

UNIVERSITY OF SOUTH CAROLINA

Additional Requirements for Designing and Operating Programs Involving Minors/Youth

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Background

These procedures support compliance with University Policy 4.00, which governs the protection of Minors/Youth participating in university programs. While not exhaustive, they provide essential guidelines to help staff design and run safe and effective programs. Staff must prioritize the safety of participants in all program aspects. These procedures may be updated as university policy or best practices evolve.

General

- Program Directors must ensure their programs comply fully with all applicable university policies and procedures.
- Programs are expected to fulfill the commitments outlined in brochures and marketing materials. These materials must include a disclaimer and a clause permitting changes if necessary.
- Signed participant forms must be collected from each Minor and securely retained for seven (7) years in accordance with university confidentiality protocols.

Third Party and Coach Run Programs

University policy makes a distinction between Third party programs and Coach run programs. Use the [flowchart](#) to determine if your program meets the criteria for these types of programs.

- Contractual agreements with third parties offering programs that involve Minors/Youth must include an [addendum approved by USC Legal Counsel](#), which assigns responsibility for the adequate supervision and protection of the participants to the third party. These programs must provide proof of insurance and have their own policies and procedures for working with Minors.
- Coach-run programs are led by university coaches or professionals in a private capacity but utilize university facilities, staff, or athletes. Such programs must be registered with the Office of Youth Protection, approved by the Athletics or their home Department, and comply with Policy 4.00 and all relevant requirements.

Supervision Requirements

General

1. Youth participants must always be adequately supervised. Program staff or parents/legal guardians must monitor all activities, enforcing safety measures, setting behavioral expectations, and remaining in direct contact with participants as required. Adequate supervision involves the following:
 - direct observation of participants;
 - warning or instructing the participants on the proper use of equipment and all safety precautions which must be observed;
 - establishing and enforcing rules and regulations for participant conduct;
 - developing and implementing supervision plans;
 - training and monitoring Program Staff on appropriate supervision practices.
2. No Youth participant can be released to any party other than the individual (s) authorized by the parent/guardian in the participant intake form or subsequently authorized in writing by the parent/guardian to the Program Director. Permissions given over the phone are not accepted. In emergency situations, Program Staff must contact campus police for support. Written procedures for releasing participants from their program must be established and communicated to Program Staff. Program Staff must verify the individual's identity before releasing the Minor, by using a government issued ID such as a valid driver's license.

Staff to Youth supervision ratio requirements

1. In determining "adequate supervision" the number and age of participants, the nature of the activities, the type of housing (if applicable), and the age and experience of the counselors must be considered. At a minimum, the ratio of trained Program Staff to Youth must follow current South Carolina daycare laws and the American Camp Association guidelines as follows:

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- 5 years & younger: 1 staff for each 5 overnight participants and 1 staff for each 6 daytime participants
 - 6–8 years: 1:6 for overnight participants and 1:8 for daytime participants
 - 9–14 years: 1:8 for overnight participants and 1:10 for daytime participants
 - 15–18 years: 1:10 for overnight participants and 1:12 for daytime participants
 - 6-18 years special needs or adults under court-appointed guardianship: 1:3 for overnight participants and 1:5 for daytime participants
2. Programs should hire enough staff to ensure that required Staff to Youth ratios are maintained in the event of staff turnover or absence.

Overnight accommodation

Rules and regulations for proper supervision of Youth participants in overnight accommodations must be established and include, at a minimum:

1. Written permission by the parent/guardian for the Youth to reside in University housing
2. No more than one Youth participant per bed
3. A curfew time which is age-appropriate for the Youth participants, allowing at least eight (8) hours of sleep for participants
4. In-room visitation restricted to participants of the same gender
5. Guests of Youth participants (including parents, guardians, and family members) restricted to visitation in the building lobby and only during approved hours specified by the program
6. Program compliance with all security measures and procedures specified by University Housing Services and Law Enforcement
7. At least one trained and qualified program staff member who is at least 21 years of age must be always accessible to Youth participants by phone or in person. The staff member must reside in the housing unit if applicable.

Expectations from Program Staff

Program staff must follow a strict code of conduct in their interaction with Youth participants. In particular they must:

1. Not engage in one-on-one contact with Youth participants unless explicitly authorized to do so by the Program Director and in compliance with the guidelines issued by the Office of Youth Protection in advance. At least one other individual must be present in all interactions involving Youth.
2. Not have any inappropriate direct electronic (e.g. social networking websites,
3. Not enter a Youth's room, bathroom facility, or similar area without another staff member in attendance when providing overnight supervision of Youth, except in cases of emergency
4. Stay in separate accommodations from, and not share bathroom accommodations with participants.
 - a. *Note: Exceptions are allowed only in those cases where the Youths' parents or guardians are serving as program staff.*
5. Not engage in abusive conduct of any kind toward, or in the presence of, a Youth participant.
6. Not strike, hit, or administer corporal punishment to, or touch in an inappropriate or illegal

manner, any Youth participant.

7. Not pick up Youth participants from or drop off Youths at any location unless specifically authorized by the Program Director
 - a. *Note: Excluding those situations where the Program Staff is the parent/legal guardian of the Youth participant.*
8. Not provide alcohol, tobacco, or illegal drugs to any Youth participant.
9. Not provide firearms, flammable agents or any sharp or other implements that could cause physical harm or damage to individuals or property.
10. Not provide prescription drugs or any medication to any Youth participant except as authorized in the participant forms.
11. Not make sexual materials in any form available to Youth participants or assist them in any way in gaining access to such materials.

Program Staff Training

Documented program staff training must be maintained for the duration of the program plus seven (7) years. Online training and quiz for program staff is available at https://www.sc.edu/about/offices_and_divisions/provost/policiesandprocedures/minors/training.php. Training for all program staff members must occur prior to the start of the program and include information about:

- Responsibilities and expectations; policies, procedures, and enforcement;
- Minimizing one-on-one contact with Youth participants and appropriate supervision techniques during one-on-one contact;
- Appropriate crisis/emergency responses; safety and security precautions;
- Confidentiality issues involving Youth participants;
- University responsibility/liability;
- How to request local emergency services;
- How to report suspected child abuse;
- Safety and security procedures;
- University rules, rules established by the program, behavioral expectations and how to enforce all rules;
- Sexual abuse awareness;
- Proper release of Youth participants attending the program.

Participant Conduct

1. If appropriate, programs should require participants and their parents/guardians to agree to a code of conduct. A recommended code of conduct is provided at this link: https://www.sc.edu/about/offices_and_divisions/provost/docs/minors/participant_code_of_conduct.pdf
2. Each program must make available to Youth participants and parents/guardians the rules and discipline measures applicable to the program. Youth participants and staff must abide by all University regulations and must be removed from the program for violation of the rules.
3. Program Directors must conduct an orientation for the Youth participants and their parents/guardians to explain the program, the applicable rules and regulations, and the

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consequences for violation of the program's rules. These rules must include, at a minimum, the following prohibitions:

- The possession or use of alcohol, tobacco and other drugs, including vaping products, fireworks, guns and other weapons.
 - The operation of a university or personal motor vehicle by Youth during Program hours.
 - Violence, including sexual abuse or harassment.
 - Hazing of any kind, bullying including verbal, physical, and cyber bullying
 - Theft of property
 - Misuse or damage of university facilities is prohibited. Charges will be assessed against those participants who are responsible for damaging or misusing 4. University facilities.
 - Unauthorized use of cameras, imaging, and digital devices is prohibited. Any use of media or recording devices is prohibited in areas where participants have a reasonable expectation of privacy, such as in showers, restrooms, bedrooms.
4. Expectations of acceptable behavior must also be established, in concurrence with the [Carolinian Creed](#):
- practice personal and academic integrity;
 - respect the dignity of all persons;
 - respect the rights and property of others;
 - discourage bigotry, while striving to learn from differences in people, ideas and opinions;
 - demonstrate concern for others, their feelings, and their need for the conditions which support their work and development.

Emergencies and Medical Requirements

1. Written procedures must be established for emergencies and in the event a Youth participant becomes ill or injured. An [online incident report](#) must be completed for any situations requiring medical or police intervention and submitted to the Office of Protection of Minors within 24 hours of the incident.
2. Programs must have access to emergency medical services at all program locations. Medical care appropriate for the nature of the events, expected attendance and other variables must be determined and implemented prior to the event.
3. A written procedure for the notification of the Youth participant's parent/legal guardian in case of an emergency, including medical or behavioral problem, natural disasters, or other significant program disruptions, must be developed.
4. Program staff must always maintain possession of health disclosure documents in a confidential and protected manner complying with all HIPAA requirements.
5. Each Youth participant or their parent/guardian must sign and return the [Participant Registration Form](#), which includes permissions for medications Youth participants' medicines may be distributed by program staff under the following conditions:

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- a. The Youth participant's family provides the medicine in its original pharmacy container labeled with the Youth participant's name, medicine name, dosage and timing of consumption. Over-the-counter medications must be provided in their manufacturers' container.
- b. Staff must keep the medicine in a secure location, and at the appropriate time for distribution, must meet with the participant.
- c. The staff member must allow the Youth participant to self-administer the appropriate dose as shown on the container.
- d. Personal EpiPens, over-the-counter medications, birth control, and inhalers must be authorized in the Health Disclosure form and may be carried by the participant with permission from program staff during activities.

Travel and Field Trips Requirements

1. If the program involves field trips or transportation, a release and authorization form obtained from a parent or guardian of each Youth participant.
2. Regardless of distance, transportation must be by University-obtained vehicle, and each vehicle must have a mode of communication (e.g. cellular phone).
3. All drivers must be certified / trained and have proper clearance to operate a vehicle transporting Youth participants through the Vehicle Management department (state vehicles).
4. Youth participants under the age of eighteen (18) must not be transported in a fifteen (15) passenger van.
5. Programs more than fifteen (15) miles from campus, or off-campus overnight events, must have one (1) staff member over the age of 21 for each thirty (30) Youth participants and one (1) trained staff member for each ten (10) Youth participants.
6. If applicable, a certificate of insurance must be obtained from the owner of the charter bus company evidencing coverage for general liability for no less than \$1M per occurrence; automobile comprehensive, collision and liability for no less than \$5M combined single limit; and workers' compensation insurance meeting state statutory limits. The University of South Carolina must be named as an additional insured on the certificate.

Responsibilities

Director, Office of Youth Protection

- The first point of contact for interpretation and clarification of policies and procedures.
- Administer the registration and approval process for Program/Activities with Minors.
- Maintain the Minors Programs website, with the updated required forms, and related guidance.
- Assist the Program and responsible individuals in resolving matters related to adverse events, non-compliance, and emergencies.
- Facilitate and support required training to Program/Activity staff working with Minors.
- Provide guidance on implementing a program/activity involving Minors.
- Assess Program/Activity compliance and facilitate follow up actions.
- Support and facilitate reporting of allegations of inappropriate behavior with a Minor.
- Assure university policies and procedures follow industry's best practices for Youth

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Protection and make/recommend changes as appropriate.

Program Director

- Ensure that all aspects of the program are compliant with the requirements of this policy.
- Deliver the Program/Activity as advertised in any brochures/communication.
- Register the program at least 60 days in advance of the program/activity.
- Submit amendment request forms for any substantial changes to the program after registration approval; for example, new staff, new locations, new scope of activities with Minors.
- Ensure all necessary building and housing agreements have been successfully executed.
- Ensure program is registered with and approved by the Environmental Health and Safety Office if laboratory work is involved.
- Ensure all staff have passed background checks as required by this policy before they engage with Minors.
- Provide, facilitate and document training to all Program Staff.
- Report any suspected abuse, neglect or injuries as required in this policy.
- Ensure all documentation is complete, reviewed and collected before Minors are allowed to participate in the program. Secure all documentation using university protocols for confidential documents.
- Cooperate with site visits from Office of Youth Protection staff and provide requested information in a timely manner.

Program Staff

- Ensure they are registered as Program Staff for the Program in the registration system.
- Comply with requirements for background checks. Inform Program Director of any new criminal indictment after the background check was completed.
- Complete all training as required by Program Director.
- Follow the code of conduct and all procedures or practices for the safety and supervision of Minors as required by the Program Director.
- Report any injuries/adverse events, suspected misconduct or neglect of Minors using the process outlined in this policy.

Related University Policies

Topic	USC Document
University Policy 4.00 on Protection of Minors in USC programs	<u>UNIV 4.00 Programs Involving Minors</u>
HR policy on Background checks	<u>HR 1.90 Job Reference and Background Checks</u>
Civil Rights and Title IX	<u>CR 1.00 Civil Rights and Title IX</u>
Lab Safety for Minors in Laboratories	<u>Volunteers and Minors</u>

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Contacts

Topic and Website	Contact information
<u>Protection of Minors Policy 4.00</u>	<u>minors@mailbox.sc.edu</u>
<u>Chemical and Lab Safety: Minors and Volunteers</u>	<u>jlocke@mailbox.sc.edu</u>
<u>Background Checks: Before You Arrive</u>	<u>background@sc.edu</u>
<u>Law Enforcement and Safety</u>	911 or 803-777-4215
<u>Risk Management, Insurance and Liability</u>	803-777-7103
<u>Title IX and Civil Rights</u>	<u>civilrights@mailbox.sc.edu</u>
<u>Columbia Campus Housing</u>	<u>aubreea@mailbox.sc.edu</u>
<u>Columbia Athletics Event Operations</u>	(803) 777-4202