KSU Programs Serving Minors Training

This training is provided and intended for use by Kennesaw State University employees and volunteers and personnel of third-party organizations using Kennesaw State University property for programs serving non-enrolled minors. It is derived from Georgia statues as well as Board of Regents and Kennesaw State University policies and procedures.

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Introduction

Kennesaw State University is committed to providing a safe environment for youth to grow, learn, and have fun while participating in University sponsored programs, or programs operated by third parties on KSU's campus. This training is provided to certain personnel who work with minors. It is our goal to balance the need to keep children safe with the need to nurture and care for children by engaging staff and volunteers in strategies for recognizing, preventing, and reporting child abuse and neglect.

This course is divided into four sections:

A. KSU's Programs Serving Minors Policy
B. Who is Affected (Exempt and Non-Exempt)
C. Program Registry Review and Approval Process
D. Program Requirements

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

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

The Sponsoring Unit reviews/approves the request

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

The program undergoes Annual Compliance Reviews

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

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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.

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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

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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**

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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/

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Program 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

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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:
  - Mandated Reporters: Critical Links in Protecting Children in Georgia
  - KSU Programs Serving 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

Mandated Reporting Obligation: **O.C.G.A. § 19-7-5(c)(1)**

"The following persons having reasonable cause to believe that suspected child abuse has occurred shall report or cause reports of such abuse to be made as provided in this Code section: …

(H) **School teachers**
(I) **School administrators**
(J) **School counselors and social workers. . .**
(M) **Child service organization personnel**"

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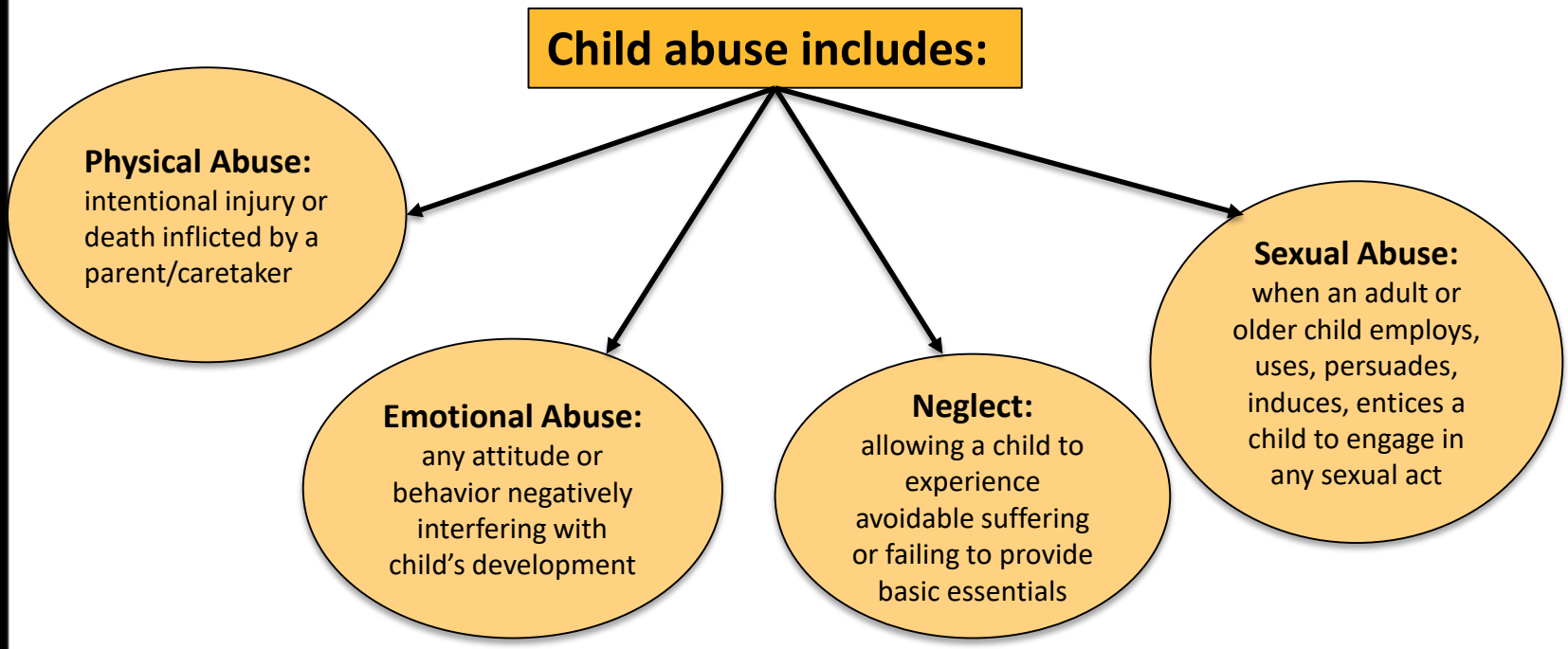
Program Requirements: Procedures
Mandated Reporting



See O.C.G.A. 19-7-5

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Program Requirements: Procedures
Mandated Reporting

- In 2015, 126,963* reports were made to the Georgia Division of Family and Children Services (DFCS).
- Of those reports, 17,615* or 14% were substantiated as child abuse or neglect. DFCS suspects child abuse or neglect is underreported.
- Effects of child abuse and neglect include:
  - Developmental delays
  - Poor physical, emotional, and mental health into adulthood
  - Social difficulties
  - Poor school performance
  - Behavioral problems

**Data from GA DFCS for State Fiscal Year 2015*

Program Requirements: Procedures
Mandated Reporting

KSU Programs Serving Minors Policy Language:

- **"Mandatory Reporting** – Any Authorized Individual who knows, suspects, or receives information indicating that a minor has been abused or neglected **must** report the concern as soon as possible (but within 24 hours) to the KSU Dept. of Public Safety and Police **and** Georgia Dept. of Human Services, Division of Family and Children Services (1-855-GACHILD (422-4453)). The Program Sponsor should also be notified."
- An **Authorized Individual** is any person authorized by KSU to have direct contact with minors. An Authorized Individual may be faculty, staff, volunteer, student, intern, or an independent contractor/consultant.

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.

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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

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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
Codes of Conduct: Staff, Volunteers, and Program Participants

Why necessary?

- KSU has a duty to operate all programs serving minors in a safe manner
- Breach of duty may include:
    - Lack of supervision of program participants, staff, or both
    - Failing to communicate adequate rules to program participants, staff or both
    - Failing to abide by KSU policies and procedures, federal or state law

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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/
- 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

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Program Requirements: Procedures
Incident Reporting

- For Medical and/or Life Threatening Emergencies Call:
  - **470-578-6666:** KSU Department of Public Safety & Police
  - **911**
- KSU Department of Public Safety & Police non-emergency - 470-578-6206
- 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
- For information on reporting additional concerns or issues: http://protectingminors.kennesaw.edu/incidentreporting.php

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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/

Additional Information: Relevant KSU Policies

- KSU's Non-Discrimination Policy requires compliance with federal law (including Title VII, Title IX, and the ADA) to prohibit discrimination on the basis of:
    - Sex and gender
    - Race
    - Religion
    - Veteran status
    - Age
    - Disability
    - Pregnancy

Concerns regarding violations to this policy may be reported here: http://concern.kennesaw.edu/

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Additional Information: Relevant KSU Policies

Clery Act

- The Clery Act requires Campus Security Authorities ("CSAs") to report crimes occurring on university property.
- A CSA includes a person having significant responsibility for student and campus activities.
- Program Sponsors and Authorized Individuals should report crimes occurring on university property to Kennesaw State Police:
    - 470-578-6666 or 911 (emergency)
    - 470-578-6206 (non-emergency)
    - Police@kennesaw.edu

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Additional Information: Relevant KSU Policies

Clery Act: What is University Property?

- On Campus (Kennesaw, Marietta, Paulding)
- Public property within or immediately adjacent to campus
- Non-campus buildings that KSU owns or controls and that are used to support the institution's educational purpose

Additional Information: Best Practices

In addition to information in prior slides, additional recommended best practices for Program Sponsors include:

- Closely following the Program Checklist Form at: http://protectingminors.kennesaw.edu/resources.php
- Discussing (in detail) program codes of conduct, reporting procedures, and additional expectations with all Authorized Individuals prior to program start

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Additional Information: Best Practices

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

Day Programs:

Program Participant Age	Ratio of Authorized Individual to Participants
Ages 4-5	1:6
Ages 6-8	1:8
Ages 9-14	1:10
Ages 15-17	1:12

Overnight Programs:

Program Participant Age	Ratio of Authorized Individual to Participants
Ages 4-5	1:5
Ages 6-8	1:6
Ages 9-14	1:8
Ages 15-17	1:10

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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.

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Thank You!

Thank you for running wonderful programs and for all your efforts to keep children safe. These programs are so important for the children, KSU and the Metro Atlanta community.

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CERTIFICATE OF TRAINING

_____

NAME (please print)

has completed KSU specific Programs Serving Minors Training.

_____ _____

Signature Date