Minors on Campus Policy

I. Purpose and Scope of Policy

Purpose: Saint Joseph’s University (“University” or “Saint Joseph’s”) strives to conduct its operations and maintain its facilities in a manner consistent with its mission as an institution of higher education. While there may be occasions when the presence of Minors on or brief visits by Minors to campus may be appropriate or necessary, Minors are not permitted to be unescorted or unsupervised on University premises, except as set forth in this Minors on Campus Policy (“Policy”), including, but not limited to circumstances when they are hired to work on and/or permitted to participate in activities on campus or sponsored (on- or off-campus) by the University. In addition to the requirements of this Policy, the visits of Minors are subject to the same conditions as any other visitors to the University. Any University employee who suspects that a Minor who is on University premises for any reason, or is participating in a University-sponsored activity at another location, has been the victim of child abuse shall immediately report the suspected abuse consistent with the University’s Mandatory Child Abuse Reporting Policy.

Scope: This Policy applies to activities, classes and programs taking place on Saint Joseph’s campus, or University-sponsored off-campus activities, in which Minors will be physically present and participating.

NOTE: Athletic camps, debate camps, classes, laboratories and workshops intended for elementary and high school students and similar activities will fall within the scope of this Policy. This Policy applies to such programs and activities whether they are limited to daily activities or also involve the housing of Minors in residence halls.

“Minor” for the purpose of this Policy means any person under the age of 18.

“Department/Program/Activity Leader” for the purpose of this policy is the university point person for the program. This person is the ultimate decision-making authority for the program and is responsible for ensuring all items on checklist are carried out appropriately.

“Sponsoring Department” for the purpose of this Policy means the academic or administrative unit of the University which offers a program or gives approval for housing or use of facilities.

“Authorized Adult” for the purpose of this Policy means any individual, paid or unpaid, who interacts with, supervises, chaperones, accompanies (other than as a parent or legal guardian) or otherwise oversees Minors in program activities, or recreational, and/or residential facilities. This includes but is not limited to faculty, staff, administrators, volunteers, graduate and undergraduate students, interns, employees (regular or temporary) and independent contractors.
“Direct Contact” for the purpose of this Policy means the care, supervision, guidance or control of children or routine interaction with children.

II. Requirements of Policy Governing Presence of Minors on Campus

In an effort to minimize any disruption to the essential functioning of the University and maximize the safety of Minors on campus, certain requirements must be met, as follows:

- Minors must be supervised at all times by an Authorized Adult while on campus or participating in a University-sponsored off-campus activity.

- Minors are permitted in the general use facilities (Athletic Fields, Public Spaces, Academic Buildings, Food Services Area, etc.) with an Authorized Adult, but may be restricted from certain areas of the facilities or from utilizing certain equipment.

- Even when accompanied by an Authorized Adult, pre-high school age Minors not participating in a program on University premises or a University-sponsored off-campus activity are prohibited from laboratories and other areas where significant potential safety hazards and liabilities may exist, and where strict safety precautions are required.

- Minors and Authorized Adults not meeting relevant University community conduct standards will be asked to leave the campus.

- Minors, other than Minors enrolled at the University as an undergraduate or graduate student, are not allowed in classrooms while classes are in session unless permission is granted by the faculty member having authorized access to the classroom in advance of the start of class. Should a Minor become disruptive, the Authorized Adult and Minor may be asked to leave.

III. Implementing This Policy in Connection with Programs on University Premises or University-Sponsored Off-Campus Activities

A. Program Registration

Department/Program/Activity Leaders shall, prior to the beginning of the University’s fiscal year for ongoing programs and activities and at least sixty days prior to the first scheduled date of participation by Minors, review the Working with Minors Checklist posted on the Office of Human Resources website and submit the Working with Minors Registration Form to the Director of Recruitment, Engagement & Retention. Such forms are to be completed by the Program/Activity Leader and signed by the Sponsoring Department Head and member of the President’s Cabinet.

Any requests for clarification as to whether a particular program or activity is subject to this
Policy, or a request for a waiver to this Policy, should also be sent to the Office of the General Counsel, appropriate member of the President’s Cabinet and the Director of Recruitment, Engagement & Retention. Information provided shall include, at a minimum, the Program/Activity Leader in charge of the program or activity; the dates and locations where Minors will be participating; the general nature of the activities and program to be undertaken or offered; and the names of all Authorized Adults who will be participating directly with Minors in the program or activity; and the administrative requirements associated with the program or activity, including but not limited to waivers and permission slips to be obtained from the parents/guardians of participating Minors and medical emergency forms.

B. Background checks

Successful background checks including the Pennsylvania Criminal Record Search, FBI Fingerprinting Check, and Pennsylvania Child Abuse Clearance will be required of all University employees and each Authorized Adult prior to his or her direct contact with Minors in a program or activity covered by this Policy and at least once every three (3) years thereafter. Background checks may be conducted by an outside contractor at the request of the Director of Recruitment, Engagement & Retention. Background check request forms and information, including required waivers of liability, will be available on the Office of Human Resources web page at http://www.sju.edu/int/resources/humanresources/employment.html. If the clearances are not being processed through the Office of Human Resources, the forms for completing the proper clearances can be obtained by contacting the Human Resources Assistant for Employment.

It is the responsibility of the Department/Program/Activity Leader to ensure that each participating adult has submitted the required background check request form and has subsequently received clearance to participate. The Office of Human Resources will maintain a roster of individuals who have been cleared to participate and the dates on which new background checks will be required. The failure of an Authorized Adult to fulfill his or her obligations under this paragraph shall be subject to discipline, up to and including termination or removal from the program.

The background check will be limited to criminal offenses, including, but not limited to, child abuse, for which an individual has been convicted, pled guilty to a felony or misdemeanor, or where such charges are currently pending. The University may accept successful documented background clearances from the governmental agencies (e.g., School Districts) that have been completed within one year from the start date of employment.

A decision not to permit an individual to participate in a program or activity covered by this Policy based on the results of a background check will be made by the Vice President for Human Resources after consultation with the appropriate member of the President’s Cabinet, the Office of the General Counsel, or others as needed. The results of background checks conducted under this Policy will be used only for the purposes of this Policy, except that Saint Joseph’s reserves the right to take appropriate action with respect to employees who
may have falsified or failed to disclose information material to their employment on employment applications uncovered as a result of the background check, including and up to immediate termination of employment. Copies of background check reports will be retained in the Office of Human Resources.

C. Training

All Saint Joseph’s University employees and Authorized Adults who will be interacting with Minors in a covered program or activity shall complete, every three years, mandatory training on the conduct requirements of this Policy, on protecting Minors from abusive emotional and physical treatment, and on mandatory reporting of suspected child abuse. The appropriate member of President’s Cabinet or area Director may enhance and/or modify the required training program to meet specific needs of the particular program or activity involved, in consultation with the Director of Recruitment, Engagement & Retention, but any such enhanced or modified program must include all the elements described in this section. In addition, the appropriate member of President’s Cabinet shall arrange for sufficiently frequent training sessions to permit covered programs and activities to continue to function on a regularly scheduled basis.

Training resources can be obtained from the Director of Recruitment, Engagement & Retention or the Coordinator for the Safe Environment Program, Office for Child and Youth Protection, Archdiocese of Philadelphia, reachable at either 215-965-1747 or etarpey@adphila.org. The wordings for inclusion in contracts for independent contractors, as well as copies of both policies are also available on the OGC website: http://www.sju.edu/resources/generalcounsel/

Note: Beginning June 1, 2012, all contracts for the services of independent contractors must include a provision assuring that the employees of such independent contractors or the contractor (in the case of a solo contractor) has complied with, at a minimum, background checks and training comparable to those required by the University under this Policy. In addition, all independent contracts must reference and attach copies of this Policy and the University’s Mandatory Child Abuse Reporting Policy to such contracts.

D. Conduct Requirements

Authorized Adults participating in programs and activities covered by this Policy shall not:

- Have one-on-one contact with Minors; in general, it is expected that activities where Minors are present will involve two or more Authorized Adult participants/supervisors.

- Participate in a sleepover under the auspices of the program or activity, unless (two or more Authorized Adults are present and remain in each other’s presence at all times.

- Engage in abusive conduct of any kind toward, or in the presence of, a Minor.
• Strike, hit, administer corporal punishment to, or touch in an inappropriate or illegal manner any Minor.

• Pick up Minors or drop off Minors from their homes, other than the driver’s child or children or friends of the driver’s child or children other than when such child or children are present, at their homes in the adult’s personal vehicle, whether before, during, or after the program or activity.

• Engage in the use of alcohol or illegal drugs, or be under the influence of alcohol or illegal drugs during such programs or activities.

• Make pornography in any form available to Minors participating in programs and activities covered by this Policy or assist them in any way in gaining access to pornography.

E. Allegation of Inappropriate Conduct

Authorized Adults participating in programs and activities covered by this Policy shall:

• Be familiar with and strictly adhere to the University’s Mandatory Child Abuse Reporting Policy, which can be found at http://www.sju.edu/int/resources/humanresources/pdf/MandatoryChildAbuseReportingPolicy.pdf.

• Strive to ensure the safety of Minors participating in programs and activities covered by this Policy, and, when appropriate, remove Minors from dangerous or potentially dangerous situations. In such case, the Director of Public Safety must be notified immediately and, in the event that the Director of Public Safety is not immediately available, then the Vice President for Administrative Services.

• Discontinue any further participation in programs and activities covered by this Policy when an allegation of inappropriate conduct has been made against him or her, until such allegation has been satisfactorily resolved.