

Policy Title	Programs Serving Minors
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Responsible Office	Division of Legal Affairs and Office of the Chief Business Officer
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1. Policy Purpose Statement

The purpose of the Kennesaw State University (KSU or the University) Programs Serving Minors Policy is to provide guidance to the campus community and ensure compliance with federal and state laws and the Board of Regents (BOR) of the University System of Georgia policies and procedures.

2. Background

Kennesaw State University periodically conducts, sponsors, or hosts programs designed to serve minors who are not enrolled as students, including, but not limited to camps, clinics, after-school programs and activities. The University is dedicated to creating an environment in which minors may safely participate in University sponsored programs, or programs operated by third parties held on University facilities. This policy serves to provide guidelines and procedures for programs serving minors to ensure the appropriate protection and supervision of minors participating in University sponsored programs, or programs operated by third parties held on University facilities.

3. Scope (Who is Affected)

All members of the KSU campus community, including, but not limited to, employees, students, volunteers, and third parties. Third parties include, but are not limited to, guests, vendors, contractors, retirees, and alumni.

4. Exclusions or Exceptions

This policy does not apply to:

- a. Programs and/or activities on campus which are open to the general public and which minors attend at the sole discretion of their parents or guardians (e.g. athletic events, concerts, plays, etc.);
- b. Programs and/or activities, including experiential programs, designed for enrolled University students;
- c. Non-residential field trips to KSU supervised by a minor's school or organization;

- d. Student recruitment activities, including open houses and admissions visits and tours, that are scheduled to last no longer than one day and do not include an overnight stay; and
- e. National tests offered by the KSU Testing Center.

5. Definitions and Acronyms

Authorized Individual: Individuals, paid or unpaid, who are authorized by Kennesaw State University officials to have direct contact with minors, including the supervision of minors. This includes, but is not limited to faculty, staff, volunteers, students, interns, and independent contractors/consultants.

Background Investigation: A report including an individual's criminal history and sex offender registry.

Campus: For purposes of this policy, "campus" includes all buildings, properties, facilities and areas that are owned, leased, managed, operated, or controlled by Kennesaw State University.

Child Abuse: Includes physical injury or death inflicted upon a child by an Authorized Individual by other than accidental means provided, however, physical forms of discipline may be used as long as there is no physical injury to the child.

Child Neglect: Child neglect includes neglect or exploitation of a child by an Authorized Individual if said neglect or exploitation consists of a lack of supervision, abandonment, or intentional or unintentional disregard by an Authorized Individual of a child's basic needs for food, shelter, medical care, or education as evidenced by repeated incidents or a single incident which places the child at substantial risk of harm.

Contact/Interaction with Minor(s): in the context of this policy, contact or interaction with minors is contact that is direct and reasonably anticipated. The term does not include interaction that is merely incidental.

Minor: A person under the age of eighteen (18). This policy does not apply to enrolled KSU students under the age of 18.

Program: Any program and/or activity operated by any University unit, or by third party organizations. This includes but is not limited to, any sports camp, academic camp, workshops, mentoring activity, internships, conferences, and research projects. Excluded from this definition are:

- a. Programs and/or activities on campus which are open to the general public and which minors attend at the sole discretion of their parents or guardians (e.g. athletic events, concerts, plays, etc.);
- b. Programs and/or activities, including experiential programs, designed for enrolled University students;
- c. Non-residential field trips to KSU supervised by a minor's school or organization;

- d. Student recruitment activities, including open houses and admissions visits and tours, that are scheduled to last no longer than one day and do not include an overnight stay; and
- e. National tests offered by the KSU Testing Center.

Program Sponsor: The primary KSU employee acting on behalf of the Sponsoring Unit who is responsible for the organization and execution of the program, including adherence to this policy. The Program Sponsor is also considered an Authorized Individual for the purposes of this policy.

Sponsoring Unit: The academic, administrative or athletic unit of the University that offers a program or facilitates the use of University facilities.

Third Party Activity: Non-affiliated third-party organizations or agencies that utilize Kennesaw State University resources to host any programs serving minors.

University-Affiliated Activity: Any program or activity (including any single camp, workshop, mentoring activity, research project, or internship) operated by a Kennesaw State University sponsoring unit in which minors participating in the program or activity are supervised by Kennesaw State Authorized Individuals.

6. Policy

General

Any program or activity involving minors must be registered and approved with KSU through the Programs Serving Minors database. On-going programs must register annually at <http://protectingminors.kennesaw.edu/>.

Program Approval Procedures

All programs serving minors held on KSU campus facilities or utilizing KSU's name or resources in any way must operate under the administrative purview of a KSU sponsoring unit. All programs must be approved before the program activities involving the minors occur. All sponsoring units must submit a Programs for Minors Application form for review to ensure compliance with University policies and procedures, and as necessary, the procurement of required insurance coverage. The approval process is as follows:

1. The Program Sponsor must first submit a program request to a Sponsoring Unit for approval.
2. The Sponsoring Unit head or designee must approve the program request. This individual must be a KSU employee. In considering approval, the Sponsoring Unit head must certify that:
 - a. All planned program activities are consistent with KSU's mission,

- b. Appropriate funding is in place,
 - c. Requisite Authorized Individual training, licensing requirements of state and federal agencies, housing and transportation needs, safety and security planning, and other logistical program needs have been considered and will in place prior to the program start date.
3. The program must undergo Risk and Compliance Review to the departments as more fully described within this policy. Such review will include certification of an acceptable plan for:
 - a. Background Investigations for Authorized Individuals (Human Resources)
 - b. Insurance Coverage (Office of Enterprise Risk Management)
 - c. Licensing, Program Forms and Facility Use/License Agreement(s), and other agreements as necessary (Division of Legal Affairs)

Note: Approval of a program does not guarantee facility availability or usage. It is the responsibility of the Program Sponsor to arrange for the booking of meeting rooms, housing accommodations, food service, etc. for the desired dates.

Further information and resources for these and other procedures outlined in this policy are available at protectingminors@kennesaw.edu.

State Licensing Requirements

University-affiliated activities involving minors are regulated by the State of Georgia Department of Early Care and Learning. Barring unforeseen situations, KSU-affiliated activities involving minors will be exempt from licensure. The Program Sponsor should ensure that the program or activity has been properly exempted from licensure.

Background Investigation for Authorized Individuals

All Authorized Individuals with primary responsibilities involving the direct interaction with minors are required to have a current satisfactory background investigation on record with KSU at the time of hire and/or beginning work with minors. For University-affiliated activities, all background investigations must be conducted through the KSU Office of Human Resources.

The Program Sponsor should utilize additional screening methods, including, when possible, in-person interviews and reference checks.

Satisfactory background investigations, as determined by the KSU Office of Human Resources and in accordance with the University System of Georgia Human Resources Practice Manual (Background Investigations), must be performed on returning Authorized Individuals at a minimum of every three years.

Non-KSU affiliated third-party organizations or agencies must provide certification to the Program Sponsor that satisfactory background investigations have been completed for their Authorized Individuals before the Third Party Activities may begin. The background screening must include, at a minimum:

- A state and federal criminal history check covering a minimum of seven (7) years; and
- A nationwide sex offender search.

Annual Mandatory Training

All Authorized Individuals must complete KSU-approved training annually. The training will be available at <http://protectingminors.kennesaw.edu/>, and will include mandatory reporting requirements, responsibilities and expectations, relevant KSU policies, safety and security procedures, and Staff and Program Participant Codes of Conduct. Training may be expanded depending upon the program activity and the authorized individual's role in the program or activity. Non-KSU affiliated third-party organizations or agencies may substitute KSU approved training with another training, but such training must be approved by the Program Sponsor.

Program Sponsors are responsible for ensuring that all Authorized Individuals who will have direct contact with minors complete all required and necessary training prior to having contact with activities involving minors on KSU property. The Program Sponsor is responsible for keeping a certificate of completion on file for all Authorized Individuals in accordance with the University System of Georgia record retention schedule.

Safety and Medical Care Provisions

1. Authorized Individuals participating in programs and activities covered by this policy must sign a Staff and Volunteer Code of Conduct Acknowledgment Form. Third Parties must certify in their Agreement with KSU that they will follow the principles set out in the Staff and Volunteer Code of Conduct.
2. Safety awareness information, specific to program activities, must be provided to all Authorized Individuals. Appropriate safety awareness information may include training on first aid and CPR, campus resources, personal safety recommendations, and emergency notification procedures. Additional resources can be found here: <http://protectingminors.kennesaw.edu/>.
3. Each University-affiliated Activity program participant (or a parent/guardian) must complete a liability waiver, indemnification, medical treatment authorization form, and participant conduct agreement. The Program Sponsor is responsible for keeping the documents for University-affiliated activities in accordance with the University System of Georgia record retention schedule.

4. Program Sponsors should identify a plan for the provision of emergency medical services prior to the start of the camp or program.
5. Recommended Authorized Individual to program participant ratios are as follows:
 - Overnight Programs for Minors:*
 - a) one authorized individual for every five participants ages 4 and 5;
 - b) one authorized individual for every six participants ages 6 to 8;
 - c) one authorized individual for every eight participants ages 9 to 14;
 - d) one authorized individual for every 10 participants ages 15 to 17.
 - Day Programs for Minors:*
 - e) one authorized individual for every six participants ages 4 and 5;
 - f) one authorized individual for every eight participants ages 6 to 8;
 - g) one authorized individual for every 10 participants ages 9 to 14;
 - h) one authorized individual for every 12 participants ages 15 to 17.
6. When notified that a participant with a disability will attend a program or activity and will require accommodations, the disability will be accommodated whenever possible and in accordance with applicable federal and state laws, and KSU and USG polices. If the accommodation requires the participant to have a special chaperone or caregiver, then that chaperone or caregiver will be considered an Authorized Individual.

Incident or Accident Reporting

Emergencies

In case of an emergency, an Authorized Individual or program participant should immediately call the KSU Department of Public Safety and Police (campus extension 6666 or off-campus at 470-578-6666). Individuals may also call 9-1-1.

Mandatory Reporting

Any Authorized Individual who knows, suspects, or receives information indicating that a minor has been abused or neglected as defined within this policy **must** report the concern, as soon as possible but no later than 24 hours after the event giving rise to the concern, to the KSU Department of Public Safety and Police (campus extension 6666 or off-campus at 470-578-6666), **and** Georgia Department of Human Services (1-855-GACHILD (422-4453)). **The Program Sponsor should also be notified.**

Incidents/Accidents

Incidents and accidents can involve minor to major physical injuries of participants and/or Authorized Individuals, staff misconduct, behavioral issues among participants, Authorized Individuals, or visitors, or hospital/doctor visits. Program Sponsors are responsible for submitting

an Incident Reports to the KSU Environmental Health and Safety Department (and other KSU offices, as applicable) within 24 hours following the incident. The form will be found online at <http://protectingminors.kennesaw.edu/>

7. Associated Policy(ies)/Regulations

- a. [BOR Policy Manual, 12.9 \(Programs Serving Minors\)](#)
- b. [Official Code of Georgia Annotated Title 19. Domestic Relations, Chapter 7. Parent and Child Relationship Generally, Article 1. General Provisions \(O.C.G.A. § 19-7-5\)](#)
- c. [Official Code of Georgia Annotated Title 39. Minors, Chapter 1. General Provisions, Article 1. Age of legal majority; residence of persons in state for purpose of attending school \(O.C.G.A. § 39-1-1\)](#)
- d. [Official Code of Georgia Annotated Title 49. Social Services, Chapter 5. Programs and Protection for Children and Youth, Article 8. Central Child Abuse Registry, 180, Definitions \(O.C.G.A. § 49-5-180\)](#)
- e. [Georgia Administrative Code, Department 591. Rules of Bright from the Start Georgia Department of Early Care and Learning, Chapter 59-1, Subject -1. Childcare Learning Centers, -.46. Exemptions \(Ga. Rules & Regs. 591-1-1-.46\)](#)
- f. [BOR Policy Manual, 9.10.6.3 \(Use of Institutional Facilities/Property By Unaffiliated Outside Parties\)](#)
- g. [University System of Georgia, Human Resources Administrative Practice Manual, Background Investigations](#)
- h. [KSU Employee Handbook 5.4.5 Children in the Workplace](#)
- i. [KSU University Handbook Policy 5.2.13. Visits by Children](#)

8. Procedures Associated with this Policy

9. Forms Associated with this Policy

All applicable forms are located at <http://protectingminors.kennesaw.edu/>

10. Violations

Any Kennesaw State University employee found responsible for violating this policy may be subject to disciplinary action up to and including the possibility of dismissal. Violations of federal and state statutes may be subject to criminal penalties and/or fines.

11. Review Schedule

The Programs Serving Minors Policy is reviewed annually by the Chief Business Officer or his/her designee in collaboration with the Division of Legal Affairs.