



Minors on Campus Policy

Executive Sponsor: General Counsel
Responsible Office: Human Resources
Originally Issued: May 2012
Revised: November 2015
Last Reviewed on: October 2020
Next Review: October 2021

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

<u>Abusive behavior:</u>	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.
<u>CHILDLINE:</u>	The Pennsylvania Department of Human Services hotline for child abuse: 1 800 932 0313.
<u>Minor:</u>	Anyone under the age of eighteen (18) is a minor. Minors are alternately referred to as children.
<u>Mandatory Reporters:</u>	All University employees.
<u>University Campus:</u>	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. All persons must not engage in any abusive behavior of any kind toward or in the presence of a minor.
3. All persons 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. No person should 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 person 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 person 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 person 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. Any person 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, which involve 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 Criminal History check;
2. FBI Criminal History Background Check; and
3. Pennsylvania Department of Human Services Child Abuse History Clearance.

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 and whether the person has been identified as a perpetrator of 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 persons 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 self-disclosure statement](#)