



NON-STUDENT MINORS ON CAMPUS POLICY

Area:	Office of the President	Number:	n/a
Applies to:	University and third-party programs involving non-student minors	Issued:	March 2017
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I. Purpose

Georgia Southern University offers a variety of camps, clinics, programs, classes and activities which bring *non-student* minors onto campus. These activities occur on a year-round basis. These programs and activities are of great educational value and serve to benefit both the institution and the larger community. These programs and activities provide Georgia Southern with the opportunity to challenge, educate and mentor young people and to introduce them to the campus in a positive and meaningful way.

The safety and well-being of these visitors to our campus is of the highest concern. Georgia Southern (hereinafter "University") is committed to best practices that will provide a safe and healthy environment for all who participate, volunteer, or work in these activities.

II. Scope

This policy provides guidelines that apply broadly to interactions between minors and university students, faculty, staff, and volunteers in university-run or-affiliated programs or activities. This policy also establishes requirements for non-university organizations and entities that operate programs or activities involving minors on campus, and university agreements with such organizations and entities shall reflect those requirements. All University students, faculty, staff, and any other individuals involved in third party programs on campus are responsible for understanding and complying with this policy. Appendices and forms related to this policy set forth specific requirements and procedures and may be updated from time to time.

The administrative requirements of this policy do not apply to programs or activities involving:

- Matriculated University students who are Minors (as defined below).
- Minors who are employed at University; however, if a Minor employee will be working in a Covered Program, he/she will be required to complete a background check and training as required by this policy.
- Minors participating in Institutional Review Board-approved research.
- Patient care-related activities pertaining to Minors at University-managed clinics.

Anyone covered by this policy who knows or suspects that an undergraduate student under the age of eighteen (18) has been abused or neglected must, however, make reports as described below.

III. Definitions

- A. **Authorized Adult**. An adult who has complied with the requirements to be present with Minors under this Policy and who is responsible for escorting, accompanying, or supervising Minor(s) participating in any program under this policy. In order to qualify as an Authorized Adult, an individual must comply with all applicable registration, background check, and training requirements implemented pursuant to this policy.
- B. **Certified Teacher**. An elementary or secondary school teacher, certified as such by their state, who is accompanying their students for a program on campus. Certified teachers under these circumstances are subject to roster reporting but are not subject to background checks or required trainings, although the programs their students are participating in are otherwise subject to the requirements of this policy.
- C. **Parent(s) or Legal Guardian(s)**. Although a parent or legal guardian may supervise their own minor children and their guests who are Minors while visiting the campus or using campus facilities, a parent or legal guardian may not act as an Authorized Adult in a Program (including one in which his or her Minor participates) unless they are in compliance with the requirements outlined under this policy.
- D. **Minor(s)**. Persons under the age of eighteen (18). The University reserves the right to condition, restrict, or deny access to University facilities by Minors at its discretion. All Minors, including those participating in programs, shall be subject to all University regulations while on campus, and may be asked to leave the campus if unable to comply.
- E. **Covered Program**. Any program or activity in which Minors will be physically present and participating, offered by any academic or administrative unit of the university, or by non-university groups using university facilities, properties, and any areas owned or controlled by the University. "Covered Program" includes, but is not limited to, all sport camps, workshops, academic camps, mentoring programs, academic competitions, and recurring events involving minors. "Covered Program" does not include: single performances or events open to the general public that are not targeted toward Minors, but which Minors are permitted to attend (such as varsity athletic competitions, plays, concerts); general public and invitational events where parents/legal guardians are invited and are expected to accompany and provide supervision to minors in their care; visits and tours for prospective students organized by the Office of Admissions (except Kids' College, which is a Covered Program); or single academic events or performance competitions where minors are chaperoned by certified teachers or their parents (such as the Georgia Southern Mathematics Tournament, school field trips, etc.).
- F. **Abuse or Neglect of Minors**. For purposes of this Policy, Abuse or Neglect of Minors means infliction of physical or mental injury, sexual abuse or exploitation, negligent treatment, or maltreatment of a Minor. Sexual abuse includes engaging in or attempting to engage in a sexual act or sexual contact with a minor, causing or attempting to cause a Minor to engage in sexually explicit conduct, or exposing the minor to sexually explicit conduct. Neglect includes the failure to make reasonable efforts to prevent the infliction of abuse upon a person under age eighteen (18).

G. Campus. For purposes of this policy, Campus means all buildings, facilities, and properties that are owned, operated, managed, or controlled by the University.

H. Program Staff – Any paid or volunteer person involved in a Covered Program.

I. Mandatory Reporter – Any of the persons listed in O.C.G.A. 19-7-5(c)(1), who have reasonable cause to believe that suspected child abuse has occurred. This list of mandatory reporters includes, but is not limited to, the following:

- Physicians licensed to practice medicine, physician assistants, interns, or residents;
- Hospital or medical personnel;
- Professional counselors, social workers, or marriage and family therapists;
- School teachers;
- School administrators;
- School counselors, visiting teachers, school social workers, or school psychologists;
- Child welfare agency personnel;
- Child-counseling personnel;
- Child service organization personnel; or
- Law enforcement personnel.

Under this statute, “school” means any public or private pre-kindergarten, elementary school, secondary school, technical school, vocational school, college, university, or institution of postsecondary education. Under this statute, “child service organization personnel” means persons employed by or volunteering at a business or organization, whether public or private, for profit, not for profit, or voluntary, that provides care, treatment, education, training, supervision, coaching, counseling, recreational programs, or shelter to children.

IV. Policy Statement

A. Program Registration

The person in charge of the Covered Program or a designee (Program Director) shall register the Covered Program with Internal Audit, Risk & Compliance within sufficient time to meet the requirements of this policy. Information and timelines for registering Covered Programs may be found on the Internal Audit, Risk & Compliance website.

B. Program Requirements

The Program Director shall be responsible for considering and making appropriate arrangements for the following, consistent with the requirements of this policy:

- Training requirements
- Proper screening and background checks of staff and volunteers
- Safety and security planning
- Response protocols for injury, illness, participant misconduct, and staff misconduct
- Transportation needs
- Housing needs
- Licensing requirements of state and federal agencies.

After the Covered Program is registered, the Program Director will be required to ensure that

all program staff complete background checks and training as required by this policy (see section C below). The Program Director for internal camps shall ensure that all program staff promptly provide any documentation necessary to complete this step to the Office of Human Resources. Completion dates shall be recorded in the registration platform provided by the University.

In all Covered Programs, the Parent or Legal Guardian and Minor shall execute an Assumption of Risk, Release of Claims, Indemnification, and Hold Harmless Agreement Form (Waiver) provided by the Office of Legal Affairs. Program Directors shall retain these forms for the required retention period (until the participant reaches the age of 21.)

Program Directors should obtain and retain medical and emergency information from participants. This information shall be recorded in the registration platform provided by the University.

Program Directors are responsible for ensuring the minimum level of supervision consistent with the table below:

Required Supervision (Adult to Minor ratios)

Participant Age	Number of Adult Staff Supervisors	Number of Overnight Participants	Number of Day-only Participants
0-5 years	1	5	6
6-8 years	1	6	8
9-13 years	1	8	10
14-17 years	1	10	12

External Programs

All External Covered Programs must secure appropriate institutional approval prior to utilizing University facilities for a Program involving Minors. All external and third-party organizations are required to execute a Facility Use Agreement reviewed and approved by the Office of Legal Affairs and the University System of Georgia. This Agreement shall require compliance with this Policy.

External Covered Programs involving Minors must have appropriate safeguards and procedures in place to ensure the safety of all Minors within their care. In addition, External Programs must provide the University with appropriate insurance coverage documentation prior to conducting any events that fall within the purview of this policy.

C. Training

1. In recognition of the imperative of protecting Minors, unless specifically excluded under this policy, all Covered Program staff should receive training regarding the following prior to the program start date:
 - Recognizing sexual abuse, child abuse and neglect
 - Obligation and avenues to report suspected incidents
 - Obligation to report certain criminal activity as required by the Clery Act
 - Appropriate ratio of adults to minors

- Appropriate behavior with minors
 - University policies regarding minors on campus
 - University guidelines regarding interactions with minors
2. Program Directors shall verify proof of training in the registration platform provided by the University. Supplemental training materials may be obtained by contacting Internal Audit, Risk & Compliance.
 3. Training for Covered Program staff must be provided within the twelve (12) month period immediately preceding the beginning of the Covered Program.

D. Screening & Background Investigations

Criminal background checks are required of each adult who is responsible for escorting, accompanying, or supervising Minor(s) participating in any program covered under this policy. Such checks are to be completed and affirmative confirmation cleared to work prior to interaction or participation with Minors in Covered Programs and must conform to requirements in the University's Background Investigation Policy. This requirement includes, but is not limited to, third party or non-University personnel who work with, instruct, or otherwise engage with Minors on Campus, as well as administrators, faculty, staff, students, and volunteers who work with, instruct, or otherwise engage with Minors. Checks must have been completed within the sixty (60) month period immediately preceding the beginning of the Covered Program. Questions of suitability for participation in internal programs with minors will be determined by the Background Investigation Committee (BIC) according to the University's Background Investigation Policy.

It is the responsibility of the Program Director or designee of the Program to ensure that each participating adult has submitted the background request information and has subsequently received clearance to participate. For internal Covered Programs, the Office of Human Resources will maintain a database of individuals who have been cleared to participate. In the case of Covered Program staff who have completed a qualifying background investigation within the sixty (60) month period preceding the beginning of the Covered Program, Human Resources may provide verification of such completion.

Third Party Organizations contracting with the University shall affirm by submission of cleared dates, that all personnel have been cleared by a criminal background check within the sixty (60) month period immediately preceding the beginning of the Covered Program and that the results and methods are sufficient to meet University standards, in the sole discretion of University. Those personnel who do not meet this requirement will not be permitted to work, volunteer, or engage in the Covered Program on Campus.

E. Required Reporting

Any Authorized Adult or Program Staff or other Mandatory Reporter under Georgia law who has reasonable cause to believe that suspected child abuse has occurred, shall immediately report the suspected abuse to the institution police department and the appropriate supervisor or Program Administrator who is able to take immediate action. (The University further expects that any other University employee, whether a Mandatory Reporter or not, will also appropriately report suspected child abuse.) The institution must ensure that the Division of Family and Children Services (DFCS) is notified of the suspected abuse immediately and in no case later than 24 hours after the Authorized

Adult or Program Staff (or other reporter) first had reasonable cause to suspect the abuse.

A report of child abuse should be made to both DFCS and the University Police Department when a person has “reasonable cause to” believe that a child under the age of 18 has been abused by a parent or caretaker. “Reasonable cause” means a suspicion founded upon circumstances sufficiently strong enough to warrant a reasonable person to believe that something is true.

A report of suspected child abuse is a request for an investigation. It is not an accusation and the reporter does not have to be absolutely certain of their suspicion. DFCS has the responsibility for evaluating the report and determining whether an investigation is warranted. The department is also responsible for conducting the investigation and taking appropriate action to protect the child.

An oral report must be made as soon as possible by telephone or otherwise. The report is made to DFCS, Child Protective Services Section. If Child Protective Services is not available, the report should be made to the appropriate police authority or the district attorney.

**Contact DFCS Child Protective Center at:
1-855-GACHILD / 1-855-422-4453**

F. Code of Conduct

University faculty, staff, students and third-party program participants are required by Georgia law and this policy to report actual or suspected abuse or other improper conduct (including harassment, hazing, and exploitation) involving a Minor by an adult or other minor. They are also required to comply with the following code of conduct when interacting with Minors.

Adults should be positive role models for Minors, and act in a caring, honest, respectful and responsible manner that is consistent with the mission and guiding principles of the university. Adults working in Programs covered by this policy must follow these expectations to avoid behaviors that could cause harm or be misinterpreted:

- Do not engage in any sexual activity, make sexual comments, tell sexual jokes, or share sexually explicit material (or assist in any way to provide access to such material) with Minors.
- To the extent possible, avoid being alone with a single Minor. If one-on-one interaction is required (e.g., individual music lessons, science fair research), meet in open, well illuminated spaces or rooms with windows observable by other adults from the Program, unless the one-on-one interaction is expressly authorized by the Program Director, dean, department chair person or is being undertaken by a health care provider.
- Do not meet with Minors outside of established times for Program activities. Any exceptions require written parental authorization and must include more than one adult from the Program.
- Do not invite individual Minors to your home. Any exceptions require authorization by the Program Director and written authorization by a parent/guardian.
- Do not engage or allow Minors to engage you in romantic or sexual conversations, or related matters.
- Do not engage or communicate with Minors through email, text messages, social networking websites, internet chat rooms, or other forms of social media at any time except and unless

- there is an educational or programmatic purpose and the content of the communication is consistent with the mission of the Program and the university.
- Do not touch Minors in a manner that a reasonable person could interpret as inappropriate. Touching should generally only be in the open and in response to the Minor's needs, for a purpose that is consistent with the Program's mission and culture, and/or for a clear educational, developmental, or health related (i.e., treatment of an injury) purpose. Any resistance from the Minor should be respected.
- Do not engage in any abusive conduct of any kind toward, or in the presence of, a Minor, including but not limited to verbal abuse, striking, hitting, punching, poking, spanking, or restraining. If restraint is necessary to protect a Minor or other Minors from harm, all incidents must be documented and disclosed to the Program Director and the Minor's parent/guardian.
- Do not use, possess or be under the influence of alcohol or illegal drugs while on duty or when responsible for a Minor's welfare.
- When transporting Minors in a Program, more than one adult from the Program must be present in the vehicle, except when multiple Minors will be in the vehicle at all times through the transportation. Avoid using personal vehicles if possible.

In an effort to minimize any disruption to the essential functioning of the university and maximize the safety of Minors on campus, certain requirements must be met, as follows:

- Minors must be supervised at all times by an Authorized Adult while on campus or participating in a university-sponsored off-campus activity.
- Minors who are not family NEVER stay in the same room overnight with an employee of the University unless the Minor's parent/guardian is also in the same room as the child.
- Male and female Minors are never assigned to sleep in the same room overnight unless accompanied by and with permission of all parents involved.
- If there is a need to bathe, separately assigned facilities for adults, male Minors, and female Minors will be made available. If separate facilities are not possible the trip leader will publish a bathing schedule that enables individual privacy. Adults and Minors NEVER use the same bathing facilities simultaneously.
- Minors are permitted in the general use facilities (Athletic Fields, Public Spaces, Academic Buildings, Food Services Area etc.) with an Authorized Adult, but may be restricted from certain areas of the facilities or from utilizing certain equipment.
- Children of students should not be allowed in classrooms where classes are in session unless permission is granted by the faculty member. The student should ask permission from the faculty member prior to the start of class. If a child becomes disruptive, the faculty member may require the student and child to leave. The faculty member should discuss the frequency of such occurrences with the student if this should begin to occur with frequency.
- Even when accompanied by an Authorized Adult, pre-high school age Minors not participating in a program on university premises or a university-sponsored off-campus activity are prohibited from laboratories and other areas where significant potential safety hazards and liabilities may exist, and where strict safety precautions are required.
- Minors and Authorized Adults not meeting relevant university community conduct standards will be asked to leave the campus.