

## PROCEDURE DOCUMENT

Subject: <b>Programs Serving Non-Enrolled Minors</b>			
Section <b>University-Wide</b>	Effective Date <b>4/4/17</b>	Last Reviewed	Revision Date <b>10/16/19</b>

### I. DEFINITIONS

- A. **Authorized Adult or Program Staff:** A person, paid or unpaid, who may have direct contact, interact with, treat, supervise, chaperone, or otherwise oversee minors. This definition does not include temporary guest speakers, presenters, or other individuals who have no direct contact with program participants other than short-term activities supervised by program staff; or individuals whose only role is as a participant in the education, services, or programs offered.
- B. **Authorized Program:** A program, activity, or service operated or sponsored by the University or by a Non-University Operator during which students, agents, employees or volunteers of the University or Non-University Operator are responsible for the care, custody, or control of participating Non-Enrolled Minors, rather than their parents or guardians. Authorized Programs do not include events that are open to the general public and that minors may attend at the sole discretion of their parents or guardians; Institutional Review Board (“IRB”) supervised research activities; school field trips or campus visits where minors remain under the care or control of another responsible entity such as parents or teachers; campus orientations for admitted students; or other programs as may be designated from time-to-time by the appropriate University official as exempted from this policy or specific provision(s) of this policy after approval has been obtained in advance and in writing from the University Office of Risk Management.
- C. **Facilities Use Agreement:** The University System of Georgia approved legal document for allowing Non-University Operators to use UNG facilities.
- D. **Non-Enrolled Minor:** A person under the age of 18 and, for purposes of this Policy, who is not enrolled in the University.
- E. **Non-University Operator:** A person or entity that is operating an Authorized Program at the University, but that (i) is not affiliated with the University or (ii) if affiliated with the University, is acting in his or her individual capacity.
- F. **Program Administrator:** The University employee that is willing to act as a liaison between the University and the Program Director for the activity. Specific responsibilities for Program Administrators are described at Section II(J)(1) below.

- G. **Program Director:** The individual who is directly responsible for the operation of a program—this person may or may not be someone with University affiliation. Specific responsibilities for Program Directors are described at Section II(J)(2) below.
- H. **Registry Of Authorized Programs:** A list of programs authorized by UNG to take place that include Non-Enrolled Minors as participants.
- I. **University Community Member:** Any persons enrolled at or employed by the University including faculty, staff, administrators and employees, and recognized University affiliated entities including University foundations, Student Organizations, University Departments, and Structured Volunteers.
- J. **University Premises or Facilities:** Includes all land, building, facilities, and other property in the possession of or owned, used, contracted with, or controlled by the University (including adjacent streets and sidewalks).

## II. PROCEDURE(S)

### A. Planning and Applications for Authorized Programs

#### 1. Eligibility

- a. Any University department is eligible to conduct programs for Non-Enrolled Minors intended to promote the mission of the University. The Department should identify a Program Director and a Program Administrator for the proposed program. Program Administrators must certify their responsibility for the program through the Registry of Authorized Programs for each Authorized Program they supervise.
- b. Any outside person or organization wishing to use University facilities to conduct a camp, clinic, workshop or conference on University Premises should be referred to the University's Division of Professional and Continuing Education ("PCE"), the designated unit at the University for providing support and serving as a liaison for Non-University Operators. PCE will serve as the Program Administrator for any Non-University Operators. Non-University Operators must also identify a Program Director.

#### 2. Guiding Philosophy

The intent of the University is to encourage the use of its facilities, on a space available basis, for youth programs. Though such programs should not take precedence over programs designed for enrolled students, there are many important reasons for developing and supporting these programs, which can provide the following benefits for the University:

- Programs may attract many young professionals to the University, many of whom will be highly qualified for future University admission;
- Impressions gained by young people as a result of the programs and University experience can have a significant impact on their choice of college;
- Facilities which may otherwise be underused during the summer months can be used in support of youth programs available to the public;
- The programs provide an excellent opportunity to acquaint a large number of people with the University in a short period of time;
- Outreach efforts (particularly those aimed at youth), and faculty involvement in the same can be promoted, and
- The reputation of the University is enhanced by an effective program.

### 3. Planning an Authorized Program

- a. The University will provide information, procedures and a checklist for Program Administrators and Program Directors interested in operating an Authorized Program on the University Programs Serving Non-Enrolled Minors website.
- b. The Program Administrators and Program Directors will complete "Planning Programs for Non-Enrolled Minors" training that covers planning, implementation, and compliance issues before the program may be registered. This training is accessible from the University Programs Serving Non-Enrolled Minors website.
- c. Program Directors and Program Administrators will develop an implementation plan that addresses the following considerations:
  - i. A statement of how the proposed program aligns with the mission of the University;
  - ii. Training requirements;
  - iii. Proper screening and background checks of staff and volunteers;
  - iv. Appropriate staffing and supervision ratios;
  - v. Safety and security planning;
  - vi. Arrangements for required transportation needs;
  - vii. Housing needs;
  - viii. Participation requirement forms;
  - ix. Response protocols for injuries, illnesses, staff and/or participant misconduct;
  - x. Insurance requirements; and
  - xi. Licensing or exemption therefrom by the applicable government agency(ies).

### B. Approval of Applications

1. The Program Administrator will enter the proposed program information into the online Registry of Authorized Programs, accessible from the University Programs Serving Non-Enrolled Minors website.
2. For programs operated by the University, at the time of registration, the Program Administrator must certify that:
  - The Program Administrator and the Program Director have completed the “Planning Programs for Minors” training;
  - All Authorized Adults for the program will review and acknowledge the University Code of Conduct (reviewed annually);
  - All Authorized Adults for the program will complete Minors on Campus training (as required);
  - All Authorized Adults for the program will undergo a background investigation (every three years);
  - All approved University forms for working with minors will be used as needed;
  - When required, the appropriate licenses have been obtained and will be posted in the University Premises where the Authorized Program occurs; and
  - The Program Administrator agrees to be held accountable for ensuring all aspects of the Authorized Program adhere to University Policy and Procedures for Programs Serving Non-Enrolled Minors.
3. For Non-University Operators, the Program Director will certify, in writing through the Facilities Use Agreement that:
  - It has adopted a formal policy/procedure on screening, training, and the supervision of minors that comply with the standards outlined in II.B.2 for programs operated by UNG standards.
  - It maintains documentation proving that all of the requirements of the UNG policy and procedures for Programs Serving Non-Enrolled Minors, including training, background checks, results of random drug screens if performed, etc. have been met and will provide this documentation to UNG immediately upon request.
  - All Authorized Adults for the program will adhere to the University Code of Conduct;
  - All required forms for working with minors will be used;
  - When required, the appropriate licenses have been obtained and will be posted in the University Premises where the Authorized Program
  - The Program Director agrees to be held accountable for ensuring all aspects of the Authorized Program adhere to University Policy and Procedures for Programs Serving Minors.
4. The Provost and Senior Vice President for Academic Affairs designates the following individuals responsible for approving Authorized Programs:

- a. For programs operated by the University, the Program Administrator's next level supervisor must electronically approve the program in the Registry of Authorized Programs on behalf of the University.
  - b. For programs run by Non-University Operators, the Director of Professional and Continuing Education must electronically approve the program in the Registry of Authorized Programs on behalf of the University.
5. Upon approval from the designated individuals, a program is an Authorized Program.
  6. An Authorized Program may lose its authorization if the Program Administrator determines the program is not in compliance with the Programs Serving Non-enrolled Minors Policy and/or Procedures prior to the start of the program or for the duration of the program's operation.

### C. Appropriate Program Environment

#### 1. Licensing.

- a. As a general rule, athletic camps, science camps, clinics, after-school programs, enrichment classes and activities are regulated by the state of Georgia Department of Early Care and Learning. These activities require either a license or an issued exemption from licensure. Programs and activities that are owned and operated by any department or agency of the state, county or municipal government are exempt. An exemption remains in effect until there is a change in the program. Program Administrators should ensure that all Authorized Programs are properly licensed or that an exemption from licensure is obtained.
- b. Licensing requirements can be found at GA. Rules & Regs. 591-1-1-.46(1).
- c. A copy of the license or exemption document from the Department of Early Care and Learning must be displayed as required by state law and is available on the University Programs Serving Non-Enrolled Minors website.

#### 2. Qualified Counselors/Staff

- a. The University is committed to ensuring the safety and well-being of Non-Enrolled Minors who are entrusted to our care or visit our campuses.
- b. The University's Human Resources Department will conduct the background investigation for employees, students and volunteers serving as Authorized Adults or Program Staff in Authorized Programs run by the University.

- i. The background investigations must adhere to the following policies: (a) USG's Human Resources Administrative Practice Manual (HRAP) Employment: Background Investigations; and (b) USG's Human Resources Administrative Practice Manual (HRAP) Employment: General Criteria for Employment.
  - ii. Reasons for disqualification or an individual being ineligible to participate as an Authorized Adult or Program Staff include: (a) one or more felony convictions; (b) one or more convictions of crimes of moral turpitude. Before disqualification, applicants should be given an opportunity to provide an explanation in writing of the circumstances.
  - iii. Human Resources should be aware of the inherent limitations of background checks and should seek to utilize other screening methods in addition to background checks when possible, to include in-person interviews and reference checks.
  - iv. Program Administrators are responsible for coordinating the review and maintaining a list of Authorized Adults and Program Staff that have been approved by the University's Human Resources Department after successful completion of a background check.
  - v. Background investigation reports should be securely stored separate from employee personnel files, and must be destroyed in accordance with records retention schedule after five years for successful applicants and three years for unsuccessful applicants.
- c. Non-University Operators are required to certify through the Facilities Use Agreement that they have conducted appropriate screening and background investigations and that the results and methods are sufficient to meet University standards prior to the start of the Authorized Program. The University may request any additional information it deems necessary to meet the requirements of this Policy.
  - d. Care should be taken that those who will be driving as a part of their duties have a valid license to operate the type of vehicle to be used.
  - e. Training for University-Sponsored Programs will be provided in order that Program Staff are qualified to direct the activities scheduled. At a minimum, the training will address: basic warning signs of abuse or neglect of minors, guidelines for protecting minors from emotional or physical abuse and neglect, conduct and discipline of minors, code of conduct for participants and Authorized Adults, harassment, safety and security protocols, mandatory reporting requirements and procedures, responsibilities and expectations, relevant University policies, and Staff Code of Conduct.
  - f. Non-University Operators are required to certify that they have conducted appropriate training to insure that their Program Staff are qualified to direct the activities scheduled. Non-University Operators will certify through the signed Facilities Use Agreement that they provide training that adheres to

University policy and procedures.

- g. Adequate supervision should be provided:
  - i. Activities involving Non-Enrolled Minors should involve two or more Authorized Adults.
  - ii. The minimum staff to minor participant ration will be 18:1. These are the minimum standards. Specific programs and camps may have smaller ratios, but in all instances involving minors, no program will have a ratio greater than 18:1; and
  - iii. Recommended participant rations include: 1:10 for age 15 and older; 1:8 for age 11-14, 1:6 for age 8-10.

### 3. Parent Awareness

- a. Parents should be aware of the type of activities in which their child may participate;
- b. Known risks associated with each activity should be clearly explained to parents;
- c. Safety instructions should be made available and should be easily understood; and
- d. USG approved waivers must be signed by all participants in University-Sponsored Programs (or parents when participants are under the age of 19).

### 4. Participant Guidelines

- a. Current physicals may be required for Authorized Programs involving vigorous athletic activities;
- b. Participants should be in appropriate physical condition for the activity they are participating;
- c. Participants, where appropriate, should be grouped by age, skill level and size and placed in the correct skill level for the activity scheduled,
- d. Overnight camps may only be offered for participants age 11 or older; and
- e. Questions designed to ensure a participant's level of ability are appropriate, however questions about disabilities are not.

### 5. Participant Safety

- a. An adequate ratio of staff to participants should be maintained **at all times**; particularly when in residence halls;
- b. Water related activities require certified lifeguards;
- c. Safety equipment should be inspected prior to and during Authorized Programs for safe conditions;
- d. Authorized Programs should have a procedure for releasing Non-Enrolled Minors, and pay particular attention to procedures for accepting/releasing commuters.

- e. Program Directors are responsible for following the protocols provided by the UNG Department of Public Safety as related to injuries and may develop additional requirements to ensure the safety of participants.
- f. The University has extensive guidelines for emergencies to help the University respond appropriately and help Program Directors prepare for hazards that may impact Authorized Programs. Information on these guidelines can be found at the UNG Department of Public Safety's website.
- g. The University's Public Safety Department should be made aware of the Authorized Programs and the daily schedule by the Program Director.

#### 6. Safe Environment

- a. Grounds should be inspected prior to and during the Authorized Program for safe conditions;
- b. Equipment should be kept in safe condition and suitable for intended use; and
- c. Vehicles used for transportation should be properly inspected.

#### D. Reporting Child Abuse, Sexual Misconduct or Other Crimes

1. The USG Mandatory Reporting Policy for child abuse can be found at: [http://www.usg.edu/audit/programs\\_serving\\_minors/mandatory\\_reporting](http://www.usg.edu/audit/programs_serving_minors/mandatory_reporting)
2. Any Authorized Adult or Program Staff or other Mandatory Reporter under Georgia law who has reasonable cause to believe that suspected child abuse has occurred, shall immediately report the suspected abuse to the institution police department and the appropriate supervisor or Program Administrator who is able to take immediate action. (The USG further expects that any other USG employee, whether a Mandatory Reporter or not, will also appropriately report suspected child abuse.) The institution must ensure that the Division of Family and Children Services is notified of the suspected abuse immediately and in no case later than 24 hours after the Authorized Adult or Program Staff (or other reporter) first had reasonable cause to suspect the abuse.
3. Information regarding reporting requirements of Georgia and federal law regarding child abuse, sexual misconduct and Clery Act offenses for University employees serving as Program Administrators, Authorized Adults, or Program Staff and volunteers can be found in the University's Reporting Requirements for University Employees.
4. For Authorized Adults and Program Staff that are not University employees and serving Authorized Programs run by Non-University Operators, compliance with O.C.G.A. § 19-7-5 is required. The statute requires child service organization personnel to report information regarding suspected child abuse to the University (Public Safety Department at 706-864-1500) and the Georgia



Department of Human Services (1-855-GACHILD (422-4453)). Anyone who fails to do so may be guilty of a misdemeanor.

5. Free training for mandatory reporters is provided through the State of Georgia Office of the Child Advocate: <https://oca.georgia.gov/mandated-reporting>

#### E. Disciplinary Procedures

##### 1. Program Staff and Authorized Adults

- a. Alleged misconduct by University employees serving as Program Staff and Authorized Adults in Authorized Programs will be addressed pursuant to the requirements of the Employee Handbook.
- b. Alleged misconduct by structured volunteers affiliated with the University serving as Program Staff and Authorized Adults in Authorized Programs will be addressed by the Program Director and reported to the Program Administrator.
- c. Alleged misconduct by Program Staff and Authorized Adults managed by Non-University Operators will be addressed by the Program Director and reported to the Program Administrator.

#### F. Responsibilities

##### 1. Program Administrators

- a. Serve as a liaison with all University departments to support the Authorized Program;
- b. Coordinate arrangements for use of University Premises;
- c. Have put into force, if appropriate, a Facilities-Use Agreement for the use of University Premises;
- d. Acquaint Program Director with University policy, emergency procedures, and facility layout;
- e. Provide emergency contact information for Program Directors and Authorized Program schedule information to the University's Public Safety Department;
- f. Be accessible in emergency situations;
- g. Maintain necessary reports and documentation;
- h. Check on any damages reported;
- i. Make arrangements for access to University Premises and parking for Program Staff of Non-University Operators;
- j. Familiarize Program Director of Non-University Operators with overall building layout (elevators, fire alarms, etc.);
- k. Interpret, support and enforce University policies, procedures, and regulations for their Authorized Programs;
- l. Complete work orders and maintenance requests for University Premises as needed;

- m. Notifies Public Safety as required;
- n. Assures all permission slips, medical forms, consent forms, and emergency contact information are signed by the participant and parent/guardian prior to allowing participation in an University-Sponsored Authorized Program;
- o. Inspect and assess University Premises used by Authorized Programs at the conclusion of the program for damages.
- p. Assure the Authorized Program is in compliance prior to the start and for the duration of the Authorized Program. For Non-University Programs, certification of compliance is included in the signed Facilities Use Agreement and insurance binder.

## 2. Program Directors

- a. Provide and train Program Staff for the Authorized Program;
- b. Inspect facilities to be used by the Authorized Program immediately prior to and after the Authorized Program;
- c. Advise participants of appropriate check-in and check-out procedures includes charges for damages and lost keys;
- d. Familiarize participants with University policies, especially those pertaining to fire and emergency evacuation procedures, appropriate conduct, possession of controlled substances and fire arms, and authorized entry into rooms;
- e. Following protocols for injury, illness and incidents;
- f. Operate Authorized Programs, including inclement weather agenda and plans;
- g. Ensures sufficient water and rest is available to participants;
- h. Maintain discipline of participants;
- i. Advise Program Administrator of supply and maintenance issues on University Premises;
- j. Collect and have readily available Medical Release and Consent forms for all participants. Forms should contain emergency contact, phone number and known medical conditions;
- k. Provide the Program Administrator with insurance certifications when required;
- l. Provide the Program Administrator with the roster of participants for University-Sponsored Authorized Programs no later than 24 hours after check-in or the program begins;
- m. Ensure that programs and activities that are conducted on the University Premises are in compliance with the Americans with Disabilities Act and other appropriate policies and procedures.

3. For Authorized Programs operated by the University, a single individual can function as both a Program Administrator and a Program Director.

## 4. Authorized Adults and Program Staff

- a. Authorized Adults should access and complete the training for Programs Serving Non-Enrolled Minors from the University Programs Serving Non-Enrolled Minors website.
- b. Authorized Adults should access and acknowledge the UNG Code of Conduct, which is located on the University Programs Serving Non-Enrolled Minors website.
- c. Authorized Adults must complete a background check form and submit it to the Program Administrator or Program Director. The Program Administrator will sign and submit the form to Human Resources in accordance with University Human Resources' Background Investigation standards.

#### G. Lodging

The University will make residence hall lodging available to residential programs on a space available basis during the summer months. Authorized Programs will follow UNG approved guidelines for assigning Non-Enrolled Minors to lodging on campus, to include single gender per floor and separation of minors and non-minors by building. The Program Director, Authorized Adults and Program staff are solely responsible for providing supervision and security in the residence halls. Each residence hall has a manager that can assist with logistical and maintenance requests. Participants in Authorized Programs staying in the residence halls will be issued individual room keys. Program Staff will be provided access cards to the external doors of assigned buildings. As a security precaution, external doors are kept locked 24 hours (from the outside) except during program registration to allow for free movement during check-in.

#### H. Program Evaluation

Where feasible, participants should be asked to complete an evaluation at the end of the Authorized Program. The results should be summarized, analyzed, and retained by the Program Administrator as a measure of program compliance with the Non-Enrolled Minors policy and procedure. These evaluations should be used to improve the overall Authorized Program operations.

#### I. Security

Security, in general, will be the responsibility of the Program Staff and the University's Public Safety Department. During the day, Program Staff will be expected to stay with participants in Authorized Programs at all times except for specific programmatic activities in which it might not be reasonable or appropriate to remain with them. If such unsupervised activities are planned, care should be taken to make sure each participant's parents are made aware of it and agree to allow the Non-Enrolled Minor to participate. At night, a sufficient number of Program Staff should remain with participants in the residence halls to provide control and security.

#### J. Accident/Medical Insurance

Program Administrators and Program Directors should recognize that the University does not provide accident or medical insurance for participants in Authorized Programs. In the event of illness or injury requiring treatment, hospitalization, or surgery, family medical insurance must be used. If a program participant does not have family health insurance, the Division of Professional and Continuing Education, has an agreement in place whereby accident/medical insurance can be obtained for the camp period. All active registered campers are eligible to enroll in the optional Camp Insurance for a fee.

**K. Insurance Requirements**

Authorized Programs run by Non-University Operators are not provided insurance by the University. The Non-University Operator shall, at its own expense, at its own cost and expense, obtain and maintain Commercial General Liability Insurance (2013 ISO Occurrence Form or equivalent) not inconsistent with the policies and requirements of O.C.G.A. § 50-21-37, which shall include, but not be limited to, coverage for personal and advertising and contractual liability. The Commercial General Liability Insurance shall provide the following limits:

**USG 2016 – License/Permit**

Coverage	Limit
1. Personal Injury and Advertising	\$1,000,000 per Occurrence
2. Contractual	\$1,000,000 per Occurrence
3. Fire Legal	\$1,000,000 per Occurrence
4. General Aggregate	\$2,000,000

Permit Holder shall also provide a Commercial Umbrella Liability Insurance Policy to provide excess coverage above the Commercial General Liability (CGL) coverage with minimum limits of \$2,000,000 per occurrence. The policies shall cover the period of Permit Holder’s occupancy and use of the premises, such insurance to be obtained from a responsible insurance company legally licensed and authorized to transact business in the State of Georgia, and name the officers, agents and employees of the Institution and the Board of Regents as additional insureds, but only with respect to claims that are not covered by the Georgia Tort Claims Act (O.C.G.A. Section 50-21-20 et seq.).

**L. Record Retention**

Records related to Non-Enrolled Minors must be kept for three years after the participant reaches the age of 18. These are records that document the participation of the Non-Enrolled Minors in Authorized Programs. For University Sponsored Programs, this series of records may include: applications, enrollment

records, progress reports and assessments, immunization records, parental consent forms, activity records, and lists of participants and Authorized Adults. For Non-University programs, the signed Facilities Use Agreement and Insurance Binder must be retained. The retention schedule for all USG records can be accessed from this link: [http://www.usg.edu/records\\_management/schedules/A](http://www.usg.edu/records_management/schedules/A)

Please note that not all records associated with Authorized Programs must be kept until the participant reaches the age of 18+3. Other records should be kept in accordance with the retention schedule for that document, i.e., individual volunteer files must be kept for three years after separation, daily logs must be kept one or three years depending on the type of log, insurance records must be kept seven years, leases must be kept for seven years after expiration of the agreement.

Program Administrators are responsible for ensuring records related to Authorized Programs comply with these requirements.

- M. The Human Resources Office of Risk Management and Compliance will periodically audit Authorized Programs to ensure compliance with USG and University policy. This audit will ensure all appropriate planning and implementation of the Authorized Program is sufficiently documented.
- N. Should any program involving minors (Authorized or not) be found to be in non-compliance, the Office of Risk Management and Compliance will notify the Office of the Provost for further action.
- O. Questions concerning University policies and procedures related to Non-Enrolled Minors should be addressed to the Office of the Provost.

### III. PROGRAM FORMS

The University recommends using the following forms for Authorized Programs. However, the University recognizes that there may be unique programmatic elements associated with Authorized Programs. Program Directors should include in the implementation plan an explanation if they do not intend to use the forms provided below for Authorized Programs:

- A. Authorization to Administer Medication
- B. Media Release
- C. Medical Information Authorization
- D. Staff Code of Conduct
- E. Participant Agreement and Waiver
- F. Pick-up Authorization
- G. Program Check List
- H. Participant Code of Conduct
- I. Volunteer Registration Form

#### IV. POLICY REFERENCE

The Procedures above are part of the operational implementation of the University of North Georgia's Programs Serving Non-Enrolled Minors Policy and are in compliance with that policy.

#### V. REVIEW AND RESPONSIBILITY

Responsible Party:

Review: Every three years (or more frequently if needed)

#### VI. APPROVAL

  
Chaudron Gille, Provost

10/16/2019  
Date

#### REVISION/REVIEW LOG

Revision Number	Approved Date	Description of Changes
01	10/16/19	II;B;4;b: For programs run by Non-University Operators, approval of program in Registry of Authorized Programs changed from Chief Research Officer to Director of Professional and Continuing Education