

**Texas Woman's University
University Regulation and Procedure**

Regulation and Procedure Name: Minors on Campus

**Regulation and Procedure
Number: URP: 04.420**

Policy Owner: Finance and Administration

POLICY STATEMENT

Creating a positive environment that promotes health, wellness, safety, and security for children and teens is of utmost importance to Texas Woman's University ("TWU"). Pursuant to Texas Law, this regulation and procedure sets out the compliance standards for reporting suspected child abuse and the requirements for sexual abuse and child molestation training for those involved in Youth Programs that involve minors and are sponsored by TWU. This regulation and procedure also establish additional requirements for Youth Programs.

APPLICABILITY

This policy is applicable to TWU Students, Faculty, Staff, and Guests.

DEFINITIONS

1. "Child/Minor" means any person under 18 years of age who has not been married, who has not had the disabilities of minority removed for general purposes, or who is not a student at TWU and is unaccompanied by a parent or legal guardian.
2. "Youth Programs" means any activity/program/camp that meets ALL of the following criteria:
 - a. Held on the TWU campus OR sponsored/operated by TWU;
 - b. Have recreational, athletic, religious, or educational activities for the campers/ participants; and
 - c. Have participants who are unaccompanied minors (under the age of 18) and are not employees of TWU.

3. "Sponsoring Department Administrator" means an individual from the TWU department sponsoring a Youth Program who is responsible for reviewing the Youth Program on behalf of the department with the perspective and knowledge of the activities involved, and requirements pertaining to the proposed program. A TWU department must sponsor all Youth Programs and must designate an individual to this role.
4. "Youth Program Operator" means the individual or organization who owns, operates, controls, or supervises a Youth Program, regardless of profit. In the case of a TWU department which operates a program; the Sponsoring Department Administrator will fill this role.

REGULATION AND PROCEDURE

I. Regulation

All employees and students are required to report suspected child abuse and neglect as required by Texas Law and all Youth Programs shall comply with applicable state regulations. This policy affects all TWU faculty, staff and students who are involved in TWU-run or affiliated programs or activities involving minors, as well as employees, volunteers and other representatives of non-TWU organizations or entities that operate programs or activities involving minors on campus. These persons are all required to satisfy specific training, liability, registration, safety, and certification requirements as outlined in the Procedures section of this URP.

II. Procedures

A. Sexual Abuse and Child Molestation Training Requirements

1. It is the Policy of TWU that any person in a position that involves direct contact, excluding incidental contact, with minors on a TWU campus or as part of a TWU Youth Program must successfully complete a training and examination program on sexual abuse and child molestation approved by the Texas Department of State Health Services ("TXDSHS"). Successful completion of the training and examination must be have occurred within the preceding two years, and training records must be maintained by the Program Operator for a minimum of two years.
2. Youth Programs with over 20 participants and lasting four days or more must submit the required training certification form (Publication No. EEH-28) to the TXDSHS.

B. Reporting Suspected Child abuse

1. Any person who has reason to believe that a child's physical or mental health or welfare has been adversely affected by abuse or

neglect by another person must immediately report the suspected abuse or neglect.

2. The duty to report may not be delegated to another person; while employees and students are encouraged to report incidents of child abuse or suspected abuse to a supervisor or responsible university official, the first obligation is to protect the child by immediately contacting one of the following:
 - a. Campus Law Enforcement:
 - i. TWU Department of Public Safety (DPS) at Denton - (940) 898-2911
 - ii. TWU DPS at Dallas - (214) 689-6666
 - iii. TWU DPS at Houston - (713) 794-2222
 - b. Local Law Enforcement
 - c. Texas Department of Family and Protective Services ("DFPS") at its toll-free, 24-hour hotline at 1-800-252-5400

C. Criminal Background Check Requirements

1. Under this Regulation and Procedure any person in a position that involves direct contact with minors on a TWU Campus or in coordination with any TWU sanctioned education program must successfully complete a criminal background check annually. The Sponsoring Department Administrator shall ensure that all persons in a position that involves direct contact with minors while on TWU's campus have successfully completed a criminal background check.
2. The following criminal convictions/deferred adjudications shall automatically disqualify a person from working with or having contact with a child:
 - a. Felony or misdemeanor under Texas Penal Code to include
 - i. Title 5 (Offenses Against the Person)
 - ii. Title 6 (Offenses Against the Family)
 - iii. Title 7 Chapter 29 (Robbery)
 - iv. Title 7 Chapter 31 (Theft)
 - v. Title 8, 38.17 (Failure to Stop or Report Aggravated Sexual Assault of Child)

- vi. Title 9 Chapter 43 (Public Indecency)
 - vii. Title 9, Section 42.072 (Stalking)
 - viii. Title 4, Section 15.031 (Criminal Solicitation of a Minor)
 - ix. Any like offense under the law of another state or under federal law
- b. Felony or Class B misdemeanor or higher under the Texas Health and Safety Code Chapter 481 (Texas Controlled Substances Act)
3. The following criminal convictions/deferred adjudications under the Texas Penal Code shall disqualify a person from working with or having contact with a child if they occurred within the past 10 years, except as allowed below:
- a. Title 10, Section 46.13 (Making a Firearm Accessible to a Child)
 - b. Title 10, Chapter 49 (Intoxication and Alcoholic Beverages Offenses)
 - c. Any like offense under the law of another state or federal law

D. Liability Waivers

The Sponsoring Department Administrator of a Youth Program shall obtain written consent or authorization from the Minor's parent or legal guardian for participation in the Youth Program and ensure a process for notifying the Minor's parent or legal guardian is in place in case of an emergency or other significant Youth Program disruptions

E. Safety and Supervision Requirements

1. Safety

TWU requires that all Youth Programs involving minors implement standards to safeguard the welfare of participating minors. This should include plans for emergency situations such as severe weather. There must be at least two Youth Program staff members registered through the Pioneer Alert Notification System. The two staff members must be those who will be with the Youth Program at all times.

2. Supervision

There should be adequate levels of adult supervision at all times. Adult live-in supervision is required for all Youth Programs involving overnight stays. TWU requires adequate adult supervision. In addition, one-on-one interactions between adults and minors are prohibited. When there is only one (1) minor in attendance, TWU requires there be a minimum of two (2) adults in attendance.

F. Registration Requirements

As required by state law, relevant programs must be licensed by the Texas Department of State Health Services. In addition, all Youth Programs must register with TWU Risk Management with sufficient advance notice to confirm the requirements of this URP have been met.

1. Criminal Background Check Certification Requirement:

The Program Operator shall certify in writing to Risk Management that all persons in a position that involves direct contact with minors while on TWU's campus have successfully completed a criminal background check.

2. Training Certification Requirement:

The Program Operator shall certify in writing to Risk Management that all persons in a position that involves direct contact with minors while on TWU's campus have completed a Campus Program for Minors Training and Examination Program on Sexual Abuse and Child Molestation approved by the Texas Department of State Health Services, if applicable.

3. Liability Waiver Requirement:

The Program Operator shall certify in writing to Risk Management that they have obtained written consent or authorization from the Minor's parent or legal guardian for participation and that the Youth Program has a process in place for notifying the Minor's parent or legal guardian in case of an emergency or other significant Youth Program disruptions.

4. Safety and Supervision Requirements:

The Program Operator shall certify in writing to Risk Management that they have standards in place to safeguard the welfare of participating minors, that there will be adequate levels of adult supervision at all times, and that one-on-one interactions will be prohibited.

G. Additional Program Requirements

Additional program requirements and procedures that support this URP are the responsibility of Risk Management and are outlined in TWU Youth Program Requirements and Procedures.

H. Program Approval Process

Prior to the scheduling of a Youth Program, Risk Management will review all the aforementioned requirements. Programs that do not meet said requirements will not be approved.

REVIEW

This policy will remain in effect and published until it is reviewed, updated, or archived. This policy is to be reviewed once every six years. Interim review may be required as a result of updates to federal and state law or regulations, Board of Regents policies, or internal processes or procedures.

REFERENCES

Texas Health and Safety Code, Title 2, Chapter 141

Texas Administrative Code, Title 25, Chapter 265, Subpart B

Texas Education Code, Title 3, Subtitle A, Subchapter Z, Sections 51.976 and 51.9761

[Texas Health and Human Services Approved Training and Education Programs](#)

FORMS AND TOOLS

[Department of State Health Services Training and Examination Form](#)

Publication Date:

Next Review: