

Policy Title: Protection of Minors

Policy Number:

Date Issued: 4/27/2015

Responsible Executive: Director of Youth Protection

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Responsible Office: Compliance and Risk Services

Protection of Minors Policy

Policy Statement

Baylor University (“Baylor” or the “University”) believes that all members of our community have a moral as well as a legal duty to safeguard the welfare of non-enrolled minors who participate in Youth Programs and activities held on or off campus. Baylor University will not tolerate the mistreatment or abuse of minor participants of Youth Programs. This policy sets forth the efforts our faculty, staff, students, volunteers, contractors, and consultants are required to take to minimize the threat of child abuse and to respond promptly should abuse be observed, suspected, or disclosed.

Reason for the Policy

Baylor University recognizes both its institutional and legal obligations to promote the safety of Baylor related interactions with minors on or off campus. This policy is in compliance with both state and federal laws, including the [Texas Education Code § 51.976](#) as well as the [Texas Youth Camps Administrative Code Rule 265.12](#). All Youth Programs or activities with minor participants will be subject to this policy. Parents or guardians should not leave their minors unsupervised on University property unless their child is a minor participant as part of a covered Youth Program or activity.

Individuals/Entities Affected by this Policy

This policy applies to faculty, staff, students, volunteers, contractors, and consultants who work or volunteer in Youth Programs operated by the University or work on campus areas that support Youth Programs where minor participants are under the supervision of the University or its representatives. Youth Programs covered under this policy include, but are not limited to academic programs, instructional programs, camps, clinics, workshops, conferences, community service, off-campus outreach, official athletic visits, and other similar activities. This policy also applies to External Entities or third-party organizations approved to operate a Youth Program on campus or in University facilities.

Exclusions

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Exclusions to this policy include matriculated students, public events, field trips, Institutional Review Board (IRB) approved research, K - 12 school groups (accompanied by teachers), Piper Child Development Center, guest speakers, parents, entertainers, campus tours, and special events where minors are in the care of their parents or guardians and must be supervised at all times.

For activities that require private One-on-One Contact such as, but not limited to, tutoring, auditions, or lessons when the parent or guardian is not present, the activity shall be subject to specifically tailored [Additional Guidelines](#) that are put in place by the person organizing the activity, and such person shall obtain signed waivers and consents for One-on-One Contact from the parents or guardian and maintain those records.

Related Documents and Forms

Other Documents

[Texas Education Code § 51.976](#)

[Texas Youth Camps Administrative Code Rule 265.12](#)

[Texas Mandatory Reporting Law](#)

Forms and Tools

[Summer Camp Handbook](#)

[Post- Youth Program Compliance Form](#)

[Youth Program Planning Guide](#)

[Reporting Guide](#)

Definitions

These definitions apply to terms as they are used in this policy.

Authorized Adult	Individuals as part of a registered Youth Program who have primary care (unsupervised access) of minor participants who must successfully complete the Identifying SXAB and Misconduct online course and meet the criminal background check requirement.
Direct Contact	Contact with Minor participants, whether intentional or unintentional, as part of a Youth Program
External Entity	An external organization, approved by a University department, operating a Youth Program or activity on campus
Hosting Department	The academic or administrative department of the University that operates a Youth Program or provides approval for an External Entity to operate a Youth Program on campus or in a University facility

Minor	A person under the age of 18 participating in a Youth Program. For the purpose of this policy, this definition excludes matriculated students under the age of 18.
One on One Contact	Personal, unsupervised interaction with a single Minor participant without at least one other Authorized Adult, parent or legal guardian being present
Program Staff	Individuals who have non-primary care (supervised access) to Minor participants and must successfully complete the shine a light online course for mandatory reporting.
Youth Programs	Programs or activities offered to Minor participants by an academic department, administrative department, or by an External Entity during which Minor participants are under the supervision of the University or the External Entity

Contacts

Subject	Contact	Telephone	Office email/web site
Questions	Director of Youth Protection	254-710-3867	protectionofminors@baylor.edu/ http://www.baylor.edu/risk

Responsibilities

Dean or Department Head	Approves the operation of a Youth Program by a department, a registered student organization, or an External Entity to use a facility or operate a Youth Program on campus
Director of Youth Protection	The University representative responsible for the oversight of any Youth Program, camp, or activity involving Minor participants held on University property or hosted by the University
Program Director	Individual on-site responsible for day-to-day operations of a particular Youth Program and compliance with University regulations, procedures and guidelines as those pertain to the Youth Program

Principles

Baylor University believes that all members of our community have a moral and legal duty to safeguard the welfare of Minors who participate in Youth Programs and activities. This policy sets forth the efforts our faculty, staff, students, volunteers, contractors, and consultants are required to take to minimize the threat of child abuse and to respond promptly and effectively should abuse be observed, suspected, or disclosed.

Standards to Protect Children and Prevent Abusive Conduct with Minors

Baylor University expects its faculty, staff, students, volunteers, contractors, and consultants to exhibit exemplary behavior at all times. This is even more important when interacting with non-enrolled Minors who are using Baylor facilities or involved with Baylor programs and activities.

Procedures

Authority

The Director of Youth Protection oversees the requirements and compliance of Youth Programs occurring on University property or otherwise hosted by the University. Any exceptions to the requirements as outlined in this policy must be approved in writing by the Director of Youth Protection.

Registration and Approval

Program Directors of all Youth Programs and Camps should:

- Secure Dean or Department Head approval
- Submit an event proposal or registration
- Consult the [Program Planning Guide](#) for your planning needs

All Youth Programs and Camps should register events annually with Baylor Event Services and/or Connect for required approval by the Director of Youth Protection

Questions related to preparation, timelines, and requirements may be directed to protectionofminors@baylor.edu or contacting Director, of Youth Protection at 254-710-3867.

Pre-Employment Screening

Program Directors must obtain a completed [Pre-Employment Screening](#) for all new external Program Staff applicants. All screenings must be verified by the Program Directors or their designees prior to the applicant being cleared to work or participate in a Youth Program. The completed forms are to be housed on-site at the program level.

Criminal Background Checks

Every two years, program staff who will have Direct Contact with Minor participants must pass a criminal background check prior to being cleared to work or participate in a Youth Program or Camp.

[Baylor Human Resources](#) manages the processing of criminal background checks for all registered Youth Programs and Camps.

Persons are prohibited from participating or working in a Youth Program without meeting the criminal background check requirement. The Program Director is responsible for ensuring that all individuals have been cleared to participate in Youth Programs.

Criminal Background Checks must meet the following criteria:

- i. County background check
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- ii. Multi-state background check with social security number trace and Alias Search
- iii. National sex offender registry check

All background checks performed by or on behalf of Baylor University will comply with the Fair Credit Reporting Act and other relevant privacy laws and are maintained by Baylor’s Human Resources office in compliance with the University’s record retention policy.

Questions regarding background check preparation, timelines, and requirements for Registered Youth Programs may be directed to Human_Resources@baylor.edu.

Education and Training

Authorized Adult	Individuals who have primary care (unsupervised access) of minor participants who must successfully complete the Identifying SXAB and Misconduct online course.
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Program Staff	Individuals who have non-primary care (supervised access) to Minor participants and must successfully complete the Shine a Light online course for mandatory reporting.
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The Program Director is responsible for ensuring that all youth program staff have met the appropriate training requirement prior to being cleared to participate in the youth program or camp.

The training shall include at a minimum:

- i. how to identify situations of abuse
- ii. how to respond to a disclosure of abuse by a minor
- iii. how to report those situations to appropriate authorities
- iv. how to prevent abuse

Questions regarding online or in person training sessions may be directed to protectionofminors@baylor.edu or call 254-710-3867.

Standard Operating Procedures

The [Texas Youth Camps provision in Administrative Code Rule 265.12](#) mandates that Youth Programs have [Standard Operating Procedures](#) That support a safe and protective environment for minor participants.

Program Directors should inform and make these [Standard Operating Procedures](#) available to program staff prior to staff assuming responsibility for minor participants.

Official Athletic Visits

This policy is applicable to official athletic visits when there is the possibility of a Prospective Student Athlete (PSA) being under the supervision of the University or its representatives.

All hosts for PSA official visits must meet both the criminal background check and youth protection training requirements.

Registered Student Organizations

Registered student organizations working with outreach and community service partners off campus that involve Direct Contact with Minor participants as a service learning activity or part of a University mission or academic program shall comply with all requirements of this policy. The Program Director must ensure that all participating University students comply with this requirement.

External Groups

External Groups seeking to operate a Youth Program or activity on campus must register the Youth Program annually with Baylor Event Services or Connect. External Groups applying to operate a Youth Program or camp on campus must:

- Secure a University department host with Dean or Department Head approval
- Submit an Event Proposal with [Baylor Event Services](#).
- Submit a Certificate of Insurance (COI) that includes sexual abuse and molestation coverages.
- Submit an [External Group Acknowledgement Agreement](#) and a [Campus Program for Minors Information Form](#) to the hosting department.

The External Group assumes full responsibility for the supervision of all Minor participants and compliance with this policy, including but not limited to yearly youth protection training and criminal background checks.

The Hosting Department's Dean or Department Head, or designee, serves in the administrative capacity as custodian of all records received and ensures that all required program information is submitted properly.

Reporting Child Abuse and Neglect

If you suspect that a child has been abused or neglected, you are required by law to submit an external report immediately to the Department of Family and Protective Services (DFPS) at 1-800-252-5400 or any local law enforcement agency.

Failure to make a report is a crime in Texas, punishable by up to one (1) year in prison and a fine of up to \$4,000.00. Texas law protects a person acting in good faith who makes a report of child abuse or neglect that does not arise from their own conduct.

If the situation is a life-threatening emergency, the mandatory reporter must call 911.

To meet legal reporting requirements, it is best to call local law enforcement. If the incident occurred on Baylor's campus or Baylor property, you should call the Baylor University Police Department at 254-710-2222. If the incident took place off campus, you can contact the Baylor University Police Department, who will assist you in connecting with the local law enforcement agency who has jurisdiction to investigate the allegations.

After a report of alleged abuse or neglect has been made externally/and or internally to appropriate authorities, the Baylor Police Department in partnership with the Director of Youth Protection will make a final determination as to whether a matter merits further investigation.

In addition to the above required actions pertaining to child abuse or neglect, any person may also file a report via [Baylor Ethics Point](#) or by telephone by dialing toll-free 866-384-4277 as a way to report anonymously and confidentially activities that may involve criminal, unethical, or otherwise inappropriate behavior in violation of Baylor University's policies.

Types of Abuse or Neglect

Texas' definitions of "abuse" and "neglect" are defined very broadly and include most threats to a child's physical or mental health or welfare. For more information, staff and volunteers for Youth Programs can refer to all applicable Texas codes and statutes for the current terms and definitions addressing abuse, neglect, exploitation, and abandonment, along with the associated mandated reporting requirements.

For the purpose of this policy, abuse might include, but is not limited to, the following:

- i. Physical Abuse: hitting, spanking, shaking, slapping, unnecessary restraints
- ii. Verbal Abuse: degrading, threatening, cursing
- iii. Sexual Abuse: inappropriate touching, exposing oneself, sexually oriented conversations
- iv. Mental Abuse: shaming, humiliation, cruelty
- v. Neglect: unreasonable withholding of food, water, shelter, and reasonable medical attention.

Lab Safety

Pursuant to the University's Environmental Health and Safety program, non-enrolled Minors are explicitly prohibited from entering University teaching and research labs where hazardous chemical, biological, and/or radiological materials are present and/or hazardous activities are taking place. Additional information is at the [Environmental Health and Safety](#) website.

Overnight Guest

Pursuant to Campus Living & Learning policy, non-enrolled Minors unaffiliated with a covered Youth Program are prohibited from residing overnight in residence halls. Additional information is at the [Campus Living & Learning Guide to Community Living](#) website.

Compliance Monitoring

As a part of compliance monitoring, Youth Programs and Camps must complete a [Post-Program Compliance Form](#) at the conclusion of each program, maintain an on-site compliance notebook, and are subject to site visits and document requests in measuring compliance with this policy.

Records Retention

All applications, background checks, training, and other required personnel documentation shall be maintained with the Youth Program in hard copy or electronic format for a minimum of two years following a person's last day of service. Criminal background check records are maintained by Baylor's Human Resources office in compliance with the University's record retention policy.

Enforcement

This policy will be strictly enforced by the Office of Compliance and Risk Services. Failure to comply can result in corrective action up to, and including, dismissal from Baylor University.

Violations may also lead to civil or criminal liability. In addition, the program or event in question may be subject to postponement or cancellation.

Periodic Review

This policy is maintained by the Director of Youth Protection. The University will review this policy periodically to capture evolving legal requirements and opportunities for enhancement of the Protection of Minors framework.