

CLAYTON STATE UNIVERSITY CAMPUS POLICY ON PROGRAMS SERVING MINORS

Preface

This policy is intended to ensure that under no circumstances shall an adult be permitted to be alone with a minor on the campus of Clayton State University, or alone with a minor during a Clayton State University produced event. In addition, the following must be observed:

- No less than two adults should be with minors at all times while on campus, while travelling, or off-campus for a campus produced event.
- Under no circumstances should an adult communicate with a minor using a phone, email, direct messaging, or any form of digital communication, unless another adult is included in the message stream. *Please reference the enclosed policy for exceptions to the above.*
- Anyone who witnesses an adult violating this policy should intervene and report the event to the unit or program director.
- Every member of the Clayton State University community is required to report known or suspected instances of the abuse of, neglect of, or inappropriate interactions with minors to the Department of Public Safety.
- Clayton State University requires that each adult shall complete training before he or she participates or engages with minors in a Clayton State produced or Clayton State hosted event on the University's campus. All Third-Parties must provide approved training for their employees and volunteers.
- Every program that produces an event, or serves as a host to a third-party that will have minors participating, must first seek approval through the Vice President or Director of its specific unit.
- Any Third-Party hosted event must be sponsored by a unit of Clayton State University.

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[UPDATED 1.31.20]

Purpose

Clayton State University is dedicated to the welfare and safety of minors who visit Clayton State's campus, who participate in Clayton State's programs, and who are entrusted to Clayton State's care. To promote the protection of minors, this policy 1) describes the requirements of administrators, faculty, staff, students, volunteers and others who interact with minors on campus and 2) informs all members of the University community of their obligation to report any instances of known or suspected abuse or neglect of minors on campus.

Definitions

1. **Minor** – A person under the age of eighteen (18) who is not enrolled as a student at Clayton State University.
 - a. Dual enrollment students are considered Clayton State University students and are not categorized as minors.
 - b. Potential students visiting the University for recruiting events, appointments or tours are not considered to be minors and are not covered under this policy. *Please see Code of Conduct for unaccompanied minors visiting campus.*
 - c. Minors visiting the University for ticketed events (e.g. athletics contest, member of the audience, student led event, etc.) are not covered under this policy.

2. **Programs Serving Minors**
 - a. **Clayton State University Produced Events** – Programs, events, and activities serving minors offered by academic or administrative units of Clayton State University at any location.
 - b. **Third-Party Hosted Events** – Programs, events, and activities offered by non-Clayton State University groups who utilize University facilities.

Program Registration

Every program that produces an event, or serves as a host to a third-party that will have minors participating, must first seek approval through the Vice President or Director of its specific unit. The program then must complete the following form “*Minors on Campus Event Registration*” which is housed on the Human Resources website on <https://www.clayton.edu/human-resources/about/>

The form requires the following information:

- Event name
- Event date
- Department responsible
- Clayton State produced event or third-party event designation
- Event description
- Number of expected minors in attendance
- Number of expected volunteers
- Volunteer registration process (Internal/External)

Program registration must be completed a minimum of 45-days prior to the date of the event. The responsible department must have volunteers associated with the program, whose background check must be processed through Human Resources, submit a request no later than 10 business days prior to the start of the event to ensure a complete background check has occurred.

Program Requirements

1. **Training** – Clayton State University requires that each adult shall complete training before he or she participates or engages with minors in a Clayton State produced or Clayton State hosted event on the University’s campus. Training for Clayton State employees shall be completed annually and will be documented with the adult signing a Statement of Acknowledgement indicating his or her receipt and understanding of the Clayton State University Code of Conduct. Training for volunteers will be completed online and the results must be turned into the program director no later than 48 hours prior to the event.

Clayton State University training shall include:

- Responsibilities and expectations
- Policies, procedures and enforcement thereof
- Appropriate crisis and emergency responses (injuries, illness, staff or volunteer misconduct, minor and/or parent misconduct)
- Safety and security precautions
- Confidentiality involving concerns with minors
- University responsibility and liability
- Mandatory reporting requirements

All third-party events must include a training process. The third-party event contact must acknowledge that every employee and volunteer has been through a training which includes managing events with minors.

2. **Background Screening** – A background check shall be required of each adult prior to his or her interaction or participation with minors in programs covered by this policy. ***Background checks for Clayton State produced events are the financial responsibility of the department who hosts the event.*** This includes, but is not limited to, third party or non-Clayton State personnel who work with, instruct, or otherwise engage with minors on Clayton State’s campus, as well as Clayton State administrators, faculty, staff, students, and volunteers who work with, instruct, or otherwise engage with minors. At a minimum, background checks will include criminal and sexual offender checks.

Background checks that are defined by and acceptable to the University must be conducted and the results evaluated prior to the adult beginning to work with, instruct, or otherwise engage with minors. Individual programs or units may require more frequent updates. Following the completion of an initial background check, there is an affirmative duty for all faculty and staff to notify Clayton State University of new arrests and the disposition of any outstanding charges within three business days of such occurrences, and to cooperate in providing information necessary to evaluate the circumstances of the arrest and charges. There is also an affirmative duty for faculty and staff to report within three business days any adverse information resulting from subsequent background checks obtained at any practice site and to cooperate in providing information necessary for evaluating the circumstances of the adverse information. Likewise, faculty and staff members have a duty to disclose within three business days any protective orders related to a criminal charge.

It is the responsibility of the program director or director’s designee of the program to ensure that each participating adult has submitted the background request information and has subsequently received clearance to participate. The Office of Human Resources will maintain a catalog of individuals who have been cleared to participate. Any decision to deny participation in a program involving minors must be consistent with applicable University policies on the use of background checks.

3. **Supervision Ratios** –All programs are required to maintain the following adult-to-minor ratios for University produced or third-party events:
 - Grades kindergarten through 5: 1 adult staff member for every 10 minors
 - Grades 6 through 12: 1 adult staff member for every 12 minors
 - Each group must have a minimum of two adults regardless of the number of minors.
 - Overnight hosted camps are responsible for their own chaperones who must meet USG minors on campus requirements.

4. Mandatory Reporting Requirements

Every member of the Clayton State University community is required by law to report known or suspected instances of the abuse of, neglect of, or inappropriate interactions with minors. Members making a report in good faith will be protected from criminal and civil liability for making the report. *It is important to understand that every member is required to report any type of suspected abuse, neglect, or inadequate care and not just sexual abuse of a minor.*

- a. **Report** – Every member of the Clayton State University community has a further obligation to report known or suspected abuse or neglect of a minor on campus or in a Clayton State program immediately to Public Safety at 678-466-4050.
- b. Any authorized adult, program staff, or other mandatory reporters under Georgia law who has reasonable cause to believe that suspected abuse of a minor has occurred, shall immediately report the suspected abuse to Public Safety and the appropriate supervisor or program administrator. The USG further expects that any other USG employee, whether a mandatory reporter or not, will also appropriately report suspected abuse of a minor. The institution must ensure 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.

5. Random Drug Testing

According to the University System of Georgia's Human Resources Administrative Practice Manual, positions who work with minors under the age of thirteen (13) may be subject to random drug testing. Please refer to the policy here http://www.usg.edu/hr/manual/drug_testing

6. Transportation

Under no circumstances shall an authorized Clayton State University employee be permitted to be alone with a minor in a car or other vehicle. Any program providing transportation of participants by authorized Clayton State University employees after drop-off to the campus, must be in all instances reviewed and approved by the Director of Public Safety.

7. Housing

All overnight camps held on Clayton State University's campus by outside groups must have their own chaperones. In addition, all programs that house participants overnight in residential housing shall enter into a written agreement with Clayton State University for use of the facilities.

8. Licensing Requirements

As a general rule, camps, clinics, after-school programs, enrichment classes, and activities are regulated by the State of Georgia Department of Early Care and Learning. These activities require either a license or an issued exemption from licensure. Camps, programs and activities that are owned and operated by any department or agency of a state, county or municipal government are exempt. An exemption remains in effect until there is a change in the program. Institutions should ensure that all third-party hosted programs are properly licensed or that an exemption from licensure is obtained. A copy of the license or the exemption document from the Department of Early Care and Learning must be displayed as required by state law.

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Appendix A

Code of Conduct

Clayton State University is committed to the safety and protection of minors on campus during a Clayton State University sanctioned program and/or event. This Code of Conduct, along with the Clayton State University Campus Policy on Programs Serving Minors, applies to all faculty, staff, employees, volunteers, and students who represent the University and who interact with minors in both a direct and/or unsupervised capacity.

The public and private conduct of faculty, staff, employees, students, and volunteers acting on behalf of Clayton State University can inspire and motivate those with whom they interact, or can cause great harm if inappropriate. We must, at all times, be aware of the responsibilities that accompany our work.

We must be aware of our own and other persons' vulnerability, especially when working alone with minors, and be particularly aware that we are responsible for maintaining physical, emotional, and sexual boundaries in such interactions. We must avoid any covert or overt sexual behaviors with those for whom we have responsibility. This includes seductive speech or gestures as well as physical contact that exploits, abuses, or harasses. We are to provide safe environments minors at all Clayton State campuses, schools, and institutions.

We must show prudent discretion before physical contact with another person, especially a minor, and be aware of how physical contact will be perceived or received, and whether it would be an appropriate expression of greeting, care, concern, or celebration. Clayton State University personnel and volunteers are prohibited at all times from physically disciplining a minor.

Physical contact with minors can be misconstrued both by the recipient and by those who observe it, and should occur only when completely nonsexual and otherwise appropriate, and never in private. Best practices dictate that one-on-one meetings with a minor should be held in a public area in a room where the interaction can be (or is being) observed; or in a room with the door left open and another staff member or supervisor is notified about the meeting.

We must intervene when there is evidence of, or there is reasonable cause to suspect, that minors are being abused in any way. Suspected abuse or neglect must be reported to the appropriate school and civil authorities as described in the Clayton State University Campus Policy on Programs Serving Minors.

Faculty, staff, employees, and volunteers must refrain from the illegal possession and/or illegal use of drugs and/or alcohol at all times, and from the use of tobacco products, alcohol and/or drugs when working with minors. Adults should never buy alcohol, drugs, cigarettes, videos, or reading material that is inappropriate and give it to a minor. Staff members and volunteers should not accept or give gifts to a minor without the knowledge of their parents or guardians.

Communication with minors by Clayton State University personnel and volunteers is only allowed for Clayton State University business. For the protection of all concerned, the key safety concept that will be applied to these interactions is transparency. The following steps will reduce the risk of private or otherwise inappropriate communication between Clayton State personnel, volunteers, and minors:

- Communication between Clayton State University personnel (including volunteers) and minors that is outside the role of the professional or volunteer relationship (teacher, coach, host, etc.) is prohibited.
- Where possible, email exchanges between a minor and a person acting on behalf of the university are to be made using a clayton.edu email address.

- Electronic communication that takes place over a Clayton State University network or platform may be subject to periodic monitoring.
- Faculty, staff, and volunteers who use text messaging or any form of online communications including social media (Facebook, Twitter, etc.) to communicate with minors may only do so for activities involving Clayton State business.

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Appendix B

Statement of Acknowledgement

I promise to strictly follow the rules and guidelines in this Code of Conduct as a condition of my providing services to minors participating in programs held at Clayton State University.

I will:

- Treat everyone with respect, loyalty, patience, integrity, courtesy, dignity, and consideration.
- Use positive reinforcement rather than criticism, competition, or comparison when working with minors on campus.
- Maintain appropriate physical boundaries at all times and limit physical contact with minors. When physical contact is necessary, it must only be in ways that are appropriate, public, and non-sexual.
- Comply with the mandatory reporting regulations of the University System of Georgia and with the Clayton State University Campus Policy on Programs Serving Minors to report suspected abuse of a minor. I understand that failure to report suspected abuse of a minor to civil authorities is against the law.
- Cooperate fully in any internal and/or external investigation into the abuse of a minor.

I will not:

- Touch or speak to a minor in a sexual or other inappropriate manner.
- Inflict any physical or emotional abuse such as striking, spanking, shaking, slapping, humiliating, ridiculing, threatening, or degrading a minor.
- Smoke or use tobacco products, or possess, or be under the influence of alcohol or illegal drugs at any time while working with a minor.
- Give a minor, who is not my own, a ride home alone.
- Accept a gift or give a gift to a minor without the consent of their parents or guardians.
- Engage in private communications with a minor via text messaging, email, Facebook, Twitter or similar forms of electronic or social media, except for activities strictly involving Clayton State University business.
- Use profanity in the presence of a minor at any time.

I understand that as a person working with and/or providing services to a minor under the auspices of Clayton State University, I am subject to a criminal history background check. My signature confirms that I have read this Code of Conduct, and that as a person working with minors, I agree to follow these standards. I understand that any action inconsistent with this Code of Conduct or failure to take action mandated by this Code of Conduct may result in disciplinary action, including potential termination of employment.

Name (print): _____ Signature: _____ Date: _____

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Appendix C

Identifying Abuse of a Minor

Abuse of a minor occurs in different forms including, but not limited to, physical abuse, neglect, sexual abuse, and emotional abuse.

Physical Abuse

Physical abuse of a minor exists when a person under the age of eighteen (18) is suffering from, has sustained, or may be in immediate danger of suffering from or sustaining a wound, injury, disability, or physical or mental condition caused by brutality, neglect, or other actions or inactions.

Physical abuse may be detected by signs such as:

- Injuries such as burns, marks, and scalds.
- Bruising which is repeated on parts of the body where accidental injury would be unlikely to occur.
- Untreated injuries.

Neglect

Neglect may be detected by signs such as:

- A minor failing to attain age-appropriate development. Neglect may be a long-term problem, so in addition to awareness of a lack of care, it is important to notice physical and behavioral signs.
- A minor being left alone and unsupervised.
- A minor's basic physical needs (food, shelter, clothing) not being met.

Sexual Abuse

Sexual abuse is any sexual act between an adult and a minor or between two minors when one exerts power over the other. Warning signs differ by the age of the minor. You should be aware of the following possible warning signs:

- Sexual behavior or language that is not appropriate for the minor's age.
- Overly compliant behavior.
- Withdrawal or depression.
- Unexplained anger.
- Refusal to be left alone.
- Finding reasons not to go home.
- Finding reasons to avoid being with a specific person that the minor used to spend time with.
- Self-mutilation.
- Failing grades or a change in school behavior.
- Bed-wetting or bowel-movement accidents in minors who have previously outgrown it.

Emotional Abuse

Emotional abuse means an injury to the intellectual or psychological capacity of a minor as evidenced by a discernible and substantial impairment in the minor's ability to function within the minor's normal range of performance and behavior, with due regard to the minor's culture. Emotional abuse includes:

- Persistent lack of love or affection.
- Shouting, taunting, or making negative remarks directed at the minor.