

Policy Title: Protection of Minors in Youth Programs and Activities Policy

Policy Statement:

Clemson University is committed to supporting a safe environment for minors who are entrusted to our care. This policy creates requirements for faculty, staff, students and volunteers who work in university-affiliated youth programs and activities with minors. The University takes a proactive approach to protecting minors, with the goal of safeguarding their wellbeing and providing them with the best possible experience while participating in youth programs and activities.

This policy grants authority and responsibility to the Pre-collegiate Programs Office and the Minors Program Advisory Committee to implement and enforce this policy and the related Clemson University Policies and Operating Standards for the Protection of Minors as described herein.

Parents and guardians must provide supervision for minors who are under their care. Parents and guardians should not leave minors unsupervised on University property.

Terms and Definitions

Child Abuse or Neglect – South Carolina defines child abuse and neglect to include:

- Inflicting physical or mental injury on a child
- Creating a substantial risk of physical or mental injury
- Commits against a minor a sexual offense prohibited by South Carolina law, permits another person to commit such an offense, or creates a substantial risk of such an offense
- Failing to provide adequate supervision appropriate to a child's age and development
- Failing to supply adequate food, clothing, shelter, or education
- Inflicting excessive corporal punishment
- Encouraging delinquency
- Engaging in sex trafficking of a child (See South Carolina Laws 63-7-20)

Custodial Care – A situation in which a Clemson University faculty, staff, student or volunteer assumes temporary responsibility over a defined time period for the care, custody or control of a minor, for the purpose of the minor engaging in a university-affiliated youth program or activity.

Minor – An individual under the age of 18 who is not enrolled or accepted for enrollment at Clemson or another university.

One-on-One Contact – Interaction between one adult and one minor outside the observation of another adult.

University-Affiliated Youth Program or Activity – Any program, activity or planned event, regardless of where it is held, organized, sponsored, operated or supported by Clemson University that has one or more minor participants.

Policy Details:

Scope

1. This policy applies to all faculty, staff, students and volunteers working with minors in University-Affiliated Youth Programs or Activities.
2. All programs and activities with minors are within the scope of this policy except those excluded in section 4.
3. The policy covers, without limitation:
 - a. Activities, programs and planned events with minors organized by an academic or administrative unit of the University, operated on- or off-campus at any geographic location, in University facilities or other facilities used for programming purposes. Examples include, among others, academic camps, sport camps, traditional camps, 4-H or Cooperative Extension clubs and

- programs, clinics, workshops, conferences, childcare, lessons, tutoring and community service activities.
- b. A minor serving the University as an intern or volunteer, such as working in a laboratory with a researcher.
 - c. Human subject research involving minors approved by an Institutional Review Board (IRB).
 - d. Activities organized by recognized student organizations and clubs.
 - e. Pre-enrollment visitation by prospective students.
4. This Policy does not apply to:
- a. Events on campus open to the public, which minors might attend, such as fairs, festivals, entertainment events, sporting events, or other activities or programs that might attract individuals under 18 years of age but that do not involve the University's affirmative assent to supervise the minor directly.
 - b. Undergraduate and graduate academic programs in which individuals under the age of 18 have been accepted for enrollment at a University.
 - c. University-affiliated programs and activities that have requested and received an exemption from part or all of this policy.
 - d. Short-term visits of one day or less by school groups or other groups of minors in which the minors remain under supervision of non-University group leaders.
 - e. Minors employed by the University.
 - f. Inpatient or outpatient medical care provided to minors by the Sullivan Center or other University patient care settings.
 - g. Child Caring Institution licensed by the SC Department of Social Services
 - h. Approved Charter School in accordance with SC Code of Law 59-40-10 et. Seq.

Registration and Recordkeeping

1. Units operating programs or activities must register each program and activity with the Pre-collegiate Programs Office annually.
2. Registration must be completed 30 days prior to the start of the program or activity.
3. University-Affiliated Youth Programs and Activities must establish recordkeeping systems and retention schedules satisfying the Record Retention Schedule (251 -Clemson University Office of Pre-collegiate Programs, 16992 Program Participant Files).

Child Abuse and Neglect Reporting

1. In situations involving child abuse or neglect, whether known, threatened, or suspected, staff must follow the University's [Reporting Child Abuse or Neglect Policy](#).
2. Investigations of allegations of child abuse or neglect will be conducted in accordance with the laws of the State of South Carolina, law enforcement, Department of Social Services and Clemson University.

Staff Screening

1. Approved Criminal Records Checks and National Sex Offender Registry Checks are required for faculty, staff, students and volunteers participating in University-affiliated programs and activities if the individual
 - a. May have custodial care of a minor,
 - b. May reasonably expect to have frequent interaction with minors in the course of his or her regular University responsibilities.
2. No individual subject to screening may begin interacting with minors until approved checks have been completed.
3. *Individuals subject to screening must self-disclose any criminal conviction or any arrest involving violent crimes against a person, crimes against children, sexual crimes, drug use or possession, weapons offenses, or animal abuse or neglect. This disclosure must be made within three (3) days of the*

conviction or arrest. If there has been a break in service of less than one (1) calendar year, then this disclosure must be made upon reentry to the program or activity.

4. Approved Criminal Records Check and National Sex Offender Registry check must be completed every four years to remain eligible to work in programs and activities with minors.
5. Individuals subject to screening who have had a break in service of more than one (1) calendar year. must complete a new Criminal Records Check and National Sex Offender Registry check.
6. The University Human Resources Office conducts the checks, evaluates the results, and maintains records of them.
7. The program or activity bears the cost of conducting checks.
8. University-affiliated programs and activities may perform checks more frequently and must do so if legally required.
9. This policy prevails over any less rigorous requirements in the Clemson University [Background Check Policy](#).

Training

1. Units must ensure that all faculty, staff, students and volunteers working with minors are trained annually on the detection, prevention and reporting of child abuse and neglect.
2. All faculty, staff, students and volunteers working with minors will receive training through a Tiger Training module.
3. Training must be completed before interaction with minors begins.

Standards of Behavior

1. All faculty, staff, students and volunteers covered under this policy must sign and abide by the Standards of Behavior prior to working with minors, and annually thereafter.
2. The University prohibits one-on-one interactions between minor participants and adults, except in open, well-illuminated spaces or rooms readily observable by other adults working in the youth program or activity.
3. The University requires minimum staffing ratios of staff to minor participants as set forth in the Operating Standards.

Applicable Standards

1. All Clemson University youth programs or activities that undertake custodial care of minor participants must abide by the [Clemson University Operating Standards for Youth Programs and Activities](#).
2. All University-affiliated youth programs and activities must comply with state and federal laws and regulations on the health, safety and wellbeing of minors. National standards or industry practices may provide further guidance.
3. Operations that are American Camp Association Accredited are exempt from the CU Operating Standards of Youth Programs and Activities.
 - a. Proof of Accreditation must be submitted to the Pre-collegiate Programs Office annually.

Accountability

1. To promote compliance, administrative units including the Pre-collegiate Programs Office and the Office of Internal Audit may conduct site visits of any program or activity governed by this policy. Colleges, programs, activities and individuals must cooperate in site visits, as required.
2. Individuals violating this policy will be held accountable for their actions. The University may impose consequences, including but not limited to the following:
 - a. Programs may lose the right to operate under the auspices of Clemson University and may be barred from University property.
 - b. Faculty, staff and students are subject to relevant disciplinary sanctions.
 - c. Volunteers are subject to reprimand, loss of volunteer status or exclusion from University property.

Exemption Process

1. A program or activity may make an advance request for an exception to any requirement of this policy by submitting an Exemption Request form to the Director of the Pre-collegiate Programs Office no later than 8 weeks prior to the event taking place. The request should describe, among other factors, alternate safeguards such as enhanced supervision or compliance with state child welfare regulations.
2. The Exemption Request Form will be reviewed by the Pre-collegiate Programs Office. Approval or denial will be communicated at least four weeks prior to the event.

Responsibilities

The following departments and units have responsibilities as outlined in the Protection of Minors in Youth Programs and Activities policy.

Office for the Protection of Minors responsibilities are as follows:

- Monitor compliance of the Protection of Minors in Youth Programs and Activities Policy and the Clemson University Operating Standards for Youth Programs and Activities.
- Provide strategic advice to the Minors Program Advisory Committee.
- Review/Revise University Operating Standards for Youth Programs and Activities to manage and mitigate risk.
- Promote compliance of programs and activities involving minors by serving as a resource to answer questions as needed.
- Provide appropriate training where applicable.
- Maintain an inventory of all university programs and activities for minors.
- Serve as a reporting mechanism for suspicious and improper activity.
- Conduct site visits to assess and verify compliance.

Minors Program Advisory Committee responsibilities are as follows:

- Periodically review the Clemson University Policies and Operating Standards for the protection of minors in university-affiliated programs and activities. Propose amendments to the policy.
- In consultation with the Pre-collegiate Programs Office, provide general oversight for University-affiliated youth programs and activities.

Office of Human Resources responsibilities are as follows:

- Conduct Background Checks and National Sex Offender Registry Checks in accordance with this policy.
- Process Self-Disclosure of Criminal Convictions Form in accordance with this policy.
- Perform Motor Vehicle Record Checks.

Office of Internal Audit responsibilities are as follows:

- Conduct program reviews, which may include site visits, to assess and verify compliance.

Purpose: To promote the safety of minors who participate in programs and activities that are affiliated with the University. This policy outlines the responsibilities of faculty, staff, students and volunteers who work with minors and reinforces the existing obligations of individuals under Clemson policy and South Carolina law to report known or suspected child abuse or neglect of minors.

Responsible Department/Division (Contact Person):

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