



Protection of Non-Student Minors on Campus

1.0 Purpose

The purpose of this policy is to assure the appropriate supervision of non-student minors that visit Albany State University (ASU) and to set out the appropriate procedures to be followed by non-ASU entities in order to host events which include non-student minors on property owned by or leased by ASU, or in an ASU-sponsored program at other locations. This policy will become effective for programs starting on or after May 1, 2017.

2.0 Scope

ASU is committed to maintaining a safe environment which promotes the safety and welfare of all non-student minors that participate in programs held on our campus. ASU offers a variety of camps, clinics, and activities that bring non-student minors onto our campus. These include but are not limited to athletic camps, after school programs, science camps, music, and enrichment programs. These programs are of great educational value and serve to benefit both the institution and the larger community. This policy serves to protect the non-student minors that participate in these programs and preserve the positive impact they have on our community.

3.0 Policy

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4.0 Definitions

Minor

A person who is less than eighteen years of age and, for purposes of this policy, who is not enrolled as a student at ASU and who is not employed by ASU.

Authorized Adult or Program Staff

A person, paid or unpaid, who may have direct contact, interact with, treat, supervise, chaperone, or otherwise oversee minors. This definition does not include temporary guest speakers, presenters, or other individuals who have no direct contact with program participants other than short-term activities supervised by program staff; or individuals whose only role is as a participant in the education, services, or programs offered.

Authorized Program

A program, activity, or service operated or sponsored by ASU institution or by a non-ASU entity using the institutional facilities during which agents, employees or volunteers of ASU or non-ASU entity are responsible for the care, custody, or control of participating minors, rather than their parents or guardians. For purposes of this policy, authorized programs do not include events that are open to the general public and that minors may attend at the sole discretion of their parents or guardians or Institutional Review Board (“IRB”) supervised research activities

The following activities are also exempted from this policy:

- Services provided by the institution’s health clinic
- Private or personal events that occur on campus to include weddings, birthdays parties etc.

Mandatory Reporter

A person who is required by Georgia law to report suspected child abuse to the appropriate authorities. Mandatory reporters include but are not limited to faculty/teachers, administrators, counselors, social workers, psychologists, law enforcement personnel, and other persons who participate in providing care, treatment, education, training, supervision, coaching, counseling, recreational programs or shelter to minors. Mandatory reporters whose communications would otherwise be legally privileged are required under Georgia law to report suspected child abuse.

Child Abuse

Physical injury or death inflicted upon a child by a parent or caretaker thereof by other than accidental means; neglect or exploitation of a child by a parent or caretaker thereof; sexual abuse of a child; or sexual exploitation of a child.

Institution Facilities

Buildings, structures and improvements of all types, outdoor areas, campus grounds, and athletic venues owned or leased by ASU.

Program Administrator

The person(s) who has primary and direct operational responsibility for managing an authorized program.

5.0 Procedures

ASU has established the following guidelines and procedures to address the safety of non- student minors on campus.

1. Program Registration

ASU is responsible for establishing and maintaining a registry of all authorized programs that host non-student minors. All parties interested in hosting a program that includes non-student minors on property owned by or leased by ASU, or in an ASU-sponsored program at other locations will need to complete the program registration form.

All programs must be registered within sufficient time to meet the requirements of this policy. Programs must be registered annually.

2. Background Investigations & Screening

ASU shall conduct background investigations and appropriate screening of all authorized adults or program staff participating in ASU-sponsored authorized programs that host non-student minors in accordance with USG Human Resources Administrative Practice Manual: Background Investigation.

Non-ASU entities using institutional facilities for authorized programs that host non-student minors are required to certify that they have conducted appropriate screening and background investigations and that the results and methods are sufficient to meet institutional standards prior to the start of the authorized program. The cost of the screening and background investigations are to be borne by the non-ASU entity.

Each authorized adult or program staff must undergo a background investigation at least once every three years. Procedures for appropriate background investigations are found in the Human Resources Administrative Practice Manual: Background Investigation.

3. Facility Use Forms & Agreements

All non-ASU entities that are allowed to use ASU facilities for authorized programs that host non-student minors must comply with this policy and identify authorized adults or program staff prior to the date of the event. The non-ASU entity is required to certify via a binding written agreement that each adult or staff has been the subject of an appropriate background check with satisfactory results and that each has been properly trained.

Insurance: The non-ASU entity shall, at its own cost and expense, obtain and maintain Commercial General Liability Insurance and is required to provide proof of such insurance at least forty eight (48) hours prior to using the ASU facility.

In accordance with Board of Regents Policy 9.10.6.3, the following USG-approved forms and agreements shall be appropriately completed before the use of ASU facilities.

❖ **ASU-Sponsored Authorized Program**

➤ **Required Forms & Agreements**

- Exhibit A - Request to Schedule Activity, Facility, and Service
- Exhibit B - General Provision
- Exhibit C - Program Serving Minors
- Exhibit E - Lodging Accommodation
- Exhibit F - Pools & Recreation Facilities
- Exhibit G - Food Services & Concessions
- Exhibit H - Parking
- Exhibit I - Alcoholic Beverage Policy
- Exhibit J - Tobacco & Smoke Free Campus Policy
- Exhibit K - Direct Cost

- **Authorization to Administer Medication Form**
- **Medical Information Form and Authorization for Medical Care**
- **Volunteer Registration Form and Agreement**
- **Pick-up Authorization Form**
- **Media, Photo, & Video Release Form**
- **Staff & Volunteer Code of Conduct Agreement**
- **Participant Code of Conduct Agreement**
- **Checklist for Youth Program for Minors**

❖ **Non-ASU Entity Authorized Program**

➤ **Required Forms & Agreements**

- Exhibit A - Request to Schedule Activity, Facility, and Service
- Exhibit B - General Provision
- Exhibit C - Program Serving Minors
- Exhibit E - Lodging Accommodation
- Exhibit F - Pools & Recreation Facilities
- Exhibit G - Food Services & Concessions
- Exhibit H - Parking
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4. ASU-Sponsored Authorized Program Staff Requirements

Staff and volunteers who participate in ASU-sponsored authorized programs must complete training on mandatory reporting requirements, responsibilities and expectations, relevant institutional policies, safety and security procedures, proper screening and background checks of staff and volunteers, supervision ratios, response protocols for injury illness, participant conduct, and staff misconduct, and the staff code of conduct. Additionally, the following trainings and considerations must be addressed as appropriate for the specific authorized program. The additional trainings and areas of consideration, include but are not limited to transportation and housing services and applicable guidelines and regulations as well as licensing requirements of state and federal agencies. Trainings and relevant material will be provided by the Events and Scheduling Coordinator.

5. Participant Requirements (ASU Sponsored Authorized Program)

Parents or legal guardians of non- student minors participating in an ASU-sponsored authorized program must submit required forms before minors will be allowed to participate in the authorized programs. These forms may include but are not limited to a participation agreement form, health form, emergency contact form, authorized pick-up form, proof of medical insurance, medical release, release of claims/waiver of liability, media/photo/video release, and participant code of conduct.

6. Mandatory Reporting Protocol

❖ Response protocol for accusations of suspected child abuse

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 USG further expects that any other USG 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 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.

Please contact the ASU Police Department's Central Dispatch at 229-430-4711. Contact information for Georgia Department of Human Services and/or the Division of Children and Family Services by calling 1-855-GACHILD (422-4453).

❖ Response protocol for injuries or illnesses

A report of any accident, illness, and/or injury must be made immediately to the facilities manager or the ASU Events Coordinator or the designated representative on site at the time of the accident, illness, or injury. A written report must be completed and filed with the ASU Police Department.

Please contact Central Dispatch at 229-430-4711 in the event of an emergency. If a life threatening emergency exists, please contact 911 immediately.

7. Record Retention schedule

ASU shall maintain all Child and Youth Participant Records for 3 years after the participant reaches the age of 18. These are records that document the participation of children and youth in ASU-sponsored authorized programs. This series of records may include: applications, enrollment records, progress reports an assessments, immunization records, parental consent forms, activity records, and list of attendees. The USG Retention Scheduled can be accessed at:
http://www.usg.edu/records_management/schedules/.

6.0 Frequently Asked Questions about BOR Policy 12.9

- **What is the purpose of the new Board of Regents Policy for Programs Serving Minors?**
The Board of Regents passed the new policy regarding Programs Serving Minors to further our efforts to promote the safety and welfare of those who participate in these programs.
- **What is the effective date of the new Board of Regents Policy for Programs Serving Minors?**
The policy is effective for programs operating on or after May 1, 2017.
- **What type of program is covered under this policy?**
This policy applies to academic camps, athletic camps, after-school programs, workshops, licensed child-care facilities, conferences and similar activities which involve the custody and care of non-student minors which are conducted, hosted or sponsored by any USG institution.
- **Does this policy apply to 3rd party organizations that use the facilities of a USG institution?**
Yes, BOR Policy 12.9 Programs Serving Minors applies to outside organizations and groups that may use institutional facilities for programs serving non-student minors.
- **Is a Facility Use Agreement / License Agreement required for 3rd party organizations that use institutional facilities?**
Yes, institutions licensing, leasing, or allowing the use of institutional facilities by non-USG entities for programs serving non-student minors must include language in a binding written agreement requiring the non-USG entity to comply with institutional policies on background checks, training and minimum insurance requirements. In accordance with **Board of Regents Policy 9.10.6.3**, the form used for such agreements must be USG-approved.
- **Does the new BOR policy apply to all minors?**
BOR Policy 12.9 applies to programs designed to serve minors who are not enrolled as students. Institutions are still expected to have procedures in place to ensure best practices are followed for programs for enrolled students to include new student orientation. In this regard, each institution will maintain the flexibility to tailor its procedures to best suit the needs of their campus.

➤ **Do school field trips, private events and events open to the general public fall under the new policy?**

No, non-residential field trips to a campus which are supervised by a minor's school or organization and do not involve overnight lodging are not covered by the new policy. It is expected that institutions will further define which contacts with non-student minors are not covered and that certain activities such as the following may reasonably be excluded

- Services provided by the institution's health clinic;
- Events or performances on campus that are open to the general public and which minors attend at the sole discretion of their parents or guardians;
- Private or personal events that occur on campus to include weddings, birthday parties, etc.

➤ **Who is subject to the background and training requirements of the new policy?**

All employees, students and volunteers who work in programs serving non-student minors who are reasonably anticipated to have direct contact or interaction with minor program participants.

➤ **How often must background checks be performed on employees, students and volunteers working in programs serving non-student minors?**

The frequency of additional criminal background checks for students, volunteers and employees is not specified in the new policy. Each institution is expected to tailor its procedures to adequately and appropriately address the risks of an employee, student or volunteer engaging in potential criminal behavior after the completion of a previous criminal background check. One of the factors to consider is whether students or volunteers are under a continuous obligation to report convictions. All current USG employees are required to report convictions to their institutional Human Resources Department within 24 hours of conviction in accordance with the **Human Resources Administrative Practice Manual – General Requirements**. Also relevant would be other checks performed annually or regularly to include the National Sex Offender Registry.

➤ **Who should I contact if I have questions about this policy or the institutional-level procedures required by this policy?**

University System of Georgia Office contacts are as follows:

Kenyatta Johnson

Executive Director of Enterprise Risk Management

(404) 962-3028 (office)

kenyatta.johnson@usg.edu

Wesley Horne

Director of Ethics & Compliance

(404) 962-3034 (office)

wesley.horne@usg.edu

➤ **What is the records retention schedule for documents related to youth programs?**

Child and Youth Participant Records must be kept for 3 years after the participant reaches the age of 18. These are records that document the participation of children and youth in programs sponsored by the institution. This series of records may include: applications, enrollment records, progress reports and assessments, immunization records, parental consent forms, activity records, and lists of attendees. The retention schedule for all USG records can be accessed at: http://www.usg.edu/records_management/schedules/.

Please note that not all records associated with a youth program must be kept until the participant reaches the age of 18 + 3. Other records should be kept in accordance with the retention schedule for that document, i.e. individual volunteer files must be kept for 3 years after separation, daily logs must be kept 1 or 3 years depending upon the type of log, insurance records must be kept 7 years, leases must be kept for 7 years after the expiration of the agreement, etc.

➤ **What office should I contact if I have questions about scheduling an event at Albany State University?**

ASU Campus Events/Scheduling Office
229-317-6770 (phone)
229-317-6672 (fax)
roomreservations@asurams.edu

Accountability:

Office of Legal Affairs

Contacts:

Chief Legal Affairs Officer

References:

Board of Regents (BOR) Policy 12.9

Last Update:

August 23, 2017