KSU Programs Serving Minors
New Policy and Procedures Orientation

Presenters and Lead Discussion Participants

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Agenda

• Welcome and Introductions
• KSU’s Programs Serving Minors Policy and Website
• Who is Affected (Exempt and Non-Exempt)
• Program Registry Review and Approval Process
• Program Requirements
• Additional Information
• Discussion, Questions and Answers
KSU Programs Serving Minors Policy

• USG BOR Policy 12.9 (Programs Serving Minors) directs all USG schools to develop a Programs Serving Minors policy

• KSU Programs Serving Minors website: protectingminors.kennesaw.edu

• Beginning 5/1/17, any Program involving non-enrolled minors must be registered and approved by KSU annually
Who is Affected?

**Programs:** Activities serving non-enrolled minors operated by KSU or Third Party Organizations in a KSU facility.

**Exempt Activities:**
- Activities on campus open to the general public where minors attend at discretion of parent/guardian
- Programs designed for enrolled University students
- Non-residential field trips to KSU supervised by a minor’s school or organization
- Student recruitment activities that will last no longer than 1 day and do not include an overnight stay
- National tests offered by KSU Testing Center

**Non-Exempt Activities:**
- Sports camps
- Academic camps
- Workshops
- Mentoring activities
- Specific conferences
- Internships
- Research projects

Reminder: Exempt Activities utilizing KSU facilities must go through standard KSU review/approval procedures by Events, Legal, Procurement, and Risk/Insurance.
Program Registry Review and Approval Process

Before the program activities involving the minors occur, the program must be submitted to the KSU Minors Program registry process for review and approval: [http://protectingminors.kennesaw.edu/registry.php](http://protectingminors.kennesaw.edu/registry.php)

The Program Sponsor submits a program request to a Sponsoring Unit for Approval

The Sponsoring Unit reviews/approves the request

The program undergoes Annual Compliance Reviews

Review includes certification that:

- All activities are consistent with KSU’s mission
- Appropriate funding is in place
- Requisite Authorized Individual training, licensing requirements, housing and transportation needs, and other logistics will be in place prior to the start of the program

- **Legal**: Licensing, Program Forms, Facilities Use Agreement(s) and other agreements
- **HR**: Background Investigations for Authorized Individuals
- **OERM**: Risk/Insurance Coverage
- **Event Management**
- **Compliance**

NOTE: Approval of a program does not guarantee facility availability or usage
Program Requirements: Legal Review

- Division of Legal Affairs must review all licensing, program forms, facilities use agreement(s) and other agreements **before** the program activities involving the minors occur.
Program Requirements: Program Forms

Program Sponsors for University Affiliated programs must maintain:

**Program Participants Forms:**
- Liability Waiver and Release
- Emergency Contact, Medical Information & Authorization for Medical Care
- Participant Conduct Agreement
- KSU Pick-up Authorization

**Program Sponsors and Authorized Individuals Forms:**
- Program Implementation Checklist
- Staff & Volunteer Code of Conduct
- KSU Volunteer Agreement
- KSU Registered Visitor (formerly Long Term Visitor)

All KSU forms may be found here: [http://protectingminors.kennesaw.edu/resources.php](http://protectingminors.kennesaw.edu/resources.php)
Program Requirements: Document Retention

• Program Sponsors are responsible for keeping Program Participant records for University Affiliated Programs.

• Per the BOR, any participant record must be kept for 3 years after the Participant reaches the age of 18.

• Other program records should be kept in accordance with BOR retention policies:
  http://www.usg.edu/records_management/schedules/
Program Requirements: Background Investigations

All Authorized Individuals with primary responsibilities involving direct interaction with minors are required to have a current satisfactory background check on record prior to beginning work with minors.

University Affiliated Activities

- HR will conduct background investigations for all Authorized Individuals (including KSU faculty, staff, & volunteers utilizing the KSU Registered Visitor form (formerly Long Term Visitor form)).*
- Background investigations must be performed on returning Authorized Individuals every 3 years.
- All Volunteers must also fill out the Volunteer Agreement Form.

* Fees are the responsibility of the KSU Program/Sponsoring Unit

Third Party Activities

- Third Party Programs will enter into a Facility Use Agreement or License Agreement. Agreements include satisfactory background investigation requirements. **
- Reminder: Third Party programs and their employees/contractors should utilize the KSU Registered Visitor form (formerly Long Term Visitor form) when appropriate.

** Fees are the responsibility of the Third Party Program/Organization
Program Requirements: Risk/Insurance

• Kennesaw State University staff and volunteers are covered by the State for **Liability Insurance** while acting within the scope of their official duties or employment. O.C.G.A. §50-21-20 *et seq.*
  • This does NOT cover any program participants’ accidental injuries occurring during program.

• The Office of Enterprise Risk Management (OERM) will review KSU Affiliated Programs to determine the necessity of procuring Accidental Injury Insurance or other specialty coverages.

• Contact KSU Risk Management with questions: [http://risk.kennesaw.edu/](http://risk.kennesaw.edu/)
Report Requirements: Procedures

- Required Training
- Reporting Procedures:
  - Mandated Reporting of Child Abuse
  - Incident Reporting
- Codes of Conduct for Staff, Volunteers, and Program Participants
- Safety Planning

Program Sponsors should utilize the Program Checklist Form: http://protectingminors.kennesaw.edu/resources.php
Program Requirements: Procedures
Required Training

• Effective May 1, 2017, all Authorized Individuals are required to complete annual KSU approved training before they begin working with minors

• Training is available for Authorized Individuals and third parties at our website: http://protectingminors.kennesaw.edu/training.php

• Program Sponsors are responsible for:
  • ensuring all Authorized Individuals complete required training
  • maintaining training certifications for Authorized Individuals
Program Requirements: Procedures
Mandated Reporting

• Any **Authorized Individual** who knows, suspects, or receives information indicating that a minor has been abused or neglected **must** report the concern to get help for the minor.

• **Failure to Report**: Anyone “who knowingly and willfully fails to do so shall be guilty of a misdemeanor.” O.C.G.A. § 19-7-5(h)

• It is **NOT** the Authorized Individual’s role to investigate the concern, including any injuries or anything the minor has revealed.
Child abuse includes:

- **Physical Abuse:** intentional injury or death inflicted by a parent/caretaker
- **Emotional Abuse:** any attitude or behavior negatively interfering with child’s development
- **Neglect:** allowing a child to experience avoidable suffering or failing to provide basic essentials
- **Sexual Abuse:** when an adult or older child employs, uses, persuades, induces, entices a child to engage in any sexual act

See O.C.G.A. 19-7-5
Program Requirements: Procedures

Incident Reporting

• For Medical and/or Life Threatening Emergencies call:
  • **470-578-6666**: KSU Department of Public Safety & Police
  • 911

• For Non-emergencies call:
  • **470-578-6206**: KSU Department of Public Safety & Police

• Program participants’ emergency contact information should be readily available, and immediately utilized in case of emergency.

• Program Sponsors **must** submit an Accident/Incident Report to KSU Environmental Health and Safety Department within 24 hours at: [http://ehs.kennesaw.edu/incident_reporting.php](http://ehs.kennesaw.edu/incident_reporting.php)

• For information on reporting additional concerns or issues: [http://protectingminors.kennesaw.edu/incidentreporting.php](http://protectingminors.kennesaw.edu/incidentreporting.php)
Program Requirements: Procedures
Codes of Conduct: Staff, Volunteers, and Program Participants

• Codes of Conduct are available at: http://protectingminors.kennesaw.edu/resources.php

• The Codes of Conduct help to ensure:
  • Appropriate interaction between program staff/volunteers & program participants
  • Provides for a safe environment for program participants and program staff/volunteers

• Codes of Conduct **must** be signed by:
  • Authorized Individuals
  • Program Participants
Program Requirements: Procedures
Codes of Conduct for Staff and Volunteers: Highlights

Program Staff or Volunteers **may not:**

• Engage in private communications with minors (including communications via text messaging, e-mail, phone, Facebook, Instagram, on-line games or other forms of social media).

• Meet with minors outside of established program locations and times.

• Engage in sexual or otherwise inappropriate banter in presence of minors.

• Give gifts to minors without parental/guardian knowledge.

• Use profanity, vulgarity or harassing language in presence of minors.

• Transport minors, unless specifically cleared with Program Sponsor and part of Program.
Program Requirements: Procedures

Safety Planning

Program Sponsors must provide safety awareness information to all Authorized Individuals. Information should include:

• KSU Office of Emergency Management information: [http://oem.kennesaw.edu/](http://oem.kennesaw.edu/)
• A plan for injury, inclement weather, other possibilities.
• First Aid Procedures
• Campus Automated External Defibrillator (AED) locations
• Outdoor activities/shelter in place for inclement weather
• Emergency notification procedures
Additional Information: Relevant KSU Policies

• Compliance with KSU’s Non-Discrimination Policy & Federal Civil Rights & Anti-Discrimination Laws
  • Title VII
  • Title IX
  • Americans with Disabilities Act (“ADA”)
• Compliance with the Clery Act
• Report concerns regarding violations of these policies at: http://concern.kennesaw.edu/
• Other KSU Policies that may be relevant (depending upon the type of event/activity) are at: https://policy.kennesaw.edu/
Additional Information: Best Practices

Program Sponsors should ensure **Authorized Individual to Program Participant** ratios are followed:

### Day Programs:

<table>
<thead>
<tr>
<th>Program Participant Age</th>
<th>Ratio of Authorized Individual to Participants</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ages 4-5</td>
<td>1:6</td>
</tr>
<tr>
<td>Ages 6-8</td>
<td>1:8</td>
</tr>
<tr>
<td>Ages 9-14</td>
<td>1:10</td>
</tr>
<tr>
<td>Ages 15-17</td>
<td>1:12</td>
</tr>
</tbody>
</table>

### Overnight Programs:

<table>
<thead>
<tr>
<th>Program Participant Age</th>
<th>Ratio of Authorized Individual to Participants</th>
</tr>
</thead>
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<tr>
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Additional Resources: KSU Website

The KSU Programs Serving Minors website provides this presentation, **required training**, forms, and other resources for program sponsors to utilize: protectingminors.kennesaw.edu.
Future Support and Compliance

- KSU Venue and Event Management
- Program Coordinator/Manager for all Programs Serving Minors
- Online Registry System Development
- The Office of Financial Management, Compliance Department annual compliance monitoring
- More information to come
Discussion, Questions, and Answers

- Legal, HR, and Risk/Insurance are reaching out to program sponsors separately to be pro-active, however the Program Sponsors are ultimately responsible for meeting program policy and procedures compliance!
- **Important Reminder**: Program Sponsors should reach out to Legal, HR, and Risk/Insurance if they have not already done so to ensure your program is in compliance beginning **May 1, 2017**.
- Thank you for attending!