responsible for maintaining the supervision ratios outlined below throughout the duration of the Youth Activity. Staff providing supervision must be screened and trained according to requirements in each contract. If teachers or other chaperones who are not associated with the third party maintain custodial care of the minors throughout the event, the third-party must set expectations that those groups meet the ratios below.

Age of YOUTH PARTICIPANTS	Supervision Ratio (STAFF: YOUTH PARTICIPANT)
In all situations Ages 6 and under	1 STAFF member to every 4 YOUTH PARTICIPANTS (or fraction thereof)
In all situations Ages 7 through 9	1 STAFF member to every 10 YOUTH PARTICIPANTS (or fraction thereof)
In a classroom setting and transitioning between buildings Ages 10 and above	1 STAFF member to every 18 YOUTH PARTICIPANTS (or fraction thereof)
In all situations outside of those listed directly above Ages 10 and above	1 STAFF member to every 10 YOUTH PARTICIPANTS (or fraction thereof)

### **Residential/Overnight Activities**

Third parties offering residential/overnight activities at UW universities are required to comply with university licenses (e.g., ATCP 78 Recreational and Educational Camps) when applicable to the Youth Activity. Each university will communicate these requirements via their contract with third parties.

### **Additional Requirements**

The information above includes highlights of key requirements, but it is not an inclusive list of all requirements. For example, third parties are responsible for maintaining their own registration information and for communicating behavior expectations delineated through the contract to staff.

### **Questions**

Questions about specific requirements applicable to the UW university should be directed to the Precollege Liaison for the university. A list of Precollege Liaisons can be found at <https://www.wisconsin.edu/compliance/youth-protection/precollege-liaisons/>. Please note that the Precollege Liaison may be different from the staff member who is responsible for securing space for Youth Activities.