

UR 24.01.06.H1 Programs for Minors



Approved: June 2014
Revised: June 2015
Next Scheduled Review: June 2020

Rule Statement

Programs for minors sponsored and operated by Texas A&M University-Texarkana (A&M-Texarkana) including third-party programs for minors using A&M-Texarkana facilities shall follow this procedure.

Reason for Rule

This procedure establishes guidelines and requirements for conducting programs for minors sponsored and operated by Texas A&M University-Texarkana and third-party programs for minors using Texas A&M University-Texarkana facilities.

This rule complies with the requirements of and must be reviewed in conjunction with [System Regulation 24.01.06, *Programs for Minors*](#).

Procedures and Responsibilities

1. GENERAL

- 1.1 All programs for minors held on Texas A&M University-Texarkana property or utilizing the University's name or resources in any way must operate under the administrative authority of a University department, college or recognized University organization.
- 1.2 For the purpose of these procedures 'university sponsored' shall be understood to mean the operation of a program for minors using the name, staff, affiliation, facilities, or other resources of A&M-Texarkana.
- 1.3 All programs for minors must be approved annually. Information about the application process and the necessary forms may be obtained from the Office of Student Life or on the Texas A&M University-Texarkana website under programs for minors.

- 1.4 Applications for programs for minors should be submitted at least four weeks prior to the start date of the program for minors. Applications shall be submitted to the Office of Student Life for processing.
- 1.5 Approval of a program for minors does not guarantee facility availability or usage. It is the responsibility of the Programs for Minors Director to research and arrange for booking of meeting rooms, housing accommodations, food service, etc. for desired dates.
- 1.6 A risk assessment shall be performed by the Programs for Minors Director to review and mitigate risks associated with the operation of programs for minors. A&M-Texarkana will use the [Risk Assessment Matrix](#) provided by System Risk Management to identify, rate and mitigate risks involved with programs for minors. The risk assessment shall be reviewed by the Programs for Minors Administrator, Environmental Health & Safety and the University Police Department prior to submission to System Risk Management.

2. DEFINITIONS

- 2.1 Programs for Minors: See [System Regulation 24.01.06, Programs for Minors](#).
- 2.2 Minor: See [System Regulation 24.01.06, Programs for Minors](#).
- 2.3 Programs for Minors Director:
 - 2.3.1 The Programs for Minors Director must be an A&M-Texarkana full-time employee and is responsible for completing the Programs for Minors application.
 - 2.3.2 A Programs for Minors Director is the individual on-site in charge of the program operations, staff and/or volunteers. This individual represents the sponsoring department, college, student organization, or Third-Party charged with the direction or operation of the program for minors.
 - 2.3.3 A dedicated Programs for Minors Director must be appointed for each program for minors, whether the program for minors is sponsored by A&M-Texarkana or third-party program for minors using member facilities.
- 2.4 Programs for Minors Administrator:
 - 2.4.1 The Programs for Minors Administrator, the Assistant Vice President of Student Affairs or their designee, is authorized to review and approve programs for minors on behalf of A&M-Texarkana.
 - 2.4.2 The Programs for Minors Administrator ensures compliance with [System Regulation 24.01.06, Programs for Minors](#) and University Rule 24.01.06.H1, *Programs for Minors*.

3. REPORTING NEGLECT OR ABUSE

- 3.1 A person having cause to believe that a minor's physical or mental health or welfare has been adversely affected by abuse or neglect by any person shall

immediately make a report to the University Police Department (UPD) which will in turn notify child protection services and other law enforcement agencies as appropriate. This legal requirement will be communicated by the university to all individuals participating in the management/supervision of programs for minors or employees and volunteers of third-party programs for minors utilizing member facilities.

4. OTHER REQUIREMENTS

- 4.1 Communication, including by social media, between minors and counselors outside of official communications of the program for minors is prohibited.
- 4.2 As part of the program registration process, the parents or guardians of the participants will be asked to identify medication required during the program time frame. If a participant needs to be administered medication during program hours the parent or guardian will be required to remain at the program or return to the program to administer the medication.
- 4.3 As part of the program file, private and personal health information of the participant will be kept in a secure location to be accessed only by the Programs for Minors Administrator. A confidentiality agreement, to protect the medical, health and welfare information of a participant, must be signed by all Programs for Minors Directors, supervisors and counselors. This agreement will be retained in the program file according to the records retention schedule.
- 4.4 The university will make a reasonable attempt to serve participants who require special attention or consideration. The Programs for Minors Director will evaluate program suitability for any requests to enroll a participant with special needs.

5. STAFFING

- 5.1 Job duties and descriptions will be required for each intended position assisting with the program for minors. Duties, education requirements, responsibilities and a summary of program for minors activities need to be included in the job description. For an example, contact the Programs for Minors Administrator.
- 5.2 Programs for Minors Directors shall plan for and provide adequate staffing in accordance with the number of anticipated participants, age group, duration and types of activities.
- 5.3 Participant to Counselor Ratios: Each program for minors shall have at least one adult supervisor who is responsible for supervision of no more than ten children in the program for minors. For any hazardous activity the supervisor (s) shall be in the immediate vicinity (within sight and/or hearing) of the participants. The Programs for Minors Director shall not be included in the supervisor to participant ratio in programs serving over 50 participants at one time.
- 5.4 At least 80 percent (100 percent for programs for minors primarily serving persons with special needs) of the staff are eighteen years of age or older.

- 5.5 All staff is at least sixteen years of age and at least two (2) years older than the participants.

6. CRIMINAL CONVICTION & SEX OFFENDER BACKGROUND CHECKS

- 6.1 Programs for Minors Directors shall conduct criminal conviction and sex offender background checks annually on all individuals hired or assigned to employee or volunteer positions involving contact with minors at a program for minors. The Programs for Minors Director shall approve/disapprove the employment or assignment of employees or volunteers to programs for minors based on findings. The check must utilize a criminal history database and sex offender registration database (such as the TXDPS-Sex Offender Registry or other valid sex offender database) for each adult employee and volunteer's permanent address.
- 6.2 Documentation that a criminal conviction and sex offender background check was conducted shall be maintained for a period of two (2) years.
- 6.3 A copy of the participant roster and employee/volunteer roster, including name and contact information, must be maintained for two (2) years.
- 6.4 The University Police Department will conduct background checks upon request for a fee and maintain documentation that a criminal conviction and sex offender background check was conducted. The program for minors shall bear this expense.
- 6.5 Programs for Minors Directors are responsible for ensuring that background screening is conducted prior to the start of employee or volunteer service and that appropriate documentation is maintained.
- 6.6 Contracts with Third Party Programs for Minors shall include as a provision of the contract the requirement that individuals affiliated with the program for minors, as staff or volunteers, will have completed background screenings, and certify in writing that they have conducted criminal background checks on all individuals' affiliated with the program for minors, and that they are clear. The process used for background screening by the Third Party Program for Minors must meet the criteria outlined in [System Regulation 24.01.06, Programs for Minors](#).
- 6.7 For information regarding criminal convictions/deferred adjudications that **automatically or may disqualify** a person from being a programs for minors employee or volunteer, see [System Regulation 24.01.06, Programs for Minors](#).

7. TRAINING AND EXAMINATION PROGRAM ON WARNING SIGNS OF SEXUAL ABUSE AND CHILD MOLESTATION

An individual hired or assigned to an employee or volunteer position involving contact with minors at a program for minors is required to complete training and examination on sexual abuse and child molestation meeting the following criteria.

- 7.1 Successful completion of the system-approved Child Protection Training course every two years with a passing score of 100%.
- 7.2 Training can be found under Child Protection Training. University employees will take the training via TrainTraq using their UIN; non university employees will take the training using an External Gateway. A temporary password may be obtained from Human Resources.
- 7.3 Training must be completed prior to the employees' or volunteers' interacting with minors; new employees hired specifically for a position involving contact with minors at a programs for minors must complete the training within the employee's first five (5) days of employment.
- 7.4 A certificate of completion shall be kept on file for two (2) years.
- 7.5 Employees or volunteers of third-party programs for minors using member facilities may substitute the system-approved training course with an approved course as listed with the Texas Department of State Health Services (DSHS). (See Appendix)
- 7.6 When the program for minors is conducted for all or part of at least four days and has 20 or more participants, the program for minors must submit the training roster to the DSHS on the approved DSHS form. (See Appendix)

8. OTHER APPROVAL PROVISIONS

- 8.1 The Programs for Minors Director must have established a process for the proper receipt, deposit and handling of special activity fees and other funds collected pursuant to [System Regulation 21.01.02, Receipt, Custody and Deposit of Revenues](#) and University procedures.
- 8.2 The sponsoring department, college, or other unit of the University must have in place, or must establish an account(s), in accordance with [System Regulation 21.01.02, Receipt, Custody and Deposit of Revenues](#) and University Procedures, with the Business Office for the deposit of special activity fees or other funds collected. All invoices associated with the program for minors, such as food services, transportation, insurance, housing, etc., will be paid from this account. Support Service Fees, collected to reimburse the University for non-programmatic overhead, will be assessed to programs for minors based on the number of programs for minors participants and the number of program days.
- 8.3 Copies of invoices generated by the program for minors to collect funds must also be provided to the Business Office for close coordination of receivables which are outstanding or due.

9. INSURANCE REQUIREMENTS

- 9.1 As a condition of approval, each program for minors is required to show evidence of general liability and accidental medical insurance coverage or participate in a

policy to be purchased by A&M-Texarkana. The cost of the required insurance coverage will be the responsibility of the Programs for Minors Director.

- 9.2 Third Party Programs for Minors must secure their own insurance coverage. They are subject to the same approval and insurance coverage criteria as A&M-Texarkana programs for minors. Third Party Programs for Minors must provide evidence of a general liability insurance policy under which Texas A&M University-Texarkana is listed as 'additional insured.'
- 9.3 All insurance coverage shall be approved by System Risk Management. System Risk Management will grant approval after a risk assessment has been completed to determine the necessity and type of coverage best suited to mitigate target risk.

10. SAFETY AND MEDICAL CARE PROVISIONS

- 10.1 Safety awareness information, specific to programs for minors activities, shall be provided to all program for minors staff or volunteers. Where appropriate, safety awareness information may include training on First Aid and CPR.
- 10.2 Each program for minors participant (or a parent/guardian if underage) shall complete a medical treatment authorization and liability waiver form.

11. REPORTING OF INCIDENTS OR ACCIDENTS

Programs for Minors Directors are responsible for submitting an incident report in any case where a participant is involved in a physical altercation, when a participant is injured (whether taken for medical care or not), or where it is necessary to summon police officials because of health and safety concerns.

- 11.1 Incident Reports shall be submitted to the University Police Department as soon as possible following the incident.
- 11.2 A copy of the incident report shall also be sent to the University Administrator who approved the Program for Minors application and the Environmental Health and Safety Office.
- 11.3 To report an incident, the Programs for Minors Incident Report Form should be used.

12. MONITORING OF PROGRAMS FOR MINORS

- 12.1 The Programs for Minors Administrator shall monitor the administration of Programs for Minors' compliance with System Policy and Regulations and University Rules and Procedures.
- 12.2 The Programs for Minors Administrator will be expected to maintain documentation according to the records retention schedule.
- 12.3 Staff training and orientation materials will be submitted by the Programs for Minors Director for documentation and review.

Related Statutes, Policies, or Requirements

[System Regulation 24.01.06, Programs for Minors](#)

[Texas Education Code §51.976](#)

[Texas Family Code Chapter 261, Subchapters A and B](#)

[System Regulation 21.01.02, Receipt, Custody, and Deposit of Revenues](#)

Appendix

[Risk Assessment Matrix for Use with Programs for Minors](#)

[Waiver, Indemnification and Medical Treatment Authorization Form](#)

[Texas Department of State Health Services Approved Training Programs](#)

[Third-Party Minor Camp or Program Contract Template](#)

[DSHS Training Roster Form](#)

Contact Office

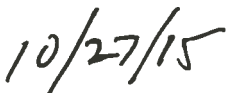
Office of Student Life
(903) 223-3062

System Approvals

Approved for Legal Sufficiency:

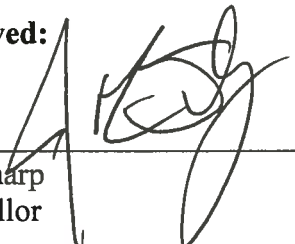


Ray Bonilla
General Counsel

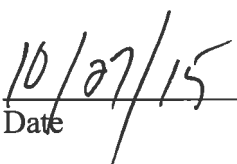


Date

Approved:



John Sharp
Chancellor



Date