

## 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, 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, minors are not permitted to be unescorted or unsupervised on University premises, except as set forth in this Minors on Campus Policy ("Policy"). 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.

**Authority:** This Policy is informed and guided by the Pennsylvania Child Protective Services Law (the "Law"). The full Law can be found at 23 Pa. C.S. § 6301, et seq.

**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.

### II. Defined Terms Under This Policy

**"Minor"** for the purpose of this Policy means any person under the age of 18 who is not currently an enrolled student at Saint Joseph's University.

**"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 the [Working with Minors 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.

Effective: July 2010

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“**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, control over or routine interaction with Minors as defined by this Policy.

### **III. 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, Minors 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, 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.

### **IV. Implementation of 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](#) and submit the [Working with Minors Registration Form](#) to the Director of Recruitment, Engagement & Retention. All forms and resources are located externally on the Saint Joseph’s Office of Human Resources Website under Protecting Minors (<http://www.sju.edu/int/resources/humanresources/ProtectingMinors.html>) and internally on [the Nest](#) (Employee Tab, Employee Resources Portlet, under Minors on Campus). Forms are to be completed by the Program/Activity Leader and signed by the Sponsoring Department Head and appropriate Dean or division head.

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 be sent to the Office of the General Counsel, appropriate Dean or division head and the Director for 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**

Prior to Direct Contact with Minors and at least once every five (5) years thereafter, University employees and every Authorized Adult in a program or activity covered by this Policy, must successfully complete background checks including the Pennsylvania Criminal Record Search, FBI Fingerprinting Check, and Pennsylvania Child Abuse Clearance.

Instructions for obtaining and submitting background checks are available on the Office of Human Resources web page by selecting the applicable link below:

- [Current \(Non-Student\) Employees](#)
- [Students & Volunteers](#)

It is the responsibility of the Department/Program/Activity Leader to ensure that each Authorized Adult has submitted the required background checks and has subsequently received clearance to participate. The Office of Human Resources will maintain a roster of all individuals who have been registered to participate. Failure to fulfill obligations under the [Background Check Policy](#), including the 72-hour self-disclosure requirement, shall be subject to discipline, up to and including termination or removal from the program.

The University may accept successful documented background clearances from other 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 Dean or division head, 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 for employees will be retained in the Office of Human Resources and by the Department/Program/Activity Leader for students and volunteers.

## C. Training

Training is essential in our efforts to maintain a safe campus environment in which the dignity of all persons is respected. It is the responsibility of every employee (regular or temporary) including staff, administrators, and faculty (adjunct, visiting, tenure-track, and tenured), as well as volunteers, graduate assistants, interns and Authorized Adults (as defined by this Policy) to become informed about these matters by participating in required educational sessions.

Authorized Adults who will be interacting with Minors in a covered program or activity shall complete biennial (every two years) 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 Dean or division head 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.

Training resources are available on the Human Resources web site under Protection of Minors.

**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 as rigorous as 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. The language for inclusion in contracts for independent contractors is available on the OGC website: <http://www.sju.edu/resources/generalcounsel/>

## 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 Adults.
- 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, with permission whether before, during, or after the program or activity.
- Engage in the use of, 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/MandatoryChildAbuseReporting.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 Student Life/Associate Provost.
- 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.