



## Delaware State University

**University Responsible Unit:** Student Affairs & Enrollment Services

**Policy Number:** 06-08 Minors on Campus Policy

**Approval Date:** April 13, 2015

**Next Review Date:** April 13, 2017

### **I. Policy Statement**

Delaware State University is committed to protecting the safety and well-being of its community, which includes minors. In effort to promote the protection of minors, this policy has been established. The entire Delaware State University community is expected to adhere to the guidelines provided in this policy. Members of the university community should review Best Practices for Interacting with Minors in Appendix A and Signs of Child Abuse and Neglect in Appendix B.

### **II. Purpose**

Delaware State University (DSU) has a number of University or University-sponsored programs that involve minors. This policy addresses the requirements for treatment of and interactions with minors. In addition, this policy provides standards for background checks required for faculty, staff, and/or contractors who will be in direct contact with minors on campus.

### **III. Scope and Applicability**

This policy applies to all Delaware State University divisions, departments, sections, operating units, individuals and/or their designee. All Delaware State University employees, students, and contractors shall be governed by this policy and must comply with these guidelines.

This policy includes guidelines for the following:

- Supervision
- Medical Treatment
- Reporting of abuse or neglect
- Emergency Protocols
- Internet/media
- Training
- Background Checks

This policy also does not apply to general public events where parents/guardians are invited/expected to provide supervision of minors, or to events where parents/guardians are explicitly required to accompany their children. This policy also does not apply to the minor children of staff, faculty, students, or contractors as Delaware State University does not condone children in the workplace or in the classrooms.

#### IV. Definitions

1. **Minor (also referred to as Program Participant)** - Is defined as a person under the age of eighteen (18). This definition also applies to the term “under age”.
2. **University Facilities** – Facilities owned by, or under the control of, the University with the exception of the following:
  - a. Early College High School which will follow separate policies that reflect the unique activities that occur its specific location.
  - b. The Early Childhood Lab School which shall maintain compliance with the State of Delaware DELACARE Rules for Early Care and Education and School Age Centers which exceed the Minors on Campus Policy.
3. **Programs** – Programs and activities offered by various academic or administrative units of the University, or by non-University groups using University. This includes but is not limited to summer camps, workshops, sport camps, academic camps, conferences, campus tours, and similar activities.
4. **Sponsoring Unit** – The academic or administrative unit of the University which offers a program or gives approval for funding, housing, or use of facilities.
5. **Program Leader (all considered Mandated Reporters)** – Individuals, age 18 and older, paid or unpaid, who manage and/or supervise any staff (this includes but is not limited to faculty, staff, volunteers, graduate and undergraduate students, interns, employees of temporary employment agencies, and independent contractors/consultants), program or activity that utilizes University facilities.
6. **Authorized Adult (all considered Mandated Reporters)** - Individuals, age 18 and older, paid or unpaid, who interact with, supervise, chaperone, or otherwise oversee minors in program activities, recreational, and/or residential facilities. This includes but is not limited to faculty, staff, volunteers, graduate and undergraduate students, interns, employees of temporary employment agencies, and independent contractors/consultants. The Authorized Adults’ roles may include positions as counselors, chaperones, coaches, instructors, etc. Authorized Adults are considered to be mandated reporters as defined by Delaware State law. Further guidance on reporting child abuse for Delaware State University employees is provided in the Policy Requirements section of this policy. Authorized Adults have also completed the required background checks facilitated by Human Resources (or sponsoring program).
7. **Unauthorized Adults**- Individuals, age 18 and older, paid or unpaid, who interact or share space with minors in classrooms, program activities, recreational areas, and/or campus facilities.

8. **Unsupervised Time** – Defined as any period of time in which a minor cannot be visually observed by an Authorized Adult.
9. **Direct Contact** - Positions with the possibility of care, supervision, guidance or control of minors and/or routine interaction with minors.
10. **Indirect Contact** – Any interaction or communication (of any kind) with a minor.
11. **One-on-One Contact** - Personal, unsupervised interaction between any Authorized Adult or Unauthorized Adult and a minor without at least one other Authorized Adult, parent or legal guardian being present.

## **V. Roles & Responsibilities**

### **A. Institution Responsibility**

It is the responsibility of Delaware State University to provide safe and adequate facilities for all University approved programs with Minors as participants. The Program Manager of any such program shall immediately contact the appropriate University staff member(s) should any unsafe conditions arise during the Program's use of University facilities.

### **B. Human Resources Responsibility**

The Human Resources Department of Delaware State University shall ensure that any and all individuals (this includes but is not limited to Program Managers, faculty, staff, volunteers, graduate and undergraduate students, interns, employees of temporary employment agencies, and independent contractors/consultants) associated with University approved programs with Minors as participants have a completed background check prior to their participation in the program. This background check should meet or exceed the pre-employment background check requirements of Delaware State University.

### **C. Program Manager Responsibility**

All Program Managers associated with any University approved program wherein Minors are participants shall act in accordance with the Procedures & Protocols of this policy.

### **D. Authorized Adult Responsibility**

All Authorized Adults associated with any University approved program wherein Minors are participants shall act in accordance with the Procedures & Protocols of this policy.

### **E. Unauthorized Adult Responsibility**

All Unauthorized Adults who have any interaction with Minors while on University facilities shall act in accordance with the Procedures & Protocols of this policy.

## VI. Policy Requirements

### A. Implementing and Maintaining an Approved Program

A sponsoring unit offering or approving a program is required to follow the Delaware State University Minors on Campus Program procedures.

#### 1. Program Requested/Identified

The program leader must develop a written charter/recommendation that includes timelines, resource needs, financial projections, and a program objective. In order for the program to be approved/considered, it must directly support the University's strategic goals.

#### 2. Approval for Program

In order to proceed with the planning/implementation of a program, the appropriate levels of approval are required. The required approvals must be documented in the program charter with dates and signatures (either electronically or written).

- Appropriate faculty
- Finance & Administration
- Legal
- Board

#### 3. Policies, Procedures, and Protocols

Every Delaware State University Minors On Campus Program is responsible for complying with Federal and State child protection laws.

#### Procedures / Protocols

Delaware State University Minors on Campus Programs are required to have procedures and protocols established prior to receiving approval to begin operations. The minimum requirements for procedures and protocols are as follows:

1. Establish a procedure for the notification of the minor's parent/legal guardian in case of an emergency, including medical or behavioral problem, natural disasters, or other significant program disruptions. Authorized Adults with the program, as well as participants and their parents/legal guardians, must be advised of this procedure in writing prior to the participation of the minors in the program.
2. For residential programs at University facilities, provide a list of all program participants and a directory of program staff to the campus unit(s) responsible for police services (their contact information will be provided to the sponsors by the University). This list shall include participant's name; local room assignment (if applicable); gender, age, address, and phone number(s) of parent or legal guardian, as well as emergency contact information.

3. Provide information to parent or legal guardian detailing the manner in which the participant can be contacted during the program.
4. Provide a Medical Treatment Authorization form to the campus unit responsible for health services. Any request to amend the approved form must be approved by the Director of Student Health Services prior to its distribution or use. All forms must include the following:
  - a. A statement informing the parent/legal guardian that the University does (or does not, as applicable) provide medical insurance to cover medical care for the minor.
  - b. A statement authorizing the release of medical information (HIPAA) and emergency treatment in case the parent/legal guardian/emergency contact cannot be reached for permission.
  - c. A list of any physical, mental or medical conditions the minor may have, including any allergies that could impact his/her participation in the program.
  - d. All emergency contact information including name, address and phone number of the emergency contact.
  - e. Follow guidance from Student Health Services concerning communicable diseases.
5. Participants' medicines may be distributed by program staff, under the following conditions:
  - a. The participant's family provides the medicine in its original pharmacy container labeled with the participant's name, medicine name, dosage and timing of consumption. Over-the-counter medications must be provided in their manufacturers' container. If there are specific procedures for the administration of medicine to a participant, the participant's parent/guardian must provide clear instructions to the Program Leader.
  - b. Staff shall keep the medicine in a secure location, and at the appropriate time for distribution shall meet with the participant.
  - c. The staff member shall allow the participant to self-administer the appropriate dose as shown on the container.
  - d. Any medicine which the participant cannot self-administer, must be stored and administered by a Program Leader associated with the Program or, if no one is available, participant's parent/guardian must make arrangements with another health care professional in advance of the participant's arrival. The event coordinator should consult with the location's health service and the Office of Affirmative Action ADA Coordinator to discuss reasonable accommodations in the above situation.
  - e. Personal "epi" pens and inhalers may be carried by the participant during activities.
6. Arrange to access emergency medical services at all locations. **NOTE:** Medical care should be appropriate for the nature of the events, expected attendance and other variables.

7. Follow appropriate safety measures required by the University Safety Committee.
8. Ensure adequate supervision of minors while they are on University property. All activities involving minors must be supervised by at least two or more Authorized Adults or by their parent(s) or legal guardian(s) at all times. Some of the factors to consider in determining "adequate supervision" are the number and age of participants, the activity(ies) involved, type of housing if applicable, and age and experience of the Authorized Adults.
9. Develop and make available to participants the rules and discipline measures applicable to the program. Program participants and staff must abide by all University regulations and may be removed from the program for non-compliance with rules. The following must be included in program rules:
  - a. The possession or use of alcohol and other drugs, fireworks, guns or other weapons whether real or facsimile, are prohibited.
  - b. The operation of a motor vehicle by minors is prohibited while attending and participating in the program.
  - c. The parking of staff and participant vehicles must be in accordance with University parking regulations.
  - d. Rules and procedures governing when and under what circumstances participants may leave University property during the program.
  - e. No violence, including sexual abuse or harassment, will be tolerated.
  - f. Hazing of any kind is prohibited. Bullying including verbal, physical, and cyber bullying are prohibited.
  - g. No theft of property regardless of owner will be tolerated.
  - h. No use of tobacco products (smoking is prohibited in all University buildings) will be tolerated.
  - i. Misuse or damage of University property is prohibited. Charges will be assessed against those participants who are responsible for damage or misuse of University property.
  - j. The inappropriate use of cameras, imaging, and digital devices is prohibited including use of such devices in showers, restrooms, or other areas where privacy is expected by participants.
10. Obtain all media and liability releases as part of the program registration process. All data gathered shall be confidential, is subject to records retention guidelines, also subject to federal and state law, including FERPA and shall not be disclosed, except as provided by law.
11. Assign a staff member who is at least 21 years of age to be accessible to participants. The staff member must reside in the housing unit (if applicable). Additional Authorized Adults will be assigned to ensure one-on-one contact with minors does not occur and that appropriate levels of supervision are implemented.

12. All Authorized Adults who have direct contact with minors are required to have a current background check on record with the University at the time of hire and/or beginning work with minors. This background check must be reviewed and approved by the Office of Human Resources prior to being hired and/or working with minors.

**B. Reporting Child Abuse**

1. Each Authorized Adult, who will be participating in a program covered by this Policy shall attend annual **mandatory** training on the conduct requirements of this Policy, on protecting minors from abusive emotional and physical treatment, and on appropriate or required reporting of incidents of improper conduct to the proper authorities including, but not limited to, appropriate law enforcement authorities. If a program participant discloses any type of assault or abuse (at any time previously or during the program), or an Authorized Adult has reason to suspect that the participant has been subject to such assault or abuse, the Authorized Adult, as a mandated reporter, shall inform the Program Director or Department Head immediately, unless the Authorized Adult believes that the Program Director or Department Head may be involved in the allegations of assault or abuse. The Program Director or Department Head and the Authorized Adult will then call the Department of Services for Children, Youth and their Families at 1-800-292-9582 together and provide written notification to the Division of Family Services – State of Delaware within 72 hours of filing the oral report (utilizing the [CHILD ABUSE/NEGLECT MANDATORY REPORTING FORM](#)). In addition, the Program Director or Department Head will immediately send an email to [ContactRisk@desu.edu](mailto:ContactRisk@desu.edu) and will be contacted by University Police Services, the General Counsel and/or the Associate Vice President of Enterprise Risk Management. If the Program Director or Department Head is unavailable, or if the Program Director/Department Head or his/her designee does not call the Department of Services for Children, Youth and their Families, the Authorized Adult should immediately call the hotline at 1-800-292-9582. Authorized Adults must make all reasonable efforts to ensure the safety of minors participating in programs and activities covered by this Policy, including removal of minors from dangerous or potentially dangerous situations, irrespective of any other limitation or requirement. If a situation is felt to present immediate danger to a minor, University Police Services should be called immediately, and then followed with a call to call the Department of Services for Children, Youth and their Families.
2. Authorized Adults participating in programs and activities covered by this Policy shall not:
  - a. Have one-on-one contact with minors: there must be two or more adults present during activities where minors are present. Authorized Adults also shall not have any direct electronic contact with minors without another adult being included in the communication.
  - b. In the case of adults supervising minors overnight, Authorized Adult should not enter a minor's room, bathroom facility, or similar area without another adult in attendance, consistent with the policy of not having one-on-one contact with minors.

- c. Separate accommodations for adults and minors are required other than the minors' parents or guardians.
  - d. Engage in abusive conduct of any kind toward, or in the presence of, a minor.
  - e. Strike, hit, administer corporal punishment to, or touch in an inappropriate or illegal manner any minor.
  - f. Pick up minors from or drop off minors at their homes, other than the driver's child(ren), except as specifically authorized in writing by the minor's parent or legal guardian.
  - g. Authorized Adults shall not provide alcohol or illegal drugs to any minor. Authorized Adults shall not provide prescription drugs or any medication to any minor unless specifically authorized in writing by the parent or legal guardian as being required for the minor's care or the minor's emergency treatment. Participants' medicines may be distributed by program staff, following the conditions set forth in this policy.
  - h. Make sexual materials in any form available to minors participating in programs or activities covered by this Policy or assist them in any way in gaining access to such materials.
3. If an allegation of inappropriate conduct has been made against an Authorized Adult participating in a program, s/he shall discontinue any further participation in programs and activities covered by this Policy until such allegation has been satisfactorily resolved.
4. Authorized personnel/signatories for non-University groups using University facilities must provide to the sponsoring unit satisfactory evidence of compliance with all of the requirements of this Policy at least thirty (30) days prior to the scheduled use of University facilities, as well as sign an approved agreement for use of University facilities, if applicable. Without evidence, program will not be permitted to use University facilities.
5. Any exceptions to the application of the policy must be approved by:
  - Appropriate faculty
  - Finance & Administration
  - Legal
  - Board

## Appendix A

### Best Practices for Interacting with Minors

If you are working with minors, you have a key role to play in maintaining their safety and well-being and in helping to make the activity in which they are participating a rewarding and enriching experience. Delaware State University adopted its Minors on Campus Policy to foster this goal and equally importantly to protect University faculty, students, staff and volunteers by developing a set of guidelines and procedures that promote sound, common-sense judgment, consistency and uniformity, transparency, and care with respect to interactions with minors.

Supervising and other Authorized Adults (as defined in the Policy) must observe the following common-sense “dos” and “don’ts.” They are meant to help the University community adhere to a core set of standards when working with minors including maintaining appropriate physical and emotional boundaries; treating all children fairly and consistently; and demonstrating respect for their overarching welfare.

#### **Do:**

- Listen to and interact with minors and provide appropriate praise and positive reinforcement.
- Maintain discipline and discourage inappropriate behavior by minors, consulting with supervisors as needed for help.
- Make every effort to avoid unnecessary one-on-one interactions with minors and interaction with minors in enclosed spaces or behind closed doors. If such interactions are necessary (such as tutoring, advising, private lessons or other academic support), it is best to hold such sessions in a public place; in a room where the interaction can be observed; or in room with the door left open and another staff member notified of the meeting. **Please note** that this does not mean you cannot take a child aside for a brief confidential discussion of a matter such as their behavior.
- Be aware of how your actions and intentions might be perceived and could be misinterpreted, keeping in mind that physical contact with children can be misconstrued not only by the recipient but also by others observing it and that different people have a different sense of personal space. For example, while some contact such as patting a child on the back or gently touching her/his arm to get attention may be appropriate, you should not touch a children against their will or engage in highly physical contact such as picking them up, giving them back rubs, or tickling or roughhousing.
- Again because actions can be misinterpreted, avoid initiating hugs and limit hugging if at all possible. If hugging cannot be avoided, use good judgment to limit the risk your actions will be misconstrued.
- Use discretion and consider the age of the child when communicating with her/him. This includes communicating with children in a manner that is consistent with your position as role model, including avoiding sharing information about your private life, discussing intimate matters with children such as relationships or sexual orientation, relating to minors as if they were peers, or taking on the role of “confidant.”

**Don't:**

- Spend significant time alone with just one minor outside of a group setting.
- Engage in inappropriate touching (including striking or hitting a minor) or have any physical contact with a minor in private locations.
- Berate, intimidate, or belittle a child.
- Do special favors for a minor or otherwise engage in conduct that could be perceived as favoring one child over another.
- Give personal gifts. Whenever possible, also do not accept personal gifts. If rejecting a personal gift is not possible, be thoughtful about handling the situation – for example, if feasible consider sharing the gift with your colleagues or informing your supervisor.
- Provide alcohol, cigarettes or drugs to minors or use them in the presence of minors.
- Take pictures of children for personal use. If you have or are provided with pictures of children in your charge, do not distribute them, including on social networking sites.
- Use inappropriate language, tell risqué jokes, or make sexually suggestive comments (even if minors themselves are doing so).
- Make sexual materials available to minors.
- Date or become romantically or sexually involved with a minor.

**Guidance for Residence Halls/Overnight Programs**

- Do not be alone with a child in her or his room or in the staff member's room.
- Do not sleep in a child's room or allow a child to sleep in your room.
- Staff members are strongly discouraged from bringing visitors or guests to their rooms.
- Use discretion when changing your clothes around children by making every effort to change in an area away from children.
- Always have another staff member with you when you are supervising while children are showering, changing or using the bathroom.

## **Appendix B**

### **Signs of Child Abuse and Neglect**

1. Unexplained injuries. Visible signs of physical abuse may include unexplained burns or bruises in the shape of objects. You may also hear unconvincing explanations of a child's injuries.
2. Changes in behavior. Abuse can lead to many changes in a child's behavior. Abused children often appear scared, anxious, depressed, withdrawn or more aggressive.
3. Returning to earlier behaviors. Abused children may display behaviors shown at earlier ages, such as thumb-sucking, bed-wetting, fear of the dark or strangers. For some children, even loss of acquired language or memory problems may be an issue.
4. Fear of going home. Abused children may express apprehension or anxiety about leaving school or about going places with the person who is abusing them.
5. Changes in eating. The stress, fear and anxiety caused by abuse can lead to changes in a child's eating behaviors, which may result in weight gain or weight loss.
6. Changes in sleeping. Abused children may have frequent nightmares or have difficulty falling asleep, and as a result may appear tired or fatigued.
7. Changes in school performance and attendance. Abused children may have difficulty concentrating in school or have excessive absences, sometimes due to adults trying to hide the children's injuries from authorities.
8. Lack of hygiene/personal care. Abused and neglected children may appear uncared for. They may present as consistently dirty and have severe body odor, or they may lack sufficient clothing for the weather.
9. Risk taking behaviors. Young people who are being abused may engage in high-risk activities such as using drugs or alcohol or carrying a weapon.
10. Inappropriate sexual behaviors. Children who have been sexually abused may exhibit overly sexualized behavior or use explicit sexual language.