



PROTECTION OF MINORS POLICY

02.250

Authority:	Chancellor
History:	Effective September 2012
Source of Authority:	UNC Code Section 502
Related Links:	Sexual Misconduct Policy 04.130; Crime Reporting 05.502
Responsible Office:	University wide

I. Purpose

- A. The purpose of this policy is to take affirmative steps to safeguard and protect minor children from potential abuse while:
 - a) Visiting the university campus attendant to university offered programs and events;
 - b) Participating in third party programs and activities that utilize campus facilities; or
 - c) Participating in university sponsored programs and activities while off-campus.
- B. Specifically, this policy addresses the potential for abuse or molestation of minor children, and the use of volunteer and employee screening, training, education, reporting mechanisms, preventative measures and risk management strategies to eliminate or reduce the opportunities contributing to the potential for of abuse.

II. Scope

- A. Applies to Administrators, Faculty, Staff, and Students.
- B. In order to satisfy the reporting obligations below, as well as to provide appropriate and remedial protection to children, this policy applies to alleged abuse occurring on our campus, on property owned or leased by the University, or while members of the faculty, staff, or student body are participating in a University offered or sponsored activity off-campus.
- C. The application of this policy extends to research programs subject to the review and approval of an Institutional Review Board (IRB), Athletic camps, other university hosted camps, Challenge Ropes Courses through Campus Recreation, laboratories and workshops intended for elementary and high school students, outreach, tutoring, and similar activities offered by university faculty, students, and staff. This Policy applies to such programs and activities whether they are day camps or involve the housing of Minor participants in university facilities.

III. Reporting Suspected Abuse or Molestation

- a. A person having a reasonable belief 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.** NCGS §7B-301 requires any person who has cause to suspect that any juvenile is abused, neglected or maltreated is required to report to the NC Dept of Social Services (DSS). See, <http://www.ncdhhs.gov/dss/cps/about.htm#Reporting>
- b. This reporting requirement to the University and DSS is a non-discretionary obligation and must be communicated to all UNCW employees or volunteers by the supervising program director/contact as well as to any third party operated camp involving minors and utilizing University facilities. The person making the report shall provide their name, address and telephone number. The failure of the individual to provide their name shall not preclude follow-up and an assessment of the alleged abuse, neglect, or maltreatment.

Reporting suspected abuse should be immediately reported to the University Police

University Police at 910-962-2222 or ext. 911 on-campus

DSS: <http://www.ncdhhs.gov/dss/cps/about.htm#Reporting>

ADDITIONAL CONTACTS, INFORMATION, AND RESOURCES¹

IV. Policy

¹ Ms. Amber Resetar, Director of Title IX & Clery Compliance, 910-962-2937; titleix@uncw.edu

Wilmington City Police	911 or 910-343-3600
New Hanover County Sheriff's Office	910-341-4200

UNCW Support Resources:

University Police	911 or 910-962-2222
Office of the Dean of Students	910-962-3119
Housing and Residence Life	910-962-3241
Title IX Coordinator	910-962-2937

Local Support Resources

Rape Crisis Center	910-392-7460 or (800) 672-2903
Domestic Violence Shelter & Services	910-343-0703
New Hanover Regional Medical Center	910-343-7799
Cape Fear Memorial Hospital	910-452-8100

A. Definitions

1. Abuse

“Abuse” of a minor child includes serious endangerment of a child’s physical or mental health due to injury by act or omission, including acts of sexual abuse. Sexual abuse includes contacts or interactions between a child and another person where the child victim is being used as an object of sexual gratification for the other individual. A child is abused whether or not this activity involves force, whether or not it involves genital or physical contact, whether or not it is initiated by the child, and whether or not there is discernible harmful outcome.

2. Authorized Adult

"Authorized Adult" for purpose of this Policy means a parent, legal guardian or adult who has complied with the requirements to be present with Minors under this Policy and who is responsible for either escorting or supervising the Minor(s) while on campus or while participating in any activities identified in this Policy.

3. Minor

"Minor" or “minor” for purposes of this Policy means any person under the age of 18.

4. Works With Minors

"Works with Minors" for purposes of this Policy means all activities identified in this Policy and in which a volunteer or employee has the potential to be alone with the Minor.

B. Requirements Affecting Minors On Campus

1. All Minors

- a. Minors are generally permitted at University events and venues open to the public. However, the University reserves the right to determine, in its sole discretion, whether selected events or venues are appropriate for unescorted or unsupervised Minors.
- b. Non-student minors are generally permitted on campus as invitees, participants, or visitors to university sponsored events. Unless properly enrolled in a program, camp, or activity on the campus, non-student minors are generally not permitted on campus without express permission, an authorized purpose, or accompanied by a parent or authorized guardian.
- c. Unless otherwise authorized, all Minors not registered for classes who are otherwise participating in a University program or a structured program taking place on University property must be supervised by an authorized adult(s) while they are participating in the subject structured program or event.
- d. All supervised Minors participating in a University program or a program taking place on University property are generally permitted supervised use of identified facilities

(Athletic Fields, Public Spaces, Academic Buildings, Food Services Area etc.) but the University reserves the right to restrict anyone, including Minors, from certain areas or facilities or from utilizing specified equipment.

2. Pre-High School Age Children

- a. Subject to applicable specific event requirements, policy, or law, all pre-high school age children on the campus must be escorted or supervised at all times by an Authorized Adult. It is the responsibility of the parents, legal guardians or other Authorized Adult to make appropriate off-campus arrangements if these children cannot be accompanied at all times while on campus.
- b. Pre-high school age children, not participating in university sponsored event or program taking place on University property, are prohibited from entering laboratories and other areas where significant potential safety hazards and liabilities may exist and where strict safety precautions are required.
- c. In addition, unsupervised or unescorted pre-high school age children are prohibited from entering areas that might include, but are not limited to, storage rooms, equipment rooms and certain athletic facilities such as training rooms, dressing rooms or shower facilities, courts, fountains, swimming pools and playing fields.

3. High School Age Children

- a. High school age children not participating in University programs or programs taking place on University property may utilize University facilities such as the Library and the University bookstore as long as they meet behavioral standards expected of enrolled students. High school age children not meeting University community conduct standards for UNCW students may be directed to leave the campus and/or trespassed by University Police if necessary.
- b. High school age students are not allowed in classrooms while classrooms are in session unless permission is granted by the faculty member having authorized access to the classroom. Should a high school age student become disruptive, the University student and visitor may be asked to leave and/or trespassed.

C. Conduct Expectations & Requirements

- a). Program directors and supervisors shall train their staff in and adhere to the following behavioral guidelines and standards for all volunteers and employees participating in programs and activities covered by this Policy:
 1. While it may be impossible to avoid all circumstances where an adult has one-to-one time with a Minor, all programs and activities shall **strive to avoid situations and circumstances where an adult has one-to-one contact with a Minor where that**

access also presents opportunities for secrecy or privacy. In general, it is expected that activities with Minors will involve two or more adult participants or minimally involve unscheduled 'drop-ins' and 'interruptions' by authorized directors and/or supervisors.

2. An adequate and published ratio of adult supervisors to participants for any program or activity. A minimum of two or more adult supervisors present for any program involving an overnight sleepover and the two adults supervise participants as a team and remain in contact while supervising Minor participants. 'Drop-in and interrupt' opportunities should be considered for all one-to-one and overnight activities where there presents a one-to-one adult to Minor opportunity coupled with secrecy and privacy.
3. Ensure that all volunteers and employees are trained that they may not strike, hit, administer corporal punishment to, or touch in an inappropriate or illegal manner any Minor.
4. Adult supervisors shall not pick up Minors or drop off Minors from their homes – other than the driver's child or children, or friends of the driver's child or children – other than when their child or children are present, at the Minor children's homes in the adult supervisor's personal vehicle, whether before, during, or after the program or activity.
5. Engage in the use of alcohol or illegal drugs, or be under the influence of alcohol or illegal drugs during such programs or activities.
6. Learn the signs of abuse and/or minor grooming, 'soft-touching' and testing of Minors by abusers and molesters.
7. Prohibit outside communications, including via social media, between minors and counselors, volunteers, or employees.
8. Establish clear procedures to report suspected abuse/molestation of minors;
9. Establish clear procedures for the distribution and security of medicine;
10. Establish and implement a risk assessment process to review and mitigate risks associated with the operation of camps and programs for minors;
11. Job duty descriptions for each position involved in the operation of camps and programs for minors;
12. A published minor/counselor ratio for day and overnight camps and programs for Minors;
13. A set of standards for handling minors with special needs; and

14. Evaluation of third party camp insurance coverage, including molestation coverage, with the assistance of University Risk Management.

V. Implementation Procedures

A. Program Practices

A dedicated camp director must be appointed for each camp and program for minors, whether the camp is sponsored by the university or is a third-party camp using university facilities.

Departments operating camps, clinics, programs, events, activities that involve minors shall undertake required screening and background checks, ensure the training and education of volunteers and employees, and discuss and share information surrounding molestation and preventive measures with each and every individual associated with or assisting in the program or activities involving minors. All programs shall include a written copy of the university's information containing multiple mechanisms of reporting suspected abuse, including the website information, resources, and anonymous reporting capability.

B. Background checks

1. A successful background check will be required of each volunteer or employee prior to his or her direct participation with Minors in a program or activity covered by this Policy and at least once every three (3) years thereafter. Background checks may be conducted by an outside contractor at the request of the university department responsible or those responsible for the external program utilizing University facilities, though certain background requests may be accessed directly by the applicant (e.g., Child Abuse History Clearance). Background check request forms and information, including required waivers of liability, will be posted at the Department of Human Resources Web page.
2. It is the responsibility of the person in charge of the program or activity (internal or external to the University) to assure that each participating adult has submitted the required background check request form and has subsequently received clearance to participate. The responsible external sponsor or internal university department will maintain a roster of individuals who have been cleared to participate and the dates on which a new background check will be required.
3. The background check will be limited to criminal offenses, including, but not limited to, child abuse, for which an individual has been convicted, pled guilty to a felony or misdemeanor, or where such charges are currently pending. The University may accept successful documented background clearances from the governmental agencies (e.g., School Districts) that have been completed within one (1) year from the start of employment.
4. A decision not to permit an individual to participate in a program or activity covered by this Policy based on the results of a background check will be made by the University in its sole discretion, but may not be arbitrary or capricious. The Director for Human Resources and the

Office of the General Counsel shall be consulted for such determinations. The results of background checks conducted under this Policy will be used only for the purposes of this Policy, except that UNCW reserves the right to take appropriate adverse employment action with respect to employees who may have falsified or failed to disclose information material to their employment on employment applications uncovered as a result of the background check, including and up to immediate termination of employment.

C. Training

Every volunteer or employee who will be participating with Minors in a covered program or activity shall attend mandatory training on the conduct guidelines of this Policy, on protecting Minors from abusive emotional and physical treatment, and on appropriate or required reporting of incidents of improper conduct (including, but not limited, reports to appropriate law enforcement authorities). The appropriate Vice Chancellor or Program Director may enhance and/or modify the required training program to meet specific needs of the particular program or activity involved, in consultation with the Office of General Counsel or Institutional Risk Management. Training resources can be obtained from the Office of Institutional Risk Management, Human Resources, or the Office of General Counsel.

- D. A single approach or array of preventative measures is not appropriate for all programs; one size will not fit all programs and activities. Best practices are to be evaluated and implemented based upon the structure, participants, and circumstances surrounding each program or activity. Attachment A appended to this Policy provides a listing of tools, techniques and approaches that may be considered and used depending upon each university program involving minors.

VI. Procedures to Handle Inappropriate Conduct or Allegations of Inappropriate Conduct

A. Immediate Response

In the event of misconduct or allegations of inappropriate conduct, the responsible director or supervisor shall:

1. Assure the safety of Minors participating in programs and activities covered by this Policy, irrespective of any other limitation or requirement, including removal of Minors from dangerous or potentially dangerous situations. In such case, the Campus Police shall be notified immediately.
2. Discontinue any further participation in programs and activities covered by this Policy when an allegation of inappropriate conduct has been made against him or her, until such allegation has been satisfactorily resolved.
3. Immediately report any violation of the conduct guidelines of this Policy the Title IX Coordinator or UNCW Campus Police. The Title IX Coordinator or University Police shall notify the Office of General Counsel upon notification of the alleged misconduct.

B. Reporting Suspected Abuse or Molestation

1. A Minor and/or his or her parents or guardians or anyone external to the University who has information about the abuse of a minor which occurred on University property or which involved a University employee or student during the course of a University connected activity off-campus, is urged to report the suspected abuse to the University Police. While anonymous reporting is discouraged, the University is most interested in timely and reliable information, accordingly, even anonymous reports will be investigated dependent upon and commensurate with the nature and amount of information included in the subject report.
2. University employees, volunteers, or students who receive such reports should proceed as outlined in subsections a, b and c below:
 - a. A University employee or volunteer who has information implicating the abuse of a minor, on property owned or leased by the University, or while members of the faculty, staff or student body are participating in a University connected activity off-campus, or who have received a third party report of such alleged abuse **must** report this information within 24 hours to the University Police or Title IX Coordinator. The program's supervisor, the University Police, and the Title IX Coordinator shall ensure the Office of General Counsel is notified immediately of each complaint. NOTE: This obligation does not alter the obligation on the part of any individual who witnesses a crime to report the incident to the University Police or local law enforcement.
 - b. A University student who has information that a minor has been abused on campus, on property owned or leased by the University, or while participating in a university program off-campus, **must** report this information within 24 hours to the UNCW Title IX Coordinator or University Police.
 - c. In all situations, regardless of the office or individual to whom a report is made, those receiving a report of suspected abuse shall immediately report the allegation(s) to the Campus Police and the Office General Counsel.
3. All reporting required under this Policy should occur within 24 hours of the discovery of the suspected abuse or molestation, from whatever source.

C. Post-Reporting Procedures

1. Subject to the facts and circumstances of the subject complaint/report, the Campus Police shall proceed with their investigation (independent of the university's internal investigation) and follow with other law enforcement and/or the district attorney's office, as appropriate.
2. In the event that Human Resources or the General Counsel's Office receives a report of alleged abuse of a minor by a member of the University staff, faculty or a student, HR and the General Counsel shall take the following actions:

- a. The University, through Human Resources and the Office of General Counsel (in conjunction with other divisions as appropriate) shall proceed with the evaluation of the complaint/report and proceed consistent with its investigatory procedures, including but not limited to an investigation when warranted, fact finding, conclusions, and redress, adverse employment action, and/or law enforcement referral as required attendant to the subject facts, findings, and circumstances.
 - b. If the parents or guardians of the victim have not been involved in the reporting and are not the subject of allegations, notify the parents or guardians of the minor involved.
 - c. If the alleged abuser is a faculty member, notify the Provost of the allegations.
 - d. If the alleged abuser or the victim is a student, notify the Vice Chancellor of Student Affairs.
 - e. If the alleged abuser is a staff member, notify the Director of Human Resources.
 - f. Notify the Campus Police, local law enforcement, or appropriate agency at such time as the General Counsel subjectively believes there is a reasonable suspicion of abuse or molestation.
 - g. Report the findings of the investigation to the Chancellor and affected division(s). Assure prompt remedial, corrective action as appropriate given the findings and circumstances surrounding the subject abuse.
3. Consistent with applicable EPA, SPA, and faculty procedures, an employee may be immediately suspended with pay pending the outcome of the investigation if the appropriate office, in consultation with Human Resources and the Office of General Counsel, believes that the circumstances justify such suspension. Any individual employee or student, regardless of status, may be suspended (with pay if an employee) to safeguard individuals or participants from harm; a faculty member may be suspended pursuant to the UNC Code. A student may be suspended according to the procedures outlined in the Code of Student Life.
 4. If the accused is not employed by or enrolled as a student of the University but the alleged abuse happened on campus or on property owned or leased by the University, in addition to the above procedures, the University:
 - a. May coordinate a request with the Campus Police that a “no trespass” letter be sent to the accused pending the outcome of the investigation.
 - b. May, if the accused is present on the campus as a result of working for someone or some entity with authorization to be on campus, notify that person or entity of the allegations.

- c. Must, if the investigation confirms the incidence of abuse, request from the Campus Police that a permanent “no trespass” letter be sent and notify the person or entity with whom the alleged abuser is employed of the results of the investigation and the permanent ban of the individual from campus.
5. The university shall discharge its obligations under the Clery Act and Title IX consistent with the circumstances surrounding the subject complaint/report and mindful of the rights guaranteed to the victim(s).
6. Upon a finding of abuse or molestation or inappropriate conduct as a result of the university’s investigation and fact finding, the university shall take prompt, remedial and corrective action to the extent possible against any employee or volunteer, assist the victim with counseling and victim resources, refer the matter to law enforcement, and other actions as required under the circumstances.
7. To the extent permitted or required by applicable law, rule or regulation, complainants and/or victims (or their parents/guardians) shall be notified of the results of the university’s investigation or the results surrounding the subject complaint.

02.250 PROTECTION OF MINORS POLICY


ATTACHMENT A

Elements of Institutional Prevention Efforts

The paramount goal of an institutional risk management program addressing the potential for the abuse of minors is prevention. While it is undeniably impossible to guarantee the safety of all individuals coming to the campus or involved in university programs and activities – particularly in the face of pre-meditated, intentional and/or malicious criminal acts on the part of third parties – it is, however, possible to employ a comprehensive program of prevention and risk management to create conditions and a culture that renders it exceedingly difficult for individuals with abusive intent to find the circumstances and opportunities that enable abuse and molestation.

Prevention efforts necessarily entail a commitment of personnel and resources to develop and continually recommit to those attributes that make molestation difficult in our campus environment. The following standards apply to both university and third party operators, as well as for paid and unpaid volunteer workers.


Prevention and risk management should include thoughtful evaluation of the following elements:

-  An office or individual responsible for the university program overseeing the safety of minors.
 1. An assessment of the inherent risks to minor participants in the program.

Justification/program information forms should include:

 - details of insurance coverage, location(s), sponsoring department or organization, concept approval authority, scope of activities, expected number of employees/volunteers and participants and expected participant age range

- Demonstration of the age appropriate nature of planned activities (especially sports related activities) and that an appropriate level of instruction and safety precaution will be provided.
 - Demonstration that sleeping quarters are appropriate for the age group and that appropriate overnight supervision will occur.
 - Demonstration that supervisors have experience or knowledge of the age group and activities involved.
2. Notify venue personnel (i.e. building managers, maintenance and grounds personnel, exterminators, etc.) that minors will be present and for what time period so their safety will be considered and addressed before scheduling or proceeding with work or activities.
 3. Aid in the development and management of a comprehensive institutional policy regarding minors and UNCW.
 4. Stay abreast of current best practices, legislation, and other compliance-related information related to minors and further disseminate the information to the appropriate parties.
 5. Collaborate with all appropriate subject-matter experts and authorities – Office of General Counsel, Environmental Health and Safety, Campus Police, etc.
 6. Maintain all current camp and activity policies and ensuring they adhere to the standards set forth in the applicable policies.
 7. Data collection, statistical analysis, and reporting.

 Adherence to this Policy addressing:

1. Hiring and volunteer screening standards:
 - Background checks (criminal, sex offender, driving record)
 - Reference checks
 - Proof of applicable activity-specific licenses or certifications
 - Proof of applicable activity-specific liability insurance
2. Mandatory adult to minor ratios based on age, activity type, and special needs of participant population. *See American Camping Association guidelines www.acacamps.org*
3. Mandatory use of standard contract clauses; waivers/releases
4. Mandatory requirements for overnight camp supervision
5. Photograph policy to include:
 - Use of optional release form
 - Disclosure information regarding purpose(s) use of photos
 - Permitted photographers as well as who is not permitted to photograph participants
 - Notification to appropriate UNCW personnel of a parent's refusal to allow photos to be taken of his or her child.
6. Prohibition of (non-program or after hours) social media activity involving minor participants on the part of staff or adults related to programs or activities
7. Prohibition of unauthorized photography involving minor participants on the part of staff or adults related to programs or activities
8. Prohibition of interaction outside of camp between minor participants and staff or adults related to programs or activities
9. Prohibition of gift giving – staff to child
10. Standards for appropriate minor access to the internet, email accounts, university or third party vendor equipment and telephones

11. Standards for participant behavior, appropriate consequences and conditions under which they must be suspended or summarily sent home from the program or activity
12. Standards with regard to the physical layout, especially regarding pools and other water areas, locker rooms, areas with door locks, sheds, cars / parking lots, dark areas, stairwells and other possible location-related safety hazards or possible zones of privacy.
13. Hazardous weather procedures to include:
 - Where parents should go to get information regarding changes, cancellations, and closings
 - Any changes in pick-up / drop-off routine
 - Any changes in activities and what the alternate activities will be
14. Standardized intake information, to include:
 - Special needs and/or dietary requirements, if any
 - Emergency contact information (multiple)
 - Proof of health insurance
 - Medical history, allergies, sensitivities, including physician name and number
 - Release for institution to provide emergency medical care and/or to arrange transportation for emergency care
 - Medication forms signed by minor's medical doctor
 - List of individuals who are and are not allowed to see or pick up child or any special custody information if parents are not married
 - Photographs: Be certain to have a release form for photographs, including limitations on what and where photos will be used. Also ensure that staff is instructed to be aware of any refusal to allow or use photographs – the posting of photos on a day care center webpage may be the access needed for an individual prohibited from contact with a child to locate the child and know when and where he or she may be found.
15. Requirement that all those working with minors have a photo-based ID displayed at all times.
16. Standards for university research involving minors
17. Standards for minor performers appearing on campus
18. Anonymous abuse reporting procedure made known to all stakeholders (with encouragement to disclose identity when reporting or at least have a witness to document the date and nature of the report)
19. Prohibition of opportunities for adults or peers to be alone with a minor where they also have opportunity for secrecy and privacy
20. For overnight camps, prohibition of afterhours one-on-one contact
21. During the daylight hours (all programs/activities) windows must be uncovered and interior doors open
22. Mandatory random interval drop-in and interrupt by designated supervisors for circumstances where individuals are going to be alone with minors, including where minor peers may be alone with another minor for tutoring, private meetings, trainers, coaches, counselors, etc.
23. Prohibition of leaving a child or children unattended before or after camp hours, even if parent is late and/or child is older than the average participant Transportation of Minors
24. Transportation standards to include:
 - All drivers qualified with appropriate license pursuant to state law for type of transportation to be provided, number of children, etc.
 - Consideration of state law for restraint seats and require drivers to enforce use of seat restraints/seatbelts with minors

- Required training for drivers to ensure knowledge of applicable laws and safety measures
 - Prohibition of drivers leaving children off at a location where there is not either a designated University official (if dropping off on campus) or identified parent/guardian (if transportation is provided home) to take custody of the child.
25. Required consent for medical treatment to be required where minors are participating in camps or field trips on campus, a valid consent for medical treatment/emergency care. Essential elements include:
- Child's full name, date of birth and address
 - Full names of parents/guardians
 - Contact information, including address and phone numbers, for parents/guardians and other emergency contact(s) if parents/guardians cannot be reached
 - Dates of event for which the medical release is granted
 - Details of medications the child is currently taking and, if applicable, procedures for administering
 - Permission to obtain professional emergency medical treatment for child
 - Health insurance information
 - Signatures
26. Requirement that appropriate first aid materials and equipment are readily available
27. Standardized incident reporting forms to be turned in to institutional program within 24 hours of incident for accidents, injuries, use of emergency medications, general concerns about participants, rule infractions and behavior problems
28. Standard form to be given to parent (copy to institutional program) whenever there is a behavioral incident or injury to include:
- A brief description of the incident
 - Type and extent of injury (to self and others without naming names)
 - How injuries were treated / behavior was dealt with
 - How the injury appeared at the end of the camp day
 - Any recommendations for continued treatment
 - Who to contact if the parent has questions/concerns.
29. Standards for minors in labs
30. Crisis response procedures in the event of injury or a report of abuse
31. Mandatory sign-in and sign-out procedures
32. Mandatory parent assessment and program verification of child's existing skill level in program activities
33. Procedures to follow immediately upon discovery that compliance with applicable laws, regulations and policies is unlikely or not possible
34. Establishment of a single (user friendly) website to which all minor activities must link (and inform parents of) that includes up to date information and at least the following:
- Applicable contract clauses, waivers and laws
 - Our Policy on the Protection of Minors
 - Accident, abuse and injury prevention tips
 - Incident forms
 - Reporting mechanisms (phone numbers and links to email)
 - Hazardous weather information
 - Other Parent Resources
35. Conduct internal reviews on a periodic basis to avoid becoming program complacent with respect to prevention and risk management efforts and protocols.

36. Conduct parent and child surveys with mandatory questions regarding their perceptions of safety, the staff and the degree to which they were informed and policies and procedures were followed. Set minimum performance standards that must be met for third party camps to be able to return.
37. Mandatory and documented worker training delivered and written content disseminated on:
 - Activity-specific safety
 - Sign-in/Sign-out procedures
 - Response to injury or health emergency
 - Medication administration policy
 - Skills assessment
 - Prevention of Bullying
 - Appropriate interactions with minors during structured and unstructured time
 - Behavior management expectations
 - Identifying the signs of sexual and other types of abuse
 - Abuse prevention techniques
 - Mandatory reporting obligations for individuals witnessing abuse and/or molestation and those to whom past or ongoing abuse is disclosed
 - Zero tolerance/summary termination policy
38. Mandatory and documented supervisor training and written content disseminated on:
 - All subordinate training/materials
 - Checklists to be used to periodically audit and document the propriety of practices for selection of participants, volunteers and employees, as well as general reminders regarding safety checks of equipment and premises
 - Crisis response procedures in the event of injury or abuse
 - Reporting requirements to institutional department responsible for overseeing minor safety
 - Tabletop exercises including abuse reports and crisis response
39. Mandatory parent/guardian/participant literature to include:
 - Exact ownership (for third party providers) and thorough contact and reporting structure information for programs and activities
 - URL for the single point of information website for contact information and resources for University programs and activities
 - An accurate program description that includes:
 - Each activity, its setting, mode of transportation if any, the associated level of supervision, appropriate participant dress and any associated behavior expectations or rules so that the degree of risk associated with each
 - What the child can and cannot possess
 - What the child's orientation experience will entail
 - Unscheduled free time and who has duty to supervise
 - Internet access if it will be available
 - Prohibited conduct that will result in immediate expulsion from the program such as underage drinking, hazing, sexual misconduct, and/or breaking safety rules.
40. Children's orientation to include the following:
 - Camp/Activity specific safety rules
 - Appropriate interactions with other children & adults
 - A list of things that they are not allowed to possess

- The boundaries within which they must remain and the person under whose authority they fall
 - What to do if they experience an accident, become separated from the crowd or otherwise have activity-specific difficulty
 - Age-appropriate discussion (using games or role playing if necessary) on appropriate touching and inappropriate touching and “private parts,” which can be generally described as those covered when wearing a swim suit. The discussion should include the fact that because they are private they shouldn’t be touched or viewed by anyone else nor should anyone else ask them to touch or view theirs. Avoidance of the implication that there is something strange or dirty about these areas is also important.
 - Age-appropriate discussion of the difference between surprises and secrets and the inappropriateness of adults asking them to keep secrets.
 - Age-appropriate discussion of the inappropriateness of them or anyone talking to them about sex or viewing/showing pornographic depictions during their time at camp.
 - Encouragement of the children to trust their instincts. If something feels inappropriate, it probably is. Tell them what to do if something feels inappropriate.
41. Conduct internal reviews on a periodic basis to avoid becoming program complacent with respect to prevention and risk management efforts and protocols.
42. Conduct parent and child surveys with mandatory questions regarding their perceptions of safety, the staff and the degree to which they were informed and policies and procedures were followed

- **Resources:**

- **Sexual Abuse:** There are many resources available to assess the risk and avoid sexual abuse, particularly in day care centers and schools that are also appropriate for our environment. See:
 1. National Child Abuse Hotline 800-422-4453
 2. American Bar Association Center on Children and the Law
<http://new.abanet.org/child/Pages/default.aspx>
 3. Child Protection Resources: Pandora’s Box Special Section of Prevention Resources: <http://www.prevent-abuse-now.com/help1a.htm>
 4. National Association to Prevent Sexual Abuse of Children:
http://www.napsac.us/index.asp?Type=B_BASIC&SEC={2B1DD904-2206-49F0-B323-38D953B384ED}
- North Carolina Child Protective Services:
<http://www.ncdhhs.gov/dss/cps/index.htm>
- National Resource Center for Health and Safety in Child Care and Early Education: <http://nrckids.org/>
- NACUA member Cynthia Escamilla has prepared training materials for campus officials responsible for camps. Ms. Escamilla has graciously given permission to attach those materials as a resource.
- American Camping Association: www.acacamps.org This is an excellent resource including links to invaluable information.
- Links to state regulations for camps:
<http://www.acacamps.org/publicpolicy/regulations/northcarolina>

- United Educators has an excellent monograph on “Camps on Campus” that is available to member institutions. Please contact your UE contact or visit the website: <https://www.ue.org/home.aspx>

B. Special considerations for third-parties sponsoring camps on campus:

- If camp operator is licensed to operate camps, obtain a copy of the license. If the operator is not licensed, include contract clause that operator warrants it has experience, knowledge, expertise to operate a camp and that it adequately trains all staff who will have contact with participants.
- Issues to cover in any contract with third party camp operator:
 - Camp operator is knowledgeable about and warrants compliance with all applicable laws and regulations governing camps
 - Designate institutional office or individual to contact in event of injury, emergency.
 - Delegate responsibility for care and supervision of participants to the camp operator – include language that university has no operational control or responsibility for the camp
 - Prohibit camp operator from advertising or representing that the camp is “co-sponsored” or similar language with the university, unless a specific agreement has been reached to co-sponsor, including clear language on duties and responsibilities of each party. Sample language:

The Client shall not use or make use of Institution’s name, insignia, logo, picture or any other material that might create the impression of association, affiliation, partnership, or any joint venture, without the prior written permission of Institution. The Client may use the name of Institution in its publicity of an event location as long as such use is not misleading with regard to sponsorship.

Institution may request the Client to place a disclaimer on all advertising for the event that communicates that the event and/or the Client are not endorsed or sponsored by Institution. Institution shall have the right to review any publications, solicitations, advertisements, etc. produced by or for the Client which mention Institution in any way shape or form. The Institution’s name will only be represented in Client’s materials or publications in the following forms: [INDICATE ACCEPTABLE NAMES/ABBREVIATIONS FOR INSTITUTION]

- Clear indemnification and hold harmless language
- Evaluate whether appropriate molestation insurance should be required, policy limits, and proof of insurance.
- Require that UNCW be added as “additionally insured” under the third party’s insurance coverage
- Include right of university to terminate the camp if, in our discretion if the camp is being run in an unsafe manner and operator does not immediately conform to safe practices upon notification

- If the camp is for special needs children, ensure that the university facilities meet appropriate safety standards for the participants. Additionally, include a contract clause that the third party has expertise in the needs and limitations of the special needs children and assumes all responsibility for meeting those needs. If special certification is required to work with the children involved or to safely teach/supervise the activities involved, obtain copies of certification for staff who will be involved with the participants (i.e., CPR certification, water safety instructor certification, etc.)
- You may not be able to delegate certain maintenance issues, but the contract should require the third party to immediately notify a specified individual or department if grounds/facility/equipment safety issues are discovered by operator or sponsor.

C. Exculpatory Agreements or Permission Forms

- Validity and enforceability will depend on language and specificity of the document. These types of agreements are most likely to be upheld where they contain:
 - Specific information about the activities involved;
 - The inherent risks associated with the activity;
 - The fact that injuries, including serious injuries and death, may occur;
 - Representation by the participant/parent/guardian that participant is physically able to participate in the activity – physician statements are recommended, especially for high risk activities or activities requiring a high level of physical conditioning
 - Specific acknowledgement that injuries may occur even where the participant and staff use all due care
 - Specific reference to release of the institution even when staff may be negligent
- Permission forms should include an acknowledgement by parent/minor that behavioral expectations have been explained and minor agrees to abide by those expectations
- Permission forms should also include statement that all information provided on fitness/medical conditions/limitations is accurate
- Include date on signature line and ensure that all forms are collected and appropriately signed and dated before a minor may participate in activities.

D. Special Considerations Involving Minors in Residence Halls

- Conduct a premises safety risk assessment – keeping in mind safety issues for the age group that will be staying in the residence hall – not a typical college cohort
- Review window openings, accessibility of locks on windows and doors, safety of room fixtures/furniture for minors, stairs and stairwells, automatic closing doors

- Consider limiting access in residence hall to specific wing and ground floor only
- Address the following in clear and explicit terms in communications with parents/guardians and in applications and exculpatory or assumption of risk documents:
 - Unscheduled free time and who has duty to supervise
 - Transportation risks
 - Internet access if it will be available
 - Safety issues: keep doors locked at night, etc.
 - Prohibited conduct, underage drinking, hazing, sexual misconduct, with clear statement that minor may be immediately dismissed from the program and parents contacted to pick up minor for violation of safety rules.

E. Special Considerations of Access of Minors to Labs

- Review institutional policy or on minors in labs. If you do not have a policy or protocol, consider adopting one. For examples, see:
 - <http://www.uvm.edu/~esf/chemicalsafety/labchildren.html>
 - <http://policies.emory.edu/7.21>
 - <http://www.ehs.ufl.edu/Bio/minors.htm>
 - <http://www.yale.edu/ehs/minors.htm>
Yale University's information on minors in laboratories, including institutional policy and links to release and consent forms
 - <http://ehs.unc.edu/ih/lab/minors.shtml>
University of North Carolina link, including specific requirements for minors in various age ranges
- Be certain to provide adequate training to any minor who will be in a lab on safe procedures for lab equipment and materials as well as emergency procedures in event of lab accident

F. Transportation of Minors

- All drivers should be qualified with appropriate level of license pursuant to state law and depending on type of transportation to be provided, number of children, etc.
- Review state law for seat restraint and require drivers to enforce use of seat restraints/seatbelts with minors
- Provide training for drivers to ensure knowledge of applicable laws and safety measures
- Prohibit drivers from leaving children off at a location where there is not either a designated University official (if dropping off on campus) or identified parent/guardian (if transportation is provided home) to take custody of the child.

- #### G. Consent for Medical Treatment: Where minors are participating in camps, field trips or attending day care on campus, a valid consent for medical treatment/emergency care should be required. Check your state law on who must sign such consent. Essential elements include:

- Child's full name, date of birth and address
- Full names of parents/guardians
- Contact information, including address and phone numbers, for parents/guardians and other emergency contact(s) if parents/guardians cannot be reached
- Dates of event for which the medical release is granted
- Details of medications the child is currently taking and, if applicable, procedures for administering
- Permission to obtain professional emergency medical treatment for child
- Health insurance information
- Signatures