

Purpose and Scope

This Policy establishes guidelines designed to provide a safe environment for minors when on the DeSales University campus, or while participating in University-sponsored activities off campus. This Policy is intended to apply to University-sponsored activities involving minors, and programs for minors sponsored by non-University organizations that operate in University facilities.

Definitions

A **Minor** is any person under the age of 18, but, as such term as used in this Policy, excludes those currently enrolled as a student or employed by the University.

The term **Authorized Adult** shall refer to an adult who is authorized pursuant to this Policy to supervise minors participating in a Program. As noted below in this Policy, all University students, employees, independent contractors or volunteers acting as authorized adults must be in compliance with the requirements of the provisions of this Policy captioned “*Sustaining a Caring Culture*.” 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 child participates) unless they are in compliance with the requirements outlined below under “*Sustaining a Caring Culture*.”

A **Program** shall include any organized activity or event that is designed to include participants who are minors, offered by an academic or administrative unit of the University, whether on- or off-campus, or by non-University organizations using campus facilities. Programs shall include workshops, summer camps (day or residential), and group visits, but shall exclude the following:

Exempt Programs:

- Performances or events open to the general public (such as liturgies, athletic competitions, plays, concerts, lectures);
- Visits, events, or workshops where participating minors are accompanied by their parent or guardian;
- Visits and tours for prospective students organized by the Office of Admissions;
- Visits by minors over the age of 16, including overnight stays in University housing facilities by candidates for admission, prospective student-athletes, or siblings of enrolled students, when hosted by enrolled University students; provided, however, that all such visitors shall be fully subject to the Student Code of Conduct while on campus.

Responsible Dean or Vice President shall refer to the Vice President or Dean having responsibility over an administrative or academic unit, respectively, and, as used in this Policy, the Director of Athletics. In the event a Program using University facilities is sponsored by a

non-University organization, the Responsible Dean or Vice President will be the Director of Auxiliary Services authorizing the use of the facilities.

Presence of Minors on Campus

The University reserves the right to condition, restrict or deny access to University facilities by minors at its sole 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 or unwilling to comply.

University-Sponsored Programs Involving Minors

Unless they are Exempt Programs, all University-sponsored Programs involving the participation of minors must comply with the following terms and conditions, as well as any other applicable requirements of federal, state or local law or regulation.

1. Program Registration. All academic and administrative units of the University sponsoring a Program in which minors will participate, whether located on or off campus, shall be required to register such Program with the Responsible Dean or Vice President and the Office of Human Resources not later than thirty (30) days prior to the commencement date of the Program. Registration shall be on forms approved by the Office of Human Resources, and shall require a description of the Program, a designation of the University employee having primary responsibility for the Program, a list of all persons who will act as Authorized Adults in connection with the Program (which information shall be updated as soon as it becomes available), together with evidence that the Program complies or will comply in all respects with the requirements of this Policy.

2. Communication Plan. All Programs shall establish a procedure for notification of all participants' parents/legal guardians in the event of an emergency, and obtain and keep accessible contact information for participants' parents/legal guardians, as well as emergency contacts in the event the parents/legal guardians are unavailable. All parents/legal guardians of participating minors shall be provided with contact information in order to reach participants while the Program is in session.

3. Medical Emergency Plan. All Programs must obtain: (i) authorization from all participants' parents/legal guardians to permit transportation of Program participants to University Health Services or local hospitals as deemed necessary; (ii) authorization for emergency medical treatment in the event the parents/legal guardians or their designated emergency contact are not available; and (iii) disclosure of any allergies or other medical condition or physical limitation that might impact participation in the Program. In the event any participants require administration of medicines while participating in the Program, necessary procedures shall be established with the guidance of a medical professional or the University Health Center prior to the start of the Program.

4. Supervision Plan. All Programs must establish a plan for adequate supervision which shall take into consideration the following, non-exhaustive list of factors: the number and average age

of participants, the Program activity, and whether overnight accommodations are involved. The Supervision Plan must specify the person having responsibility over all Authorized Adults serving in the Program, the proposed ratio of participants to Authorized Adults, the proposed number of Authorized Adults over 21, and provide a proposed breakdown of Authorized Adults by category of employees, students and volunteers. The Supervision Plan for any overnight program must specify curfews, rules pertaining to any visitors, and limitations of use of free time.

5. Transportation Plan. All Programs must establish a procedure for the pick-up and drop-off of participants, specifying times and locations, and providing that no participant shall be released to any person other than his or her parent or legal guardian without specific written authorization from such parent or guardian. Any Program providing for transportation of participants by Authorized Adults after drop off by parent or legal guardians to the campus or other site must be in all instances be reviewed and approved by the Office of Human Resources. Under no circumstances shall an Authorized Adult be permitted to be alone with a minor in a car or other vehicle.

Individuals Acting as Authorized Adults

No student, University employee, parent or legal guardian, independent contractor or other volunteer shall serve as an Authorized Adult in any University-sponsored Program, unless and until the following requirements have been met:

Self-Disclosure. Each person proposed to serve as an Authorized Adult shall complete a self-disclosure form disclosing any and all convictions and shall agree to immediately disclose any arrest or conviction occurring thereafter.

Background Check. A successful background check will be required of each proposed Authorized Adult prior to his or her participation in a University-sponsored Program involving minors. All such checks pertaining to University-sponsored Programs shall be conducted by the Office of Human Resources or a contractor acting under the direction of the Office of Human Resources. Such background check shall include at a minimum a review of the Pennsylvania Criminal, or similar registries of the state or states of primary residence of such person, as well as a national sex offender search. All such checks shall be conducted in compliance with the applicable provisions of state or federal law.

Training. Each person proposed to serve as an Authorized Adult shall complete a training program on the protection of children from abuse, an online program contracted through *Virtus*, approved and administered by the Office of Human Resources.

Acknowledgement. Each person proposed to serve as an Authorized Adult shall certify that they have accomplished each of the above items and understand the tenets for professional excellence established for working with minors on campus in support of *Sustaining a Caring Culture* a Code for Ethical Behavior at DeSales University.

Non-University Sponsored Programs

Non-University organizations sponsoring Programs that use University facilities shall be required to execute and deliver the following prior to authorization by the Director of Auxiliary Services to make use of DeSales University facilities.

- A Facilities License Agreement setting forth the specific facilities to be used, the dates and hours of permitted access and other terms applicable to such use;
- Unless such program is determined by the Director of Auxiliary Services to be an Exempt Program, a certification that the Program meets all requirements for Programs set out in this Policy, including without limitation, the provision concerning training and background checks of the responsible party executing the Facilities License Agreement, the University reserves the right to request information pertaining and background checks for all individuals who will be present for such a program on the University premises;
- An Indemnification Agreement in a form acceptable to University Counsel defending and holding the University harmless against any and all claims arising from the actions of the Sponsor, its employees, volunteers, or participants and from any failure to conform to the requirements of this Policy.

Prohibited Conduct

No Program or Exempt Program involving minors shall involve any of the following:

- Unobserved or unsupervised one-on-one contact between a minor and any Authorized Adult;
- Corporal punishment, inappropriate touching, horseplay;
- Hazing or bullying of any kind;
- Presence or consumption of tobacco, alcohol, or illegal drugs;
- Presence or use of or sexually explicit literature or other media of any kind;
- Presence or use of firearms or weapons of any kind;
- Gifts between Authorized Adults and minors;
- Inappropriate use of cameras, audio or video equipment, or computers;
- Any private communication not pertaining to Program matters between adults and minors by email, text messaging or social media; or
- Transportation of minors by adults except in conformance with a Transportation Plan.

Reporting of Inappropriate Activity, etc.

All members of the University community are encouraged to report the presence of unaccompanied minors on campus, as well as any inappropriate conduct by a minor and/or an accompanying adult to the DeSales University Police Department at 610.282.1100 x1250.

All employees serving as Authorized Adults in University sponsored Program should be aware that they are mandatory reporters under Pennsylvania law and must report to the PA Department of Public Welfare's Childline all instances where they have reasonable cause to believe a child is suffering physically or emotionally from abuse, including sexual abuse, or neglect.

In order to ensure the University gives suspected abuse appropriate attention in an objective and consistent manner, it is not required that you obtain proof that actual abuse has occurred. If an individual is uncertain about whether abuse has actually occurred, he or she should still make a report to the appropriate officials. Do not directly question the minor or try to solicit information from the minor or suspected abuser, all suspected abuse should be reported as follows:

1. To report suspected abuses if a minor is in immediate danger, call campus safety at 610.282.1100 x1250 or 911.
2. To report suspected abuses if a minor is not in immediate danger, call:
 - a. Campus Safety; and
 - b. Pennsylvania Department of Public Welfare's Childline at 1.800.932.0313

Internal reports will be handled with discretion by the DeSales University Police in the event they become aware of or concerned about such abuse or neglect in cooperation with the PA Department of Public Welfare.

In addition, all employees serving as Authorized Adults in University-sponsored programs are "Campus Security Authorities" under the University's Policy on the reporting of crimes pursuant to the Jeanne Clery Disclosure and Campus Security Policy and Campus Crime Statistics Act (the "Clery Act") and should review the University Policy on Crime reporting available online at <http://www.desales.edu/docs/security/report>

Non-Retaliation

Any person who makes a good faith report of child abuse may not be subjected to retaliation in any form. Retaliation will be considered a violation of University policy and will result in serious disciplinary action, up to or including dismissal.