

Rule 24.01.06.T1 Programs for Minors



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Rule Statement

Tarleton State University (Tarleton or university) is committed to providing programs for minors in a safe, nurturing environment. This rule is required by and supplements System Regulation 24.01.06, *Programs for Minors*. The rule is established to set guidelines and standards for programs for minors sponsored and operated by Tarleton and third-party programs using Tarleton owned or controlled property or facilities. Child abuse training is required for employees and volunteers of programs for minors at Tarleton.

Definitions

Click to view [Definitions](#) (incorporated herein from System Regulation 24.01.06.T1). Definitions not defined in System Regulation 24.01.06.T1 and specific to this rule are as follows:

Program sponsor – university employee representing the department, college, or registered student organization charged with the direction or operation of the program. In the case of a third party program, this person serves as the liaison between Tarleton and the third party.

Procedures and Responsibilities

1. GENERAL

- 1.1 The provisions of this rule apply to campus programs for minors. All programs held on Tarleton property, utilizing Tarleton’s name, or resources in any way, must operate under the administrative purview of a Tarleton department, college, or registered student organization (“program sponsor”).
- 1.2 A program sponsor and dedicated program director (may be the same person, with the exception of third party programs) must be appointed for each program for minors, whether the program is sponsored by the university or third party.
- 1.3 Applications for programs for minors should be submitted at least 45 days prior to the start date of the program. When the program director does not also serve in the role as the program sponsor, the dedicated program director must consult with and

obtain written acknowledgement of support from the program sponsor before the formal university [Program for Minors Application Form](#) (See Appendix) is submitted. Application submissions are electronically routed to the Office of Risk Management and Safety (RMS), which is Tarleton's authorized programs for minors designee, for review and approval of programs for minors on behalf of the university.

- 1.4 The applications must include the signed Programs for Minors Manual Acknowledgement form, completed employee roster with job descriptions, completed insurance application, brochure, detailed itinerary, and completed risk assessment matrix form. Applications submitted without these items may be considered as incomplete and may be sent back to the requesting dedicated program director and program sponsor for updating.
- 1.5 A program for minors may or may not collect fees from participants.
- 1.6 A program for minors does not include kindergarten through 12th grade groups visiting Tarleton for the purpose of campus tours, field trips, and/or as patrons of entertainment events or university orientation activities.

2. PROGRAMS REQUIREMENTS

2.1 Third Party Programs

- 2.1.1 Third Party programs are required to meet the requirements listed in this rule if they meet the definition of programs for minors. Except for the use of the Tarleton's property, a Third Party Program is not otherwise affiliated with the university.
- 2.1.2 Third Party programs must provide evidence of a general liability insurance policy under which the university is listed as "additional insured."
- 2.1.3 Third Party programs must complete the [Third Party Agreement](#) for use of Tarleton facilities and/or resources (See Appendix).

2.2 Safety and Medical Care Provisions

- 2.2.1 Safety awareness information, specific to program activities, shall be provided to all program staff or volunteers. Where appropriate, safety awareness information may include training on First Aid and CPR.
- 2.2.2 Each program participant must complete a [Waiver, Indemnification, and Medical Treatment Authorization Form](#) (See Appendix).
- 2.2.3 Each program participant must complete a [Medical Information and Release Form](#) (See Appendix).

- 2.2.4 Except for programs where participants are also enrolled in the university, the Student Health Center and Counseling Services are not available to participants covered under this procedure.
- 2.3 The university prohibits communication between minors and counselors outside of the program for minors. This includes, but not limited to, contact via social media, email, telephone, and meetings outside of the program's scheduled activities and official communication.
- 2.4 State law requires "any person having cause to believe that a child's physical or mental health or welfare has been adversely effected by abuse or neglect to immediately make a report to local law enforcement." This legal requirement will be communicated to all individuals participating in a program for minor. Within 24 hours of the report, the individual will inform the University Police Department of such report.
- 2.5 Counselor to participant ratio levels should be considered for each program but not less than one staff/counselor for each 12 participants for day or overnight programs. A ratio exceeding 1:12 will be reviewed on a case-by-case basis by RMS. The ratio may depend on the activity, i.e. a very physical/potentially hazardous activity would have a higher ratio of staff to students than a sedentary activity.
- 2.6 In order to prevent one-on-one interactions and maintain appropriate levels of supervision, there should be a minimum of two program staff members for each participant.
- 2.7 The university will make a reasonable attempt to serve participants who require special attention or consideration. Each dedicated program director will evaluate program activities when considering requests for special accommodations. Disability Resources and Testing should be consulted during this review.
- 2.8 Participant Medication
- 2.8.1 All program for minors must obtain authorization to administer any medication, including prescription and over-the-counter, to a participant from the participant's parent or guardian in a written, signed, dated format using a completed [Authorization for Dispensing Medication Form](#). (See Appendix) This form expires one year after its original date. The participant's parent or guardian may not authorize administering medication in excess of the medication's label instructions or the signed directions of the child's health-care professional. Parent or guardian authorization is not required for administering a medication to a participant in a medical emergency to prevent the death or serious bodily injury of the participant, provided that the medication is administered as prescribed, directed, or intended.
- 2.8.1.1 If the program chooses not to administer any medication, parents, or guardians must be notified prior to the participant's enrollment in the program.

2.8.1.2 Program participants who are 15 years of age and older are permitted to be responsible for their own medication; however, consent must be provided by the parent or guardian of the participant using the [Permission for Self-Medication Form](#) (See Appendix).

2.8.2 Medication must be given from the original container to the individual to whom the medication was prescribed, within the expiration date and it must be documented using the [Authorization for Dispensing Medication Form](#) (See Appendix).

2.8.2.1 When a program staff member administers the medication, they must record the full name of the participant, medication name, date and time medication was given, and list full name of staff that administered the medication.

2.8.3 If a participant requires specialized medical assistance, then a program staff member is required to provide the specialized medical assistance as recommended or ordered by a health-care professional. If the program is provided with a written copy of the health-care professional's recommendations or orders, the program must maintain this written information in the participant's record for at least five years after the program date.

2.8.4 If medication will be dispensed by the program, all medication must be stored out of reach of all participants in a locked and secured location in a manner that does not contaminate food. If refrigerated, separate from food.

2.8.5 Medication must be returned to the parent or guardian of the participant upon conclusion of or participant dismissal from the program.

2.9 Assignment of Program Director

A program director must be appointed for each program for minors, whether the program is sponsored by the university or by a third party.

2.9.1 Program director responsibilities include the following:

- (a) approve staff and counselors for the program, must create job descriptions for each position, and must ensure the staff's performance of the duties and responsibilities within the role and scope of their job description;
- (b) inspect the facilities immediately prior to and after the program session;
- (c) advise participants of appropriate check-in and check-out procedures including charges for damages, lost keys, etc.;

- (d) familiarize participants with university rules, especially those pertaining to fire and emergency evacuation procedures, appropriate conduct, possession of controlled substances and fire arms, and residential living rules;
- (e) maintain discipline of participants;
- (f) coordinate support services with other university constituents such as Residential Life, Dining Services, Facilities Maintenance and others;
- (g) collect and have readily available Medical Release and Consent forms, waivers, emergency contact information, and other pertinent information of each participant;
- (h) ensure retention, confidentiality and security of participants' private records, including personal health information;
- (i) oversee distribution and security of medications held and administered for program participants;
- (j) provide notification to the Texas Department of State Health Services for applicable programs verifying all adult employees/volunteers have received the required Child Protection Training,
- (k) will be responsible for any program associated costs; and
- (l) must follow System Regulation 21.01.02, *Receipt, Custody, and Deposit of Revenues*, when collecting participant fees.

2.10 Insurance

Programs for minors are required to purchase general liability and accident medical coverage through the System Risk Management insurance program by submitting a [Special Event Application](#) (See Appendix) during the program's application process. For third party programs, RMS will validate the insurance provided by third party programs is equivalent in limits and coverage to the program provided by System Risk Management.

3. BACKGROUND SCREENING

- 3.1 Annually, both a criminal conviction **and** sex offender background check will be conducted on all individuals involved with a program for minors. The check must utilize a criminal history database and sex offender registration database (such as the TXDPS-Sex Offender Registry) for each adult and volunteer's permanent address. Documentation that a search was conducted must be maintained for a period of two years.

- 3.1.1 Dedicated program directors are responsible for ensuring a background screening is done on each program employee or volunteer prior to the start of employment or volunteer involvement.
- 3.1.2 Contracts with Third Party programs for minors shall include, as a provision of the contract, the requirement that individuals involved with the program will have an annual criminal conviction **and** sex offender background check. The Third Party Program Director and program sponsor are responsible for the completion and review of the background screening prior to the start of the program.
- 3.2 The dedicated program director and/or program sponsor shall submit a completed [Camp Staff / Volunteer Background Screening Form](#) (See Appendix) to RMS for each individual involved with a program for minors. RMS will review the form and forward it to Employee Services.
- 3.3 The Department of Employee Services has been designated and given authority to review and approve/disapprove employee or volunteer involvement with a program for minors based on the results of the required criminal conviction and sex offender background check. Decisions regarding employee assignments will be in accordance with System Regulation 24.01.06, *Programs for Minors*.

4. CHILD PROTECTION TRAINING

- 4.1 The dedicated program director and/or program sponsor must ensure any individual who will have involvement with a program of minors (i.e., employees, volunteers, and third party employees and volunteers) is required to successfully complete the system-approved Child Protection Training Course every two years with a score of 100%.
 - 4.1.1 Training must be completed prior to the employees' or volunteers' interacting with minors; new employees hired specifically for a position involving minors at programs must complete the training within the employees first five days of employment.
 - 4.1.2 A certificate of completion must be kept on file for two years.
- 4.2 Employees or volunteers of a third-party program may substitute the system-approved training course with an approved course with the Texas Department of State Health Services (DSHS).
- 4.3 Training will **not** be required for system employees or third-party personnel whose positions of employment do not involve contact with minors at program for minors.

4.4 DSHS Child Protection Form

- 4.4.1 The Program Director with a program for minors with over 20 participants and conducted over four days must submit the [DSHS-approved training roster](#) (See Appendix) to DSHS within 5 days after the start of the applicable program. The DSHS training roster must be kept on file for two years. A copy of the training roster must also be submitted to the RMS.

6. REPORTING OF INCIDENTS OR ACCIDENTS

Program sponsors are responsible for submitting an incident report in any case where a participant is involved in a physical altercation, when a participant is injured (whether taken for medical care or not), or where it is necessary to summon police officials. A [Student/Visitor Incident Report](#) (See Appendix) must be submitted to RMS within 24 hours following the incident.

7. LAB SAFETY

Any activity, whether it falls under the definition of a program for minors or not, that includes minors accessing laboratory facilities must follow the requirements detailed in System Regulation *24.01.08, Minors in Labs*.

Related Statutes, Policies, or Requirements

[System Regulation 24.01.06 Programs for Minors](#)

[System Regulation 21.01.02 Receipt, Custody and Deposit of Revenues](#)

[System Regulation 24.01.08 Minors in Labs](#)

[Tex. Edu. Code § 51.976](#)

[Tex. Fam. Code Ch. 261, Subchs. A and B](#)

[Texas Department of State Health Services Approved Training Programs](#)

Appendix

[Program for Minors Application Form](#)

[Programs for Minors Manual](#)

[Third Party Agreement](#)

[Camp Staff / Volunteer Background Screening Form](#)

[DSHS Training Roster Form](#)

[Waiver, Indemnification and Medical Treatment Authorization Form](#)

[Medical Information and Release Form](#)

[Authorization for Dispensing Medication \(DFHS 7238 form\)](#)

[Permission for Self-Medication Form](#)

[Special Event Application](#)

[Student/Visitor Incident Report](#)

Contact Office

Risk Management and Safety
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