

TEMPLE UNIVERSITY
BOARD OF TRUSTEES
POLICIES AND PROCEDURES MANUAL

Title: Policy on the Safety of Minors
Policy Number: 04.61.12
Issuing Authority: President
Responsible Officer: Vice President, Chief Financial Officer and Treasurer

Date Created: December 2012
Date Last Amended/Reviewed: November 2017
Date Scheduled for Review: November 2019
Reviewing Offices: Risk Management and Treasury; University Counsel

I. SCOPE and PURPOSE

Temple University welcomes the presence of minors who come to the university to visit and to participate in programs and activities on campus. The university encourages safe, supervised campus visits by minors for the purposes of making decisions about their academic future; and to attend educational, cultural, or sporting events, programs and camps.

This policy sets forth standards and procedures intended to permit these visits to be carried out in a responsible manner.

This policy also sets forth certain screening and conduct requirements for individuals involved in programs that serve minors, including the obligation to report known or suspected abuse or neglect of a minor under applicable law.

Any requests for clarification as to whether a particular program is subject to this policy, or a request for an exception to this policy or any provision of it, should be submitted to the university's Department of Risk Management and Treasury.

II. DEFINITIONS

1. Minor: a non-matriculated individual under the age of eighteen (18).
2. Direct contact with minors: Care, supervision, guidance or control of minors or routine interaction with minors.
3. Routine Interaction with minors: Regular and repeated contact that is integral to an individual's employment responsibilities.

4. Covered Programs: Programs, activities, and events that serve minors conducted by or on behalf of Temple University and/or taking place on any domestic university campus, whether for academic, athletic, recreational or other purposes.

Covered Programs do not include any university undergraduate or graduate academic programs in which matriculated minors are enrolled for academic credit, including research programs subject to the review and approval of an Institutional Review Board (IRB) sponsored by or authorized by the university to provide oversight concerning such research programs; as well as events on campus that are open to the general public and which minors may attend at the discretion of their parent(s) or guardian(s).

III. POLICY AND PROCEDURES

University faculty, staff, students, volunteers, contractors as well as outside entities who administer Covered Programs, must register these programs in accordance with this policy (See Section III.A, below). If, during the course and scope of the Covered Program, any of the aforementioned persons will have direct contact with minors, the requisite background checks must be completed as per Temple policy. (Refer to Background Check Policy #04.61.14)

Outside entities that conduct or provide Covered Programs are required to comply with this Policy, and attest that the appropriate certifications and background checks have been completed, in accordance with Section III.B and III.C of this policy. Contracts with outside entities for such Covered Programs must refer to and require compliance with this policy.

A. Notice and Registration

All Covered Programs must be registered through the appropriate administrative non-credit platform (See Appendix A for enrollment instructions) *at least sixty days (60) prior* to the first scheduled date of participation by minors.

In the event that the Covered Program involves the housing of minors in university residence halls, the administrator of the Covered Program must provide participating minors with personal safety information including how to contact Campus Safety Services while on campus. Additionally, University Housing and Residential Life must be notified to ensure that all required forms are completed before minors are permitted to remain in the residence halls.

If any Covered Program involves the transportation of a minor, the director or head of the Covered Program must contact Risk Management and Treasury for prior approval. Such authorization will include, but may not be limited to, the written permission of a parent or legal guardian.

B. Screening Requirements

All individuals who will have direct contact with minors in a Covered Program are subject to the following minimum screening requirements:

- Criminal History Record - submitted through the Pennsylvania State Police

- Child Abuse History Certification - submitted through the Pennsylvania Department of Human Services
- Federal Criminal History Record (fingerprint-based) - submitted through the Pennsylvania State Police or its authorized agent

Additionally, all individuals are required to complete the “Disclosure Statement” and abide by all the provisions set forth therein. (See Appendix B)

Any individual subject to screening requirements under this Policy has a continuing obligation, as long as he/she continues to participate in a Covered Program, to immediately disclose to the university any new felony or misdemeanor conviction or plea of nolo contendere.

Individuals who have a break in service or enrollment may be subject to re-screening in order to engage in a Covered Program if they would otherwise be subject to screening pursuant to this Policy.

Should any screening indicate a criminal record, Human Resources will determine whether the individual may participate in a Covered Program. All screenings will be conducted, and all information and results will be used, in accordance with applicable laws, regulations, and university policies and procedures. The university reserves the right to take appropriate action with respect to employees or students who falsify or fail to disclose information on employment or admission applications or other university documents, whether revealed as a result of screening pursuant to this Policy or otherwise, up to and including immediate termination of employment or expulsion.

C. Training Requirements

All Temple University employees receive online training entitled, “Reporting Child Abuse on Campus” and will continue to receive periodic updates throughout their tenure.

All individuals who have direct contact with minors in Covered Programs must acknowledge receipt of the information supplied at Appendix C, at least once every five years, which outlines the appropriate conduct around minors, protecting minors from abuse and neglect, and the reporting of known or suspected abuse and neglect.

D. Conduct Requirements

The university recognizes that, except as may be authorized by the administrator of the Covered Program, it is best practice for persons in a Covered Program to refrain from being alone with a minor at any time in connection with the Covered Program.

Any individual who suspects or becomes aware of a violation of these or other applicable conduct requirements must immediately report it to Campus Safety Services, the Office of Risk

Management and Treasury, or the Office of University Counsel. Suspected child abuse should be reported immediately to law enforcement per Section V below.

Any university faculty, staff member or volunteer who violates these conduct requirements or the other requirements described in this Policy may be subject to discipline for professional misconduct, up to and including termination.

IV. UNAFFILIATED MINORS

A. Residence Halls

Minors who are not participating in a Covered Program, including siblings, relatives, and friends, who visit with a matriculated university student in a residence hall must abide by all university rules and regulations including the Guest Privileges Policy in the Undergraduate Rights, Responsibilities and Resource Guide. The entire guide can be found on the Student Affairs/Housing and Residential Life website at <http://housing.temple.edu/resources-and-services/rights-and-responsibilities>.

Overnight visits by minors are prohibited, except that the university may provide graduate family housing on a limited basis. The options and criteria for obtaining graduate housing can be found on the Student Affairs/University Housing and Residential Life website at <https://housing.temple.edu>. If a minor will be regularly visiting or living with his/her parent or legal guardian who is a matriculated university student, the parent and/or legal guardian must obtain permission from the Director of University Housing and Residential Life and Risk Management and Treasury before the minor can visit or stay in university housing.

B. Minor Children of Employees and Students

The university's Rules of Conduct prohibit employees and students from bringing unauthorized persons, including minor children, into any building on the worksite or on university grounds during work or class hours.

The university realizes that exigent or emergency situations may necessitate an employee bringing his or her child to work for a limited period of time. In these situations, the employee must contact his/her immediate supervisor in order to get permission to bring the minor child on campus and/or to take a personal or vacation day. If permission is granted, the minor must not be left unattended.

Students are not allowed to bring minor children to class for pedagogic and safety reasons. If a student finds himself or herself in an emergency situation and unable to attend class due to childcare issues, the student should contact the professor in accordance with the professor's attendance policy.

C. Minors In Laboratories

Minors are allowed in university laboratories only in strict accordance with the Temple University Laboratories – Visitors and Volunteers Policy and Process, which can be found <http://policies.temple.edu/PDF/156.pdf>.

V. REPORTING ABUSE OR NEGLECT

University faculty, staff, students and volunteers, as well as contractors covered by this policy are required to comply with all applicable Temple University policies and procedures as well as all local, state and federal laws and regulations regarding the reporting of known or suspected abuse or neglect of a minor. Information regarding the signs of child abuse and neglect is attached in Appendix C. Pennsylvania law generally requires that *“persons who, in the course of their professional work, come into contact with children¹ are obligated to report suspected child abuse to ChildLine² or law enforcement.”*

If you are a member of the university’s faculty, staff, student body or a university volunteer, or a contractor covered by this policy and within the course and scope of your employment you become aware of abuse or neglect, or have a suspicion of possible abuse or neglect of a minor, you have an affirmative duty to report the incident or suspicion of harm to Campus Safety Services at 215-204-1234 on Main Campus, Ambler Campus, or the Health Sciences Center Campus or to local law enforcement via 911 at any location. To report anonymously, call the Pennsylvania Department of Child Services child abuse reporting hotline at 800-932-0313.

Failure to comply with this policy may result in discipline up to and including termination and potential criminal charges.

Notes

1. Dates of official enactment and amendments

Adopted by the President on November 9, 2017.

2. History

Original “Minor Visitors on Campus Policy and Procedures” Adopted by the President on December 13, 2012.

3. Supersedes

¹ For purposes of this policy, ‘child’ is considered a non-matriculated minor

² ChildLine is a unit of the Department of Public Welfare (DPW) responsible for operating the state’s toll-free Minor abuse hotline (1-800-932-0313).

04.61.12 Minor Visitors on Campus Policy and Procedures

4. Cross Reference

04.62.12 Temple University Laboratories- Visitors and Volunteers Policy and Process

03.70.12 Student Conduct Code

04.61.14 Background Check Policy

Employee Manual

APPENDIX A

Enrollment Instructions

1. Go to noncredit.temple.edu/minorsoncampus
2. Click “Apply Now”
3. Temple University persons log-in with AccessNet credentials
4. External users create an account on the DestinyOne system
5. Acknowledge Privacy Policies with digital initials
6. Click “Continue Checkout”
7. Complete all four parts of the application
8. Submit
9. Risk Management and HR will review the application and contact the event coordinator if further information is required.

Please contact the Office of Risk Management & Treasury for questions and concerns at (215) 204-8523.

APPENDIX B

DISCLOSURE STATEMENT

Required by the Child Protective Service Law 23 Pa. C.S. Section 6344 (Relating to employees having contact with children)

I swear/affirm that I have applied for background checks/certifications through ChildLine, the Pennsylvania State Police, and the Federal Bureau of Investigation and am submitting a copy of the appropriate completed request forms to the employer, administrator, supervisor or other person responsible for employment decision.

I swear/affirm that I have not been named as a perpetrator of a founded report of child abuse within the past five (5) years as defined by the Child Protective Services Law.

I swear/affirm that I have not been convicted of any of the following crimes under Title 18 of the Pennsylvania consolidated statutes or equivalent crime under the laws or former laws of the United States or one of its territories or possessions, another state, the District of Columbia, the Commonwealth of Puerto Rico or a foreign nation, or under a former law of this Commonwealth:

Chapter 25	(relating to criminal homicide)
Section 2702	(relating to aggravated assault)
Section 2709	(relating to stalking)
Section 2901	(relating to kidnapping)
Section 2902	(relating to unlawful restraint)
Section 3121	(relating to rape)
Section 3122.1	(relating to statutory sexual assault)
Section 3123	(relating to involuntary deviate sexual intercourse)
Section 3124.1	(relating to sexual assault)
Section 3125	(relating to aggravated indecent assault)
Section 3126	(relating to indecent assault)
Section 3127	(relating to indecent exposure)
Section 4302	(relating to incest)
Section 4303	(relating to concealing death of child)
Section 4304	(relating to endangering welfare of children)
Section 4305	(relating to dealing in infant children)
Section 5902(b)	(relating to prostitution and related offenses)
Section 5903(c) (d)	(relating to obscene and other sexual material and performances)
Section 6301	(relating to corruption of minors)
Section 6312	(relating to sexual abuse of children), or an equivalent crime under Federal law or the law of another state.

I swear/affirm that I have not been convicted of a felony offense under Act 64-1972 (relating to the controlled substance, drug device and cosmetic act) committed within the past five (5) years.

I understand that if my status is that of a provisional employee:

- 1) The provisional period may not exceed ninety (90) calendar days.
- 2) An administrator may not hire an applicant on a provisional basis during a strike under the Public Employee Relations Act (43 P. S. § § 1101.201—1101.2201).
- 3) If the applicant does not submit the required background checks/certifications within ninety (90) calendar days the administrator shall do one of the following:
 - Dismiss the provisional employee until the required background checks/certifications are received.
 - Lay off or place the provisional employee on leave with or without pay until the checks/certifications are received.
 - Retain and reassign the provisional employee to a position that does not involve direct contact with children.

I understand that I am not permitted to work alone with minors and must work under direct supervision and within eyesight of a permanent employee who has already cleared the background check/certification process.

I understand that if I am arrested for or convicted of an offense that would constitute grounds for denying employment or participation in a program, activity or service under the Child Protective Services Law as listed above, or am named as perpetrator in a founded or indicated report, I must provide the administrator or designee with written notice immediately after the arrest, conviction or notification that I have been listed as a perpetrator in the statewide database.

I understand that if the person responsible for employment decisions or the administrator of a program, activity or service has a reasonable belief that I was arrested or convicted for an offense that would constitute grounds for denying employment or participation in a program, activity or service under the Child Protective Services Law, or was named as perpetrator in a founded or indicated report, or I have provided notice as required under this section, the person responsible for employment decisions or administrator of a program, activity or service shall immediately require me to submit current background checks/certifications obtained through the Department of Human Services, the Pennsylvania State Police, and the Federal Bureau of Investigation. The cost of the background checks/certifications shall be borne by the employing entity or program, activity or service.

I understand that if I willfully fail to disclose information required above, I commit a misdemeanor of the third degree and shall be subject to discipline up to and including termination or denial of employment.

I understand that the person responsible for employment decisions or the administrator of a program, activity or service is required to maintain a copy of my background checks/certifications.

I hereby swear/affirm that the information as set forth above is true and correct. I understand that false swearing is a misdemeanor pursuant to Section 4903 of the Crimes Code.

A photocopy of your signature shall have the same force and effect as the original.

Date: ____/____/____

Name: _____
Print Name

Signature: MUST BE SIGNED IN INK

TUId#: _____

Department:

Witness: _____
Print Name

Signature: MUST BE SIGNED IN INK

APPENDIX C
Recognizing the SIGNS OF CHILD ABUSE and NEGLECT

NEGLECT occurs when parents or caretakers do not provide proper supervision, control, subsistence, or education as required by law, or other care necessary for healthy development. By itself, lack of financial means to provide for a child is not neglect.

Physical signs may include:

- Poor hygiene.
- Inappropriate or ill-fitting clothing.
- Being left alone or with people unable to provide proper supervision.
- Obvious lack of necessary medical treatment.

Behavioral signs may include :

- Chronic hunger or sleepiness.
- Delayed language development.
- Clinging behavior or development of indiscriminate attachments.
- Frequent complaints of feeling unwell.
- Frequent tardiness or absence from school.

PHYSICAL ABUSE is non-accidental injury of a child by a parent or caretaker.

Physical signs may include:

- Bruises, welts or swelling.
- Sprains or broken bones.
- Bums.
- Lacerations or abrasions.
- Bite marks.
- Unexplained or repeated injuries.

Behavioral signs may include:

- Attempts to hide injuries.
- Difficulty sitting or walking.
- Wariness of physical contact with adults.
- Reluctance to go home.
- Depression or self-mutilation.
- Fear of parent(s) or caregiver(s).

SEXUAL ABUSE is exploitation of a child for the sexual gratification of an adult or older child.

Physical signs may include:

- Difficulty walking or sitting.
- Torn, stained, or bloody clothing.
- Genital pain or itching.
- Sexually transmitted diseases.
- Pregnancy.

Behavioral signs may include:

- Precocious sexual knowledge or behavior.
- Extremely hostile and aggressive or fearful or withdrawn.
- Self-mutilation.
- Substance abuse.
- Running away.