

Clemson University

Operating Standards for Youth Programs and Activities

Providing Safe, High-Quality Youth Experiences

Pre-Collegiate Programs Office
2039 Barre Hall
Clemson University

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Introduction

The **Clemson University Operating Standards for Youth Programs and Activities** (“Youth Activity Operating Standards”) provide university-wide standards for the operation of all youth programs/activities with custodial care of minor participants. The Youth Activity Operating Standards also provide guidelines for youth programs/activities to use in developing additional policies, procedures, and practices tailored to their unique circumstances.

Overview of the Standards

Youth programs and activities are responsible for meeting all applicable requirements defined by the Youth Activity Operating Standards. Those requirements include:

- Operational Management standards such as safety regulations, emergency procedures, and risk-management planning.
- Health and Wellness standards such as health care practices, health histories, first-aid equipment and personnel
- Transportation Standards such as driver qualifications, vehicle use, and safety procedures

Administration of the Standards

The **Minors Policy Advisory Committee’s** key responsibility is oversight of compliance with the Youth Activity Operating Standards. Members are selected according to defined criteria, and the Committee operates within specific guidelines and procedures approved by the Executive Leadership Team (ELT) of Clemson University.

The Pre-collegiate Programs Office (“PcPO”) reviews and revises the Youth Activity Operating Standards to manage and mitigate risk associated with minors participating in youth programs or activities. PcPO serves as a resource/consultant for program Directors/Owners/Operations to promote compliance with the operating standards and answer questions as needed. PcPO provides strategic advice to the Minors Policy Governance Committee on activities and programs with minor participants.

PcPO collaborates with experts from the American Camp Association (ACA), the Higher Education Protection Network (HEPNet), youth-serving agencies, and other authoritative sources to incorporate current research-based practices in the Youth Activity Operating Standards.

Changes to Standards

The Youth Activity Operating Standards may be changed at any time. On or about January 15 of each year, PcPO will distribute a memorandum to all known program directors explaining changes to the standards.

Exemption Requests

If a program/activity director believes that a requirement of the policy or the operating standards would place undue hardship on a program or activity, the dean, vice-president, or a designee may submit an Exemption Request Form to the PcPO director. The exemption must be requested at least eight weeks before the program or activity begins. The Minors Policy Governance Committee will approve, deny, or modify the request, and the committee’s resolution will be

communicated at least four weeks prior to the program or activity. If extenuating circumstances require an expedited process contact the PcPO director immediately.

Terms & Definitions

The following terms and definitions apply to interpretation of these standards.

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)

CUHR. Clemson University Human Resources.

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 minors engaging in a youth program/activity.

Director. The person identified in the Youth Safety Portal by the sponsoring unit that is responsible for day-to-day decision-making and supervision of the youth program/activity participants and staff.

Minor. An individual under the age of 18, who is not enrolled or accepted for enrollment at Clemson University.

Non-Custodial Routine Interaction. A Clemson faculty, staff, student, or volunteer who has routine interaction with minors but is not responsible at any time for the care, custody or control of minors during a youth program/activity. A teacher, chaperone, parent or guardian maintains responsibility for the minor. Examples – food service staff, lifeguard, CU employee providing a tour for a school group that remains under the teacher's supervision.

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

The University prohibits one-on-one interactions between minor participants and adults. In situations requiring personal interaction, the meeting or activity should be conducted "out in the open" in view of other adults and in well-illuminated spaces or rooms readily observable and intrudable by other adults working in the youth program/activity

PcPO. Precollegiate Programs Office, which administers these Youth Activity Operating Standards.

Sponsoring Unit. The academic or administrative unit of the University that approves use of facilities in accordance with University Policy. For programs sponsored by CU but not held in its facilities, the sponsoring unit which the director is affiliated.

Visitor. A guest of a youth program/activity for a limited time that does not have and that will not have independent unsupervised access to minor participants.

Youth Program/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 participants.

This includes, without limitation, academic camps, sport camps, traditional camps, 4-H or Cooperative Extension clubs & programs, workshops, conferences, and unstructured intern or volunteer activities by faculty or staff. It also includes lessons, coaching, training and tutoring conducted on University property.

Youth Program Staff/Volunteer. Individuals including, without limitation, faculty, staff, students, or volunteers age 18 or older, whether paid or unpaid, who have primary responsibility for the care, supervision, guidance, or control of minors at any given time while minors engage in a youth program/activity. Program staff/Volunteer must be identified in the Youth Safety Portal and are subject to the Protection of Minors Policy requirements. No youth program/activity staff/volunteer may begin interacting with minors until all Protection of Minors Policy requirements have been met.

Youth Program/Activity Staff Selection and Screening

Purpose. This standard establishes requirements for the selection and screening of youth program/activity staff/volunteer. This Standard is consistent with Clemson University policies and practices on hiring, selecting, and screening employees who work directly with minors.

Scope. Any Clemson-affiliated individual, including faculty, staff, students, and volunteers, who works in a youth program/activity and who will, at any point, have responsibility for custodial care of a minor must be selected and screened before the youth program/activity begins. Any Clemson-affiliated individual who has non-custodial routine interaction with minors also requires advance screening.

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 youth programs/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 a youth program/ activity. (Appendix B)
- 4) Approved Criminal Records Check and Sex Offender Registry check must be completed every four (4) years to remain eligible to work in youth programs/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 Sex Offender Registry check.
- 6) The University Human Resources Office conducts the checks, evaluates the results, and maintains records of them.
- 7) The youth program/activity bears the cost of conducting checks.
- 8) University-affiliated youth programs/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.

New Program Staff.

A youth program staff/volunteer member is considered “new” under two circumstances: (1) upon initial involvement with a youth program/activity or (2) upon a break in employment or volunteer service of 12 months or more from a previously held Program Staff position within Clemson University.

All new youth program staff/volunteer, whether paid or unpaid, including Directors, with custodial care of minors must satisfy the following prior to contact with minors.

- A personal interview by the sponsoring unit designee, camp director, or a designated representative
- At least two (2) reference checks
- Verification of previous work and volunteer history
- A Criminal Background check by the CUHR, and
- A Sex Offender Registry check by CUHR.

Annual Youth Program Staff/Volunteer.

Youth program staff/volunteer are considered full-time, year-round, or continuing if they have not had a break of employment, service, or volunteer time greater than 12 months. Part-time or variable hour employees (less than 30 weekly hours) are considered continuing if they have not had a break in service greater than 12 months.

Non-Custodial Routine Interaction

Faculty, staff, students, and volunteers working in youth-serving programs/activities affiliated with the university who routinely interact with minors and *without* custodial care must meet the following screening standards before beginning contact with minors:

- A Criminal Background check by the CUHR
- Complete a Sex Offender Registry Check reviewed by the CUHR.
- Complete the Detection, Prevention and Reporting of Child Abuse and Neglect Training.
- Attestation of the Standards of Behavior.

Colleges and units must perform selection and screening practices in accordance with any state laws and must meet the most legally stringent requirements. Colleges and units may require stricter selection and screening controls beyond legal requirements, provided the controls are approved by CUHR and applied consistently across positions.

Disqualifiers from Working/Volunteering with Minors.

Automatic Disqualifiers

An individual will be disqualified if a background search reveals that the individual has been convicted of, received an imposition of a deferred sentence for, entered any plea of guilty or no contest at any time, or has pending criminal charges meeting the following criteria:

- 1) Any felony involving:
 - a. Violence against a person;
 - b. A violent crime involving weapons (including armed robbery and aggravated assault with a weapon);
 - c. Animal abuse or animal neglect
- 2) Any felony or misdemeanor involving:
 - a. All sexual crimes (excluding only those potential disqualifiers in 3c below);
 - b. Drug use or possession, (including the use of drug paraphernalia) within the previous three years;
 - c. Other drug related crimes including drug distribution, intent to distribute, manufacturing, trafficking, or sale within the previous seven years;

- d. Child endangerment, neglect, or abuse.

Potential Disqualifiers

An individual will be subject to review for disqualification if a background search reveals that the individual has been convicted of, received an imposition of a deferred sentence for, entered for any plea of guilty or no contest at any time, or has pending charges meeting the following criteria:

- 1) Other felonies not included in Automatic Disqualifiers above;
- 2) Crimes involving vehicular bodily harm;
- 3) Other misdemeanors for:
 - a. Drug related crimes which are not covered in Automatic Disqualifiers above;
 - b. Violence against a person (including crimes involving firearms);
 - c. Prostitution, indecent exposure, or public indecency;
 - d. Stalking or harassment;
 - e. Destruction of property including arson, vandalism, and criminal mischief;
 - f. Animal abuse or neglect.

An applicant may challenge the accuracy of the reported information to contest the consequence of disqualification with the Youth Policy Governance Committee.

Retention

Records must be maintained in accordance with the Program Participant Files records retention schedule (Appendix C).

Contact PcPO for specific instructions in obtaining background checks, sex offender registry checks, and staff selection tools.

Standards of Behavior, Staff

Purpose. This Standard of Behavior promotes the safety and well-being of all youth program/activity participants. It establishes an appropriate level of behavior for program personnel who work in youth programs/activities with minor participants.

Scope: Program staff participating in youth programs/activities covered by the Clemson University Protection of Minors in Youth Programs and Activities Policy.

Youth program staff/volunteer should behave professionally and maintain the highest standards of personal behavior at all times.

If an allegation of inappropriate conduct has been made against a staff member or volunteer, the individual shall discontinue further participation in programs and activities involving minors until the allegation has been satisfactorily resolved.

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.

Standards of Behavior (Appendix B)

The youth program staff/volunteer shall, at a minimum:

- 1) Endeavor to provide a safe and healthy experience for all participants.
- 2) Report any suspected child abuse and/or neglect to law enforcement and to the University in accordance with University policy.
- 3) Be a good role model for the minor participants and professionally represent the program/activity and Clemson University.
- 4) Self-disclose felony or misdemeanor convictions that occur within three days of pleading guilty or be convicted.

The youth program staff/volunteer shall, at a minimum, **NOT**:

- 1) Have one-on-one contact with a minor including social media.
- 2) Engage in abusive conduct of any kind toward, or in the presence of, a minor.
- 3) Strike, hit, administer corporal punishment to, or touch in an inappropriate or illegal manner any minor or knowingly allow inappropriate touching between minors.
- 4) Swear, make sexually suggestive comments, use, reciprocate or advance sexual innuendo.
- 5) Engage in rough or sexually provocative games, including horseplay.
- 6) Be alone in a vehicle with a minor. Pick-up or drop off minors at their homes, except as specifically authorized by the parent or legal guardian. Staff members and volunteers may, however, drive their own children.
- 7) Possess or use alcohol or illegal drugs while on duty or provide alcohol or illegal drugs to any minor.
- 8) Provide any medication, including prescription drugs, to a minor without express written authorization from the parent or legal guardian and in accordance with the Operating Standards for Youth Programs.
- 9) Make sexual materials in any form available to minors or assist them in gaining access to such materials.

10) Communicate with program participants via social media unless the content is public and visible to other youth program/activity adult observers. i.e., no private messages. This restriction applies during the period of employment and for one year thereafter.

I have read and understand the Standards of Behavior outlined above. I understand and agree to follow them and that any act or omission on my part contravening any portion of these standards may be grounds for disciplinary action in accordance with Clemson HR and volunteer policies.

Program or Activity Job Training

Purpose. Each person assuming responsibility as a youth program staff/volunteer for a youth program/activity shall receive training relevant to his or her specific functions. Proper staff training is critical to operating a safe and effective youth program/activity.

Scope. Preparation for youth program/activity staff/volunteer should include information on specific job skills, reporting and supervisory relationships, and acceptable and unacceptable staff behaviors. In addition, staff may require training in areas such as the use of equipment, safety and emergency procedures, identifying and managing environmental hazards, and handling accidents.

All Directors of youth programs/activities must provide a training program for their youth program staff/volunteer. The training program must be in writing, and the Director must review the training program on an annual basis and, if necessary, make updates and retrain staff/volunteer.

Before the Youth Program/Activity

Each youth program/activity staff/volunteer must receive training that covers the following topics:

- 1) Detecting, Prevention and Reporting Child Abuse and Neglect;
- 2) The program's/activity's purpose, activities, and intended outcomes. How the program's structure and operations advance these elements;
- 3) Developmental needs of minors served;
- 4) Competencies required for conducting program activities;
- 5) Operating procedures;
- 6) Objective safety considerations and security;
- 7) Interactions among staff and between youth and staff, including minimizing the potential for any 1:1 participant-staff situations;
- 8) Bullying identification, prevention, and reporting;
- 9) Sexual issues and other sensitive topics;
- 10) Age-appropriate behavior management and supervision techniques to promote a physically and emotionally safe environment;
- 11) Clear expectations for staff performance and conduct including Standards of Behavior and prohibitions on discrimination and harassment;
- 12) Safety and security precautions including crisis/emergency responses and how to request local emergency services;
- 13) University responsibility/liability including Title IX and the Jeanne Clery Act and its reporting requirements for Colleges and Universities, along with procedures, and enforcement;
- 14) If applicable, relevant University's Housing, Dining and Parking Policies.

Late Hire and Ongoing Training

The director must provide training for staff who are late-hires or replacements on the topics addressed in the initial training. Ongoing training may include individual sessions, periods of “shadowing” with fully trained staff, and self-directed study.

Retention

Records of Staff Trainings must be maintained in accordance with the Program Participant Files records retention schedule.

Supervision of Minors and Access to University Facilities

Purpose. Appropriate supervision of staff/volunteers, including oversight of their interactions with participants, is a key safety element. Appropriate supervision promotes safety, reduces the risk of one-to-one scenarios, facilitates emergency response, and minimizes opportunities for abuse or neglect.

Scope. All youth programs/activities must provide properly screened and trained youth program/activity staff/volunteers who are at least 18 years of age, and who are on duty with participants in living groups and/or in general program activities in accordance with the supervision requirements below.

Youth program/activity directors are required to ensure all youth program/activities involving minors are supervised by at least two youth program staff/volunteer. It is acceptable for an individual youth program/activity staff/volunteer member to provide program services to a group of participants (e.g., classroom instruction or outdoor activities) if the activity is conducted in an open or public area where the group is visible to others outside the group at all times. This includes classroom or meeting activities where open doors or windows allow for a clear line of sight. When minors are being supervised in this manner, an additional youth program/activity staff/volunteer should be available as a "floater" to stand in if one of the youth program staff/volunteer in a classroom or other situation must leave the area.

In accordance with the American Camp Association, the ratio of program staff/volunteer to program participants must reflect the gender distribution of the participants, and should, at a minimum, meet the following:

Residential Program/Activity are:

- One youth program/activity staff for every four participants ages 5 and under.
- One youth program/activity staff for every six participants ages 6 & 7.
- One youth program/activity staff for every eight participants ages 8 to 14
- One youth program/activity staff for every ten participants ages 15 to 17.

Day/Commuter Program/Activity are:

- One youth program/activity staff for every six participants ages 5 and under.
- One youth program/activity staff for every eight participants ages 6 & 7.
- One youth program/activity staff for every ten participants ages 8 to 14
- One youth program/activity staff for every twelve participants ages 15 to 17.

One on One Interactions. The University prohibits one-on-one interactions between minor participants and adults.

In situations requiring personal interaction, the meeting or activity should be conducted "out in the open" in view of other adults and in well-illuminated spaces or rooms readily observable and intrudable by other adults working in the youth program/activity

Considerations

- 1) Programs and activities should follow the “rule of three.” At least three people should always be present, two of whom are 18 years or older. A visitor may be counted for purposes of the “rule of three” provided that a youth program staff/volunteer member is also present.
- 2) Youth Program staff/volunteer should not enter a bathroom facility, shower area, minor’s sleeping quarters, or similar area without another youth program staff/volunteer in attendance.
- 3) Youth Program staff/volunteer should not shower, bathe, or undress in the presence of a minor.
- 4) Adults and minors must sleep in separate quarters. Youth Program staff/volunteer or participants will not share a bed or sleeping bag. However, a minor may share sleeping quarters with his or her parent or guardian.
- 5) Programs may make alternative arrangements for minors who have special needs and require personal care assistance.

Facility Requirements, Including Laboratories

Each youth program/activity shall identify in advance the facilities in which its minors may be present. As a general matter, University buildings and general use facilities are available to minors. These includes academic buildings, athletic fields, and public spaces. Programs must inform the Building Security Coordinator of the times and spaces being utilized by programs/activities with minors. Minors may be prohibited in areas such as storage rooms, equipment rooms, athletic training rooms, and offices.

Minors should be prohibited from utilizing hazardous equipment. For any areas or functions requiring Personal Protective Equipment, appropriately sized equipment shall be provided to minors.

Minors under 15 years old are not allowed to use laboratory facilities. Minors age 15-17 must follow laboratory safety protocols, and the youth program/activity may be required to provide enhanced staffing for appropriate, ongoing supervision.

Participant Pick-up and Drop-Off

Youth program/activity must use the following procedure related to pick-up and drop-off of minor participants.

- **Drop-Off.** Minors must “sign-in” before proceeding to the youth program/activity. Sign-in may be done by the minor or require that the parent/guardian sign-in the minor.
- **Pick-Up.** Minors must “sign-out” at the end of the youth program/activity. A parents/guardian or approved caregivers must sign-out the minor. A youth program/activity staff/volunteer will only release a minor to individuals who have been identified on the Pick-Up Authorization Form. Youth program/activity staff/volunteer must confirm the identity of the person picking up the minor and after doing so can then release the minor to the care of that approved individual.
- **Self-Checkout.** Program/Activity participants can “self-checkout” if the Authorization for Self-Checkout is checked on the Pick-Up Authorization Form. Program/Activity participants will only be released at the scheduled program ending times, or times designated to the program by the parent/legal guardian.

Health Care

Purpose. Youth programs/activities benefit from having a well-thought-out health care plan to address the needs of minor participants for whom they have custodial care. Youth programs/activities should identify the type of healthcare provider and plan to serve participants based on factors such as location, access to higher levels of care, program/activity offerings, and types of participants expected and served. Potential health risks to participants need to be identified and evaluated. Plans for prevention and care need to be specified. Youth program/activity staff need to be aware of any particular health issues or needs of the minor prior to participation in a youth program/activity and account for the control of medications.

Scope. All youth programs/activities that have responsibility for custodial care of a minor as part of the youth program/activity.

Health History

All youth programs/activities with custodial care must receive a completed and signed health history for each minor prior to participation in a youth program/activity.

The “Health History Form” is an up-to-date record of the minor’s past and present health that is completed and signed by a minor’s custodial adult.

The Health History Form should include at a minimum the following:

- Identify allergies and/or dietary restrictions.
- Information to identify any medications (prescription and nonprescription) currently being taken by the participant.
- Details to any mental, physical or psychological conditions requiring medications or other special restrictions while at the youth program.
- A means of attesting that all immunizations are up to date and include the actual date (month/year) of the last tetanus shot.

Permission to Treat

A “Permission to Treat” clause is signed permission to provide routine healthcare, dispense medications and to seek emergency treatments. Refusal to sign the clause for reasons of religion or other requires a signed form specifying actions to be taken in the event the minor needs care or treatment and releases liability from the youth program if the parent or guardian cannot be reached in an emergency.

Health Histories Review

A designated “Health Officer” should do a health history review of every minor within 24 hours of the minor’s first arrival. The purpose of the review is to identify any health-related needs that may affect participation in activities. This Health Officer is also responsible for informing direct care youth program staff/volunteer of the health-related issues of minors. The designated Health Officer should have access to a health professional for consultation as needed.

Health Examination Report

The youth program/activity should consider the need for each minor to have a current health exam prior to participation. Considerations should include, among others, physical activity types and levels, proximity to EMS, and length of the youth program/activity. Some youth programs/activities may require a professional health examination that assesses the minor's ability to participate safely in program activities.

If the youth program/activity determines such a health exam is warranted, the youth program/activity should provide a health exam form to parents for completion by a licensed medical provider. (Health Examination Report Form B). This form **MUST ALSO BE REVIEWED IN ADVANCE**.

Medication Storage and Dispensing

All youth programs/activities with custodial care shall designate a Health Officer. The Health Officer may be a designated, accessible licensed healthcare provider or a staff member. He or she is responsible for maintaining all prescription and non-prescription medications in a locked and secure location such as a cabinet or storage box **at all times**. Staff members may secure their own medications in their own rooms.

Medication that requires refrigeration can be stored in a locked refrigerator or a locked box inside a refrigerator.

Exceptions may be made for medications for life-threatening conditions (e.g., EpiPen's or inhalers). These may, depending on circumstances, remain within the control of a minor or stored in another location such as a first aid kit.

Emergency and Nonemergency Medical Assistance

All youth programs/activities are required to have a plan for obtaining medical attention for minors in emergency and non-emergency situations. Plans should address how people, on- or off- site, can get emergency and non-emergency medical assistance.

Medical/Healthcare Provider

Each youth program/activity must have an appropriately certified or licensed person on duty at all times.

- If a youth program/activity is 30 minutes or less from Emergency Medical Services (EMS), it must have at least one program staff member trained in First Aid and CPR, storage and dispensing of medication (e.g., the use of EpiPen's) on duty at all times.
- If the youth program/activity is more than 30 minutes from EMS, the youth program/activity must have at least one program staff member(s) who are certified and trained in Wilderness First Aid, CPR, and the storage and dispensing of medication (e.g., the use of EpiPen's) on duty at all times.

Staff and participants shall receive information on how to contact the individual(s) trained in first aid and CRP.

First Aid Kits

Each youth program/activity must have first aid supplies available. The number and placement of first aid kits will vary by factors including availability to staff trained in first aid, the age and experience of participants, and distance to additional medical resources.

Parent/guardian Notification

Parent or guardian must have a clear understanding of the youth programs/activities policies for notifying them of illness or injury to a participant. All youth programs/activities are required to have written descriptions of the situations and when they will make the parent or guardian aware. This should include first-aid guidelines and identification of instances when professional medical advice/care should be sought. Care and treatment should be appropriate for the staff persons providing care for the youth program/activity and should take into consideration common camp/program/activity injuries and illnesses that could be reasonably anticipated.

Retention

Records must be maintained in accordance with the Program Participant Files records retention schedule.

Transportation

Purpose. This standard addresses transportation practices that promote safety, minimize risk, and help youth program/activity Directors consider vital aspects of vehicular safety, driver qualifications and training, and participant education concerning vehicle safety.

Scope. All youth programs/activities that transport minors whether by youth program staff/volunteer or a contracted or commercial transportation service.

Driver Requirements

All youth programs/activities that provide transport of their minors by youth program/activity staff/volunteer must verify the acceptable driving record and experience of any drivers. All drivers must be at least 18 years of age.

Driving History Review

All Clemson University faculty, staff, students or volunteers transporting minors in a motor vehicle during a youth program/activity must have a “driving history review” conducted by the CU Office of Risk Management to determine if the person is acceptable to operate a vehicle for a youth program/activity.

- Seasonally hired drivers within the last four (4) months or
- Within the last (12) months for year-round employee drivers.

Vehicle Operation

Drivers are expected to drive safely at all times and must abide by the following driving guidelines listed below:

- Obey all laws, rules, regulations, and university policies.
- Use common sense and adjust speed and operation to conditions and possible hazards or dangers.
- Not use a cell phone, PDA, computers, or any other device when the vehicle is moving or engage in other distracting behavior. If the driver must make or take a call or text message, the vehicle must be safely stopped and secured (parked), before using a cell phone or other device.
- Not drive under the influence of drugs or alcohol. Not drive if using a medication that impairs judgment, reflexes, or alertness.

Driver Training

All youth program/activity staff/volunteer who will be transporting participants in a vehicle must complete a Defensive Driving Training course. This training is available through the CU Office of Risk Management.

Vehicle Safety Procedures

The following procedures apply to all transportation of minors:

- Vehicles are to be operated within the passenger seating limits established by the manufacturer and all passengers are to remain seated and, while the vehicle is moving, wear seat belts or child restraint devices under applicable state regulations.
- Youth programs/activities must have a list of persons in the vehicle. This list can either be in the vehicle or readily accessible at another location.
- All vehicles used to transport minors or program/activity staff must have a First Aid Kit on board. Youth programs/activities are encouraged to equip vehicles with other “emergency accessories” as necessitated by vehicle use and activities.

Transporting in 12 or 15 Passenger Vans

South Carolina state law (56-5-195, SC Code of Law), commonly referred to as Jacob's Law, **prohibits the transportation of minors for educational purposes in 12- or 15- passenger vans.**

Exempted from this requirement

- 12- or 15-passenger vans that have been appropriately modified to mitigate the risk of rollover, and
- When used for short trips around campus (within 5-mile radius) *or* when reasonably expected speeds do not exceed 35 miles per hour.

Private Vehicle Use

CU strongly discourages the transportation of minors in personal vehicles for youth programs/activities. In cases where youth programs/activities allow the use of private vehicles to transport minors, then the owner must provide “proof of insurance” and written permission from the owner to use the vehicle for transportation for the youth program/activity business.

Permission is assumed if the owner is driving his or her own vehicle.

The youth program/activity Director must verify that individuals transporting minors in a personal vehicle for purposes of a Clemson University youth program/activity have valid liability insurance coverage in effect at the time. Verification is accomplished by obtaining a copy of the Insurance Card Policy Declarations Page or Certificate of Insurance that demonstrates the coverage period and coverage limits. The following coverage limits are required as a minimum:

- \$100,000 per person for bodily injury
- 200,000 per accident for bodily injury
- 100,000 per accident for property damage
- 100,000 per accident for both uninsured and underinsured motorist

Leased, Rented, or Chartered Vehicles

Youth programs/activities must require of any provider of leased, rented, or chartered vehicles to furnish written evidence of a system of regular vehicle maintenance and safety checks and to verify the acceptable driving record and experience of any drivers provided by the vendor.

“Written evidence” may include policies from the leasing company, a record of regular maintenance procedures, and a signed statement indicating the requirements that must be met by all drivers hired by the company. These statements may be found in the leasing contract, in

promotional materials for the company, or in a checklist for bids. Other written assurances from the company may include a letter or company representative signature on a statement prepared by the youth program or activity.

Nonpassenger Vehicles

Clemson University prohibits transporting minors in the back of a pickup truck or trailer. All minors must be in their own seats and must wear a seatbelt while in moving vehicles. The only exceptions are:

- When traveling by public transportation or school buses
- When wagons or trailers are used for hayrides, or similar activities, at slow speeds (5-10 miles per hour) off public roads, and where protective devices are provided to keep minors from falling out or off of the vehicle
- When minors are participating in an approved parade

Retention

Any driver records reviews, training document and verifications must be maintained in accordance with the Program Participant Files records retention schedule.

Social Media & Electronic Communications

Purpose. This social media and electronic communication standard outlines practices that promote safety, minimize risk, and help youth program/activity Directors consider vital aspects of communicating electronically with minor participants.

Scope. Any Clemson-affiliated individual, including faculty, staff, students, and volunteers, who works in a youth program/activity and who will, at any point, have responsibility for custodial care of a minor. Any Clemson-affiliated individual who has non-custodial routine interaction with minors.

All electronic communication originating from Clemson-affiliated youth program/activity adults to minor participants must be open and transparent. Clemson-affiliated youth program/activity adults must ensure that all communication is professional in nature.

Hours.

Electronic communications will generally only be sent between the hours of 8:00 a.m. and 8:00 p.m., unless emergency circumstances exist, or while traveling internationally or during competition travel.

Open and Transparent

Absent emergency circumstances, if a Clemson-affiliated youth program/activity adult needs to communicate directly with a minor participant via electronic communications (including social media), another Clemson-affiliated youth program/activity adult or the minor's legal guardian will be copied.

If a minor communicates to the Clemson-affiliated youth program/activity adult privately first, said adult should respond to the minor participant with a copy to another Clemson-affiliated youth program/activity adult or the minor's legal guardian.

When a Clemson-affiliated youth program/activity adult wants to communicate electronically to the entire youth program/activity, said adult will copy another Clemson-affiliated youth program/activity adult.

Minor participants may "friend" the youth program/activity's official page.

Requests to Discontinue.

Legal guardians may request in writing that their minor participant not be contacted through any form of electronic communication by the Clemson-affiliated youth program/activity or by any Clemson-affiliated youth program/activity adults.

The Clemson-affiliated youth program/activity will abide by any such request that their minor participant not be contacted via electronic communication, absent emergency circumstances.

Prohibited Electronic Communications.

Clemson-affiliated youth program/activity adults are not permitted to maintain private social media connections with unrelated minor participants and such adults are not permitted to accept

new personal page requests on social media platforms from minors, unless the adult has a fan page, or the contact is deemed as celebrity contact vs. regular contact. Existing social media connections on personal pages with minor participants shall be discontinued.

Monitoring

The youth program/activity must monitor its social media pages and removes any posts that violate policies and practices for appropriate behavior.

The organization will inform the legal guardian of a minor participant of any prohibited posts, as well as the youth program/activity administrator.

Youth Who Have Special Needs

Purpose. This standard promotes a positive learning environment that fosters respect and equitable treatment for all participants who have special needs. It is the policy of Clemson University not to discriminate against qualified individuals.

Scope. All youth programs and activities

Procedure. All youth programs must comply with state and federal laws and regulations regarding individuals with disabilities. Any questions should be referred to the Office of Access and Equity <https://www.clemson.edu/campus-life/campus-services/access/american-disabilities/>.

Program Activities

Purpose. The basic function of a youth program/activity is to provide participants with experiences promoting identified developmental goals and outcomes. The health, safety, and well-being of participants is paramount.

Program standards provide flexibility for each youth program/activity to take advantage of its unique programming strengths and determine its own procedures, while still addressing areas of planning, analysis, and delivery.

Scope. All youth programs/activities that undertake custodial care of minor participants.

Procedure. All youth programs/activities must comply with all applicable state and federal laws and regulations. Consideration also must be given to all national standards or industry practices intended to protect the health, safety, and well-being of participants.

Program activities may include:

- Adventure/Ropes Course
- Archery
- Go-Kart/ATV/Motorize Rec Vehicles
- Parade, Hayrack ride, etc.
- Chemicals
- Weapons
- Livestock/other animals
- Computer Lab(s) or Internet Access
- Water Actives, i.e., swimming, canoeing, rafting, etc.
- Rifles/Guns
- Tools (Power or Manual)
- Fireworks, explosives
- Equestrian/ Horseback Riding
- Ropes/Adventure Course
- Aquatics Activities,
- Trip and Travel

If no laws or regulations apply to the delivery of such activities, policies and procedures must be in place. The policies and procedures must be informed by a national organization that is widely consider having expertise in best practices, such as the American Camp Association or the Boy Scouts of America.

Exemption

Any operation accredited by the American Camp Association is exempt from the Clemson University Operating Standards for Youth Programs and Activities. Documentation of accreditation must be submitted to the Pre-collegiate Programs Office annually.

Emergency Preparedness, Prevention and Response

Purpose: This standard addresses general risk and safety issues relevant to the operation of youth programs/activities. Clemson University promotes a positive, protective environment for participants and staff.

Scope. This standard applies to all youth programs/activities where minor participants are under the custodial care of youth program/activity staff/volunteer.

Emergency Plan

The youth program/activity must have a written emergency plan for "reasonably foreseeable emergencies" that are specific to the site location, nature of program/activity, and participants that includes what to do in case of emergencies. The phrase "other reasonably foreseeable emergencies" includes natural disasters that are typical of the area, e.g., storms, earthquakes, fires, floods, as well as emergencies such a power outages, active intruder, and other local threats.

Emergency procedures should be specific to the site, staffing, type of program/activity operation, and participants. The complexity of procedures will vary based on program/activity location, type of operation, staff responsibility for supervision of individuals, and availability and responsibility of staff. Procedures should include contact of local emergency officials.

Lost Participant

The youth program/activity emergency plan must include procedures for the event that a participant/staff goes missing. Procedures should include appropriate steps to contact youth program/activity authorities, local and state emergency resources, and parents or guardians. The procedures should specify responsibilities of staff/volunteer in carrying out procedures with individual participants in day and resident youth programs/activities.

Emergency Communications

The emergency plan must include communication procedures that specify:

- A system for communications from persons at the site of the incident to program or activity director/administration and health personnel, as well as to community emergency services as appropriate (e.g., health, law enforcement)
- Identification of who will contact parents or guardians of minors directly supervised by the youth program/activity.
- Identification of who can/will communicate with the media.

Emergency Plan Rehearsal

The youth program/activity must rehearse with staff the plan to respond appropriately to natural disasters and other reasonably foreseeable emergencies, including what to do in case of emergency including building and site evacuation procedures.

Participant Security

The youth program/activity must have procedures for releasing minors to authorized persons during the youth program/activity or at the end of the day or session. The procedures need to specify to whom a minor may be released, other than the legal parent or guardian. These

procedures may include the policy that the youth program/activity will follow if a minor is not picked up within a reasonable time (e.g., supervision, emergency contact).

At the beginning of the day or session when a program/activity assumes responsibility for participants, staff must check on expected participants who are not present (e.g., call parent/guardian of “no-show”).

Safety Orientation

The youth program/activity must require that all participants be oriented to established safety regulations and emergency procedure in the general program area. Boundaries, behaviors, precautions, and emergency procedures can be: described verbally in a “safety orientation,” described on posted signs, and provided in information given to participants. This can include a written list with bullet points on a memo, signs posted on the wall, or a literal checklist. The intent is to cover all points with all participants.

Critical Incident Reporting

Purpose. This standard requires documentation of circumstances, witnesses, and actions in serious situations that result in-or nearly result in-danger or injury to individuals.

General Definition

A “critical incident” is any actual or alleged event or situation that creates a significant risk of substantial or serious harm to an individual’s physical or mental health, safety, or wellbeing.

Scope. This standard applies to all youth programs/activities where minor participants are under the care and supervision of youth program/activity staff/volunteer.

Reportable Critical Incidents Defined

- Death
- Abuse
- Neglect
- Exploitation
- Medical or Psychiatric Emergency
- Serious Injury
- Missing Person
- Law Enforcement Contact
- Suicide or Suicide Attempt
- Rights Violations
- Restraints
- Medical Error
- Data Breach

Incident Report

Any program/activity staff/volunteer who becomes aware of a critical incident must complete a written report describing incidents, accidents, “near misses,” and emergencies that may or may not result in injury.

Youth program/activity directors must report all critical incidents to the PcPO no later than 24 hours after the critical incident occurred.

The preparation of an incident report shall not delay reporting of critical incidents to appropriate governmental authorities including the police or child protective services.

Critical Incidents

Death

The death of an individual during a youth program/activity must be reported immediately, regardless of the cause or setting in which it occurred.

Abuse

- Willful use of offensive, abusive, or demeaning language by a youth program/activity staff/volunteer that causes mental anguish of a youth program participant;
- Knowing, reckless, or intentional acts or failures to act which cause injury or death to a youth program participant or which placed that person at risk of injury or death;
- Rape or sexual assault;
- Corporal punishment or striking of a youth program participant; and
- Unauthorized use or the use of excessive force in the placement of bodily restraints on a youth program participant;

Neglect

- Failure to provide food, shelter, clothing, health care, or services necessary to maintain the mental and physical health of that person;
- Negligent act or omission by a youth program staff/volunteer which causes injury or death to a person or which places that person at risk of injury or death;
- Failure by a youth program staff/volunteer to provide a safe environment for a participant; and
- Failure by a youth program/activity to provide adequate numbers of appropriately trained staff/volunteer in its provision of care for participants.

Exploitation

An act committed by a youth program staff/volunteer which uses a youth program participant for the entertainment or sexual gratification under circumstances that cause degradation, humiliation, or mental anguish to the participant.

Medical & Psychiatric Emergency

Admission of an individual to a hospital or psychiatric facility or the provision of emergency medical services (treatment by EMS) that results in medical care which is unanticipated and/or unscheduled for the individual and which would not routinely be provided by a primary care provider.

Response to Emergencies

- Emergency Medical Services, such as care by emergency medical technicians or an emergency room
- Emergency Psychiatric Services, such as admission to a mental health facility
- Life Saving Intervention, such as use of the Heimlich maneuver, CPR, or an AED
- Other non-routine emergency responses

Serious Injury

Reported, regardless of the cause or setting in which it occurred, when an individual sustains:

- A fracture
- A dislocation of any joint
- An internal injury
- A contusion larger than 2.5 inches in diameter

- Any other injury determined to be serious by a physician, physician assistant, registered nurse, licensed vocational nurse/licensed practical nurse.

Missing Person

Whenever there is police contact regarding a missing person, regardless of the amount of time the person was missing.

Suicide Attempt

The intentional attempt to take one's own life. A suicide attempt is limited to the actual occurrence of an act and does not include verbal suicidal threats by a person.

Rights Violations

Through omission or commission, the failure to comply with the rights to which an individual is entitled as established by law, rule, regulation, or policy.

Assault

An assault committed by a youth program/activity staff or a youth program participant to include the following:

- Physical assault;
- Severe verbal or psychological aggression;
- Harassment,

Restraints

Every time an individual is restrained, including but not limited to the following:

- Personal (the application of pressure, except physical guidance or prompting of brief duration, that restricts the free movement of part or all of an individual's body)
- Seclusion through involuntary confinement in a room that the person is physically prevented from leaving
- Isolation through forced separation or failure to include the person in the social surroundings of the setting or community

Medication Discrepancy

A discrepancy between what a physician prescribes and what an individual actually takes, and the individual self-administers medication under supervision of the youth program/activity or has medication administered by the youth program/activity.

A medication discrepancy includes one or more of the following:

- Wrong medication: an individual takes medication that is not prescribed for that individual. This includes taking medication after it has been discontinued or taking the incorrect medication because it was improperly labeled.
- Wrong dose: An individual takes a dose of medication other than the dose that was prescribed.
- Omitted dose: An individual does not take a prescribed dose of medication within the 24-hour period of a calendar day. An omitted dose does not include an individual's refusal to take medication.
- Dose Refused: An individual's refusal to take a prescribed medication.

Law Enforcement or Emergency Services Contact

Examples of “incidents” and “accidents” which may require law enforcement or emergency services contact include:

- Fires
- Natural disasters;
- Crisis arising out of participant or staff behavior (e.g. fighting, serious emotional outbursts, threatening others); or other situations posing serious safety threats;
- A participant being *charged with* a crime or is the subject of a police investigation, which may lead to criminal charges;
- An individual being a *victim of* a crime against the person;
- Crisis intervention involving police or other law enforcement personnel;
- Danger from intruders or trespassers.

Data breach

A data breach is a confirmed incident in which sensitive, confidential or otherwise protected data has been accessed and/or disclosed in an unauthorized fashion. Data breaches may involve personal health information (PHI), personally identifiable information (PII), trade secrets or intellectual property.

Near Misses

Examples of “near misses” and “emergencies not resulting in injury” include:

- Near drowning
- Use of drugs or alcohol by staff or participants.

Review

Critical Incident reports will be completed by a youth program/activity staff/volunteer, reviewed by the youth program/activity director, and forwarded to the Pre-collegiate Programs Office for processing. A PcPO Administrator will respond to each incident based on need and significance.

Youth program/activity providers use a university specific incident reporting document that addresses each of the critical incidents defined above. Critical incidents are reviewed by the Minors Policy Governance Committee.

Retention

Incident reports must be maintained in accordance with the Program Participant Files records retention schedule.

Parental Permission Form/Release of Liability

Purpose. The Clemson University Parental Permission Form and Release of Liability for Youth Camps or Programs form is designed to inform parents/ guardians and participants of the activities in which the minor will be participating in and any risks associated with those activities.

By signing the form, the parent/guardian agrees that he or she understands and accepts the risks associated with the activity. The person also agrees to waive her or his right to file a liability claim against the university for any injuries sustained during the program or activity.

Scope. All youth programs/activities are required to have parents or guardians read and sign a Clemson University Parental Permission Form and Release of Liability for Youth Camps or Programs form prior to the minor participating in a youth program/activity.

Form

All youth programs/activities must use the Clemson University Parental Permission Form and Release of Liability for Youth Camps or Programs (Appendix A) OR another Release of Liability approved by Clemson University Office of General Counsel.

Only a minors' parent or guardian (and no one else) may release liability on a minor's behalf. Minors cannot sign a release liability. Minors cannot sign a legally binding liability release.

Youth Program/Activity Directors or designees should ensure that all blank lines are filled out. They should reject any release form that a parent or guardian has failed to complete, even if they risk losing a participant.

Media, Photo & Video Release

Youth programs/activities shall obtain a Media, Photo & Video Release Form as part of the program/activity registration process.

Retention

Any permission or release of liability forms or waivers must be maintained in accordance with the Program Participant Files records retention schedule.

Program Rules of Conduct

Purpose. A participant code of conduct promotes the safety and wellbeing of all youth program/activity participants. It establishes an appropriate level of behavior for participants and fair and consistent disciplinary steps.

Scope. Program participants in youth programs/activities covered by the Protection of Minors in Youth Programs and Activities Policy.

Program Rules of Conduct

Youth programs/activities shall develop and make available to youth program/activity participants the rules and disciplinary measures applicable to the program. Youth program/activity participants must abide by all university regulations and may be removed from the program/activity for non-compliance with rules. Youth program/activity participants and parents/guardians should complete the Rules and Disciplinary Procedures Form (found in Appendix A).

The following minimum conduct rules are required.

- 1) Youth program participants must abide by all university regulations and may be removed for non-compliance with rules.
- 2) The possession or use of alcohol or illegal drugs is prohibited.
- 3) Fireworks, firearms, guns, knives, archery equipment, and other weapons are prohibited except while in use for an officially sanctioned and approved instructional program.
- 4) The operation of motor vehicles by minors is prohibited while attending and participating in a program or activity.
- 5) No violence, sexual abuse, or harassment will be tolerated.
- 6) Bullying and hazing of any kind are prohibited. Bullying including verbal, physical and cyber bullying.
- 7) No theft.
- 8) Clemson University is a “Tobacco Free” campus, therefore tobacco use is prohibited on university property. The use of any e-cigarettes or vaping products by minors is also prohibited.
- 9) Misuse or damage of University property is prohibited. Costs will be assessed against individuals deemed responsible for damage or misusing University property.
- 10) The inappropriate use of cell phones, cameras, imaging, and digital devices is prohibited including use of such devices in showers, restrooms, or other areas where participants expect privacy.

Records Retention

Purpose. Programs should retain records containing minors' information according to the retention schedule below.

Scope. Information that is generated, collected, and used by programs or activities that are administered or coordinated through the office of Pre-Collegiate Programs

Records include the following types of information:

- 1) Staff rosters, training records, and screening records
- 2) Daily schedules
- 3) Personal data of minors such as name, address, date of birth, name of parent/guardian
- 4) Minors' personal medical data such as medications taken, health history, immunizations
- 5) Minors' special needs such as dietary restrictions, allergies, disabilities, behavioral disorders
- 6) Proof of insurance coverage
- 7) Releases, waivers, and assumption of risk statements
- 8) Other related information.

Information may be retained either physically or electronically.

Insurance Coverage

Purpose This standard supports proper insurance for the University and its participants in the event of an accident, illness, or claim for damages.

Scope All Clemson-sponsored youth programs or activities are required to have general liability and accident and illness insurance coverage of all youth program/activity participants.

Procedure

For Clemson-affiliated youth programs or activities

- General Liability Insurance. Programs/activities receive general liability insurance coverage through Clemson's Policy with the SC Insurance Reserve Fund.
- Accident and Illness Insurance. Program/activity directors must purchase Accident and Illness insurance coverage for all youth program/activity participants (\$0.45/person/day).

**Note that this insurance is automatically included as part of a Clemson University Housing Contract.*

All other programs must purchase a commercial General Liability Policy and Accidental Medical Insurance Policy. These Policies must list "Clemson University" as additional insured with limits of at least \$1,000,000 per occurrence and \$3,000,000 aggregate (for day programs only) or \$5,000,000 aggregate for high risk or overnight programs. Sexual Abuse/molestation coverage (\$1,000,000) is highly encouraged. Medical Expense Reimbursement (MED Pay) should be \$5,000 per individual.

Workers Compensation

Clemson employees are covered under the provisions of the South Carolina workers' compensation laws. Workers' compensation covers employees' reasonable and necessary medical expenses due to an accident or an illness deemed compensable, injured in the course and scope of employment, received under the workers' compensation law.

Staff members **not** employed by Clemson University need to be covered under an accident insurance policy or show proof of workers' compensation insurance.

Other helpful Insurance information can be found on the PcPO website under Insurance Guideline.

APPENDIX

Appendix A

Clemson University

Youth Program & Activity Releases and Required Forms

[Health History Form A & B](#)

[Pick-Up Authorization Form](#)

[Clemson University Parent Permission Form and Release of Liability for Youth Camps and Programs](#)

[Photo Consent Form](#)

[Housing Acknowledgement](#)

[Rules and Disciplinary Procedures Form](#)

Appendix B

Clemson University

Youth Program & Activity Required Staff Forms

Standards of Behavior

[Critical Incident Report Form](#)

[Exemption Request Form](#)

[Self-Disclosure of Criminal Convictions](#)

Appendix C

Clemson University

Program Participant Files Retention Schedule

[Retention Policy](#)

Appendix D
Clemson University
Protection of Minors in Youth Programs and Activities Policies

[Protection of Minors Policy](#)

Reporting Child Abuse and Neglect Policy