

# University of Scranton Minors on Campus Policy

## Minors on Campus Policy

**Executive Sponsor:**  
General Counsel  
**Responsible Office:**  
Human Resources  
**Originally Issued:** May 2012  
**Revised:** November 2015

### **I. Policy Statement**

The University of Scranton maintains its facilities in a manner consistent with its mission of higher education. Although a university is primarily an adult environment, children under the age of eighteen (18), also termed “minors”, enter campus to visit faculty, staff or students. Children may enter the campus as part of a program, to attend an event, or to use a campus resource. The conditions in this policy are in addition to any requirements that may apply to other visitors to campus. This policy applies to activities and programs taking place on the campus of the University of Scranton where minors will be present and under the care and control of a University representative, as well as off campus activities that fall under the authority and direction of the University.

### **II. Reason for Policy**

The aim of this policy is to restrict the interactions of children with adults on this campus in a prudent manner with the hope that this policy, together with campus attention and awareness, will maintain an environment where children on campus are safe.

### **III. Entities Affected By This Policy**

This policy applies to all employees of the University, students, visitors to our campus, and third parties operating programs on our campus. This policy applies to activities and programs in which minors will be present taking place on the campus of the University of Scranton as well as off campus activities that fall under the authority and direction of the University. It should be noted that matriculated minors are exempt from the provisions of this policy.

### **IV. Website Address for this Policy**

This policy can be accessed on the University’s web site, <http://www.scranton.edu/hr/compliance-corner/index.shtml> . The policy and materials related to its implementation are also available in the Office of the General Counsel.

### **V. Related Documents, Forms, and Tools**

Pennsylvania Child Protective Services Law (23 Pa.C.S. 6301 et seq.)

University Alcohol and Drug Policy

University Mandatory Reporting Policy

University Criminal Background Check Form

Minor Programs Registration Form

## **VI. Contacts**

For policy clarification and interpretation, contact the Office of the General Counsel at (570) 941-6213. To report any violations of this policy or suspected or actual abuse, contact the Pennsylvania Department of Human Services CHILDLINE at 1 (800) 932-0313.

## **VII. Definitions**

Abusive behavior: Broadly defined as any act or discipline that results in an injury to a child. The four categories of child abuse are physical abuse, emotional abuse, sexual abuse, and neglect.

CHILDLINE: The Pennsylvania Department of Human Services hotline for child abuse: 1 800 932 0313.

Minor: Anyone under the age of eighteen (18) is a minor. Minors are alternately referred to as children.

Mandatory Reporters: All University employees.

University Campus: Any property owned by the University whether contiguous with the main campus or not.

## **VIII. Responsibilities**

### **A. Conduct Requirements**

Adults participating in programs with minors must heed certain restrictions on their conduct:

1. In all cases where the circumstances call for one-on-one contact, such as tutoring or other like activity, such contact should occur in full view of others, in a room with the door open, or if the door needs to be closed, in a room where the parties are otherwise observable by third parties. If a program or activity has a sleepover component, adults should not participate unless the child's parent(s)/guardian(s) are present or the parent(s)/ guardian(s) have given consent and the program meets the requirements of this policy including those for background checks and training.
2. Adults must not engage in any abusive behavior of any kind toward or in the presence of a minor.
3. Adults should use good judgment about physical contact with minors. Avoid contact that may be misinterpreted, and pay attention to the child's reaction to the contact. In all cases, do not touch a child against his or her will.
4. Adults should not pick up or drop off minors from the minors' home in the adults' personal vehicle whether before, during, or after the program activity.
5. No adult participating in any such activity covered by this policy may use alcohol or illegal drugs or be under the influence of alcohol or illegal drugs during such program activities. No adult participating in a program or activity under this policy may make illegal drugs or alcohol available to minors participating in covered programs, nor assist them in any way in gaining access to illegal drugs or alcohol.
6. Any adult participating in a program or activity under this policy may not make pornography available to minors participating in covered programs, in any form, or assist minors in any way in gaining access to pornography.

7. University students who serve as assistants in programs involving children should not bring children into their rooms or apartments in the residence halls or off campus.
8. An adult covered by this policy should not have sustained, regular contact with minor children via social media (for example, should not “friend” via any social networking website or any other form of online affiliation with a child participating in a University program). Although there are many legitimate uses of social media that engage minors in programs offered through or by the University, engaging with minors via social media can inadvertently expose them to content that is inappropriate and may create relationships, or perceptions of relationships, that are informal.

**B. Reporting Requirements:**

Anyone who witnesses or suspects incidents of child abuse, whether or not the activity is directly covered by this policy, must report the activity to the Pennsylvania Department of Human Services hotline, CHILDLINE at 1 (800) 932-0313 (online reporting is available, after creating an account, at <https://www.compass.state.pa.us/CWIS/Public/Home>). Please see the institutional reporting policy available at <http://www.scranton.edu/hr/.documents/minors-on-campus/Institutional-Reporting-Policy-2015.pdf>

**C. Program Registration Requirements:**

All programs offered by academic or administrative departments at the University, including those offered by or in conjunction with a third party, in which adults have contact with children must be registered with the University. Academic departments will notify the respective Dean. Administrative departments shall notify the appropriate divisional vice president, or his/her designee, prior to the beginning of the academic year for any ongoing programs within that department which involve minors. For any other program, notification to the same person should be given thirty (30) days prior to the start of that scheduled program. Both types of programs should use the Program Registration Form; this form is included as an appendix to this document. Note that registration must be completed with sufficient advance notice so that any applicable policy requirements such as background checks can be requested and determined to be acceptable prior to the beginning of the program.

Any third party program at the University that will involve minors must provide a statement in its contract that ensures its adherence to this policy.

**D. Background Checks:**

Pennsylvania law requires background checks for all school employees or volunteers who have regular and repeated contact with minors, which is integral to their employment or volunteer responsibilities. The following are the three background checks required by the policy:

1. Pennsylvania State Police check;
2. FBI criminal history report; and
3. Pennsylvania Department of Human Services CHILDLINE Child Abuse Report.

The scope of the checks are limited to criminal offenses for which an individual has been convicted of or plead guilty to a felony or misdemeanor or for which charges are currently pending. This includes any offenses involving child abuse.

A decision not to allow an individual to participate in an event due to the results of one of these checks will be made by the appropriate divisional vice president in collaboration with Human Resources and the Office of the General Counsel, and/or others as needed. The results of these background checks will be used for purposes of this policy only. However, the University of Scranton reserves the right to take appropriate action if the check reveals that an employee has falsified an employment form or failed to provide information material to their employment on their employment application.

It is the responsibility of the program leaders of a given program subject to this policy to make sure that all employees, students and volunteers involved in the program have passed the appropriate background checks prior to participation in the program and have the appropriate clearance to participate. Refer to the registration procedures set forth below.

The Office of Human Resources will maintain the data on those employees who have had a background check performed. All volunteer information must be maintained by the program itself. Forms, links, and resources on background checks are available through the Office of Human Resources. Background checks are valid for sixty (60) months.

In addition to the background checks, all adults participating in covered programs will execute an ongoing self-disclosure statement (see appendix B) agreeing to disclose any arrest or conviction since the date of the last background check.

#### **E. Training:**

Each adult who has contact with minors through a covered program under this policy shall attend annual training. That training will consist of three parts:

1. the substantive issue of child abuse;
2. the conduct requirements of this policy; and
3. appropriate reporting of incidents.

This training may be enhanced to meet certain objectives as long as it includes the three areas specified above. Additionally, all efforts will be made to make training available at multiple times and in multiple formats so that programs will not experience delays. It is the responsibility of the program leaders to make sure training is received by appropriate participants. The records of employees who have been trained will be maintained by the Office of Human Resources. The University makes this training available through an online learning format. In order to access the training, please contact the Office at Human Resources at (570) 941-7767.

#### **IX. Procedures**

Procedures for compliance with this policy are outlined in section VIII (Responsibilities). Additional procedures are as follows:

1. Steps for registering a program: follow the steps on the Registration Form (Appendix A), and in the responsibilities section of this policy.
2. Request for the waiver of the application of this policy: as noted on the Registration form, any requests for a waiver of the application of this policy should be directed to the Office of Human Resources, to the Office of the General Counsel, and to the appropriate dean or divisional vice president. Any such waiver request must allow sufficient time so that the requirements of the policy can be completed in a timely manner in the event that the request for waiver of the policy is denied. Information needed for such a request includes, at a minimum, the person in charge of the program, the number of participants, the dates and locations where minors will be participating, the general nature of the program, and the names of the adults who will be participating. Please note that some requirements of this policy are requirements of applicable law and may not be waived.

#### **X. Appendix**

**Appendix A: Program Registration Form**

**Appendix B: University background check ongoing disclosure statement**

## **Policy on Reporting Child Abuse**

### **Purpose**

The University of Scranton is committed to the protection and safety of minors. While the vast majority of the members of the University of Scranton community are adults 18 years of age or older, our community also includes minors less than 18 years of age, both in formal relationship to the University, and more informally, as frequent visitors. For example, minors may be matriculated or prospective students, participants in camp programs, volunteer programs, or outreach and enrichment programs.

### **Policy**

It is the obligation of every member of the University community to report suspected child abuse as soon as possible as outlined below.

### **Duty to Report**

Every member of University of Scranton Community has a duty to report as soon as possible if he/she has reasonable cause to suspect that a child is a victim of child abuse based on:

1. Information shared with him/her by the child or any other individual; or
2. His/her own observations or knowledge.

The duty to report is triggered by reasonable suspicion or belief. There is no requirement that there be actual evidence of abuse, nor should any individual seek to investigate the matter for him/herself. Any doubt as to whether or not to report should be resolved in favor of making the report to ensure that the appropriate professionals in child protective services can assess the report and evaluate the safety of the child.

### **Procedure**

Under this policy, any University of Scranton community member (faculty, staff, students, volunteers) suspecting abuse of a child is required to bring all reasonable suspicions or beliefs to the attention of the appropriate state authorities immediately by calling:

**Child Line: 1-800-932-0313**

As soon as the report is made, the caller must next contact Public Safety. Public Safety will, in turn, have the obligation to verify that appropriate authorities and supervisors have been notified and to coordinate investigations by police or other agencies. Note that the requirement to contact Public Safety may not apply to mandated reporters who have received the reported information in a confidential communication. In those cases, the initial report and any required follow up will be handled by the reporter in accordance with his or her professional requirements and limitations.

Failure by any member of The University of Scranton community to report information related to suspected child abuse as soon as possible to either Child Line or the designated

officials will result in discipline up to and including termination for employees and dismissal for students. Failure of these officials to initiate timely notice and timely and appropriate investigation will result in discipline up to and including termination. Those who make a good faith report under this policy are not subject to discipline or other sanction for having made the report.

The definition of child abuse is defined under PA Law: 23 Pa.C.S. § 6303(b.1) available at <http://www.legis.state.pa.us/WU01/LI/LI/CT/HTM/23/00.063.003.000..HTM>

Child abuse may be committed by any individual, including an employee, student, volunteer, parent, caregiver or other party in the child's life, including another child. The duty to report exists regardless of whether or not the suspected perpetrator is a member of The University of Scranton community and regardless of the specific role he/she occupies in the child's life.

### **Cross Reference**

Minors on Campus Policy (<http://www.scranton.edu/hr/compliance-corner/index.shtml> )