

Protection of Minors Participating in Youth Programs Policy

Summary/Purpose: To provide the standard for ensuring a safe and secure environment for minors who participate in programs, events, camps, clinics, workshops, or other activities held at, sponsored by, or affiliated with the University.

I. DEFINITIONS

Authorized Adult

An individual eighteen (18) years or older who has successfully met the Policy's background check and training requirements and may supervise, chaperone, or otherwise oversee Minors in Youth Programs. This may include, but is not limited to, faculty, staff, volunteers, graduate and undergraduate students, interns, employees of temporary employment agencies, and independent contractors/consultants. Roles may include positions as counselors, coaches, instructors, etc.

External Entity

A third-party individual, contractor, consultant, vendor, or other non-University entity or individual.

Minor

Any person under eighteen (18) years of age who is not enrolled in courses at the University. Individuals under 18 who are "dually enrolled" in University academic courses while also enrolled in middle or high school are not considered Minors when they are participating in University academic courses; however, they are considered Minors when they are participating in Youth Programs. Individuals under 18 employed by the University are not Minors. At the discretion of the Program Director and EORC, an 18-year-old participating in a residential Youth Program may be housed with Minors and will be considered a Minor under this Policy.

One-on-One Contact

Interaction during a Youth Program between an individual Minor and a Program Staff member who is not the Minor's parent or guardian in a private, unsupervised area not observable from a common area and without at least one other individual being present.

Program Contact

The University employee employed by the Sponsoring Unit who is responsible for and accountable for compliance with the background check and training requirements and overall administration of a Youth Program, including Youth Programs operated by External Entities.

Program Director

The individual who is on-site and responsible for the day-to-day operations and programming of the activity or program and who oversees Program Staff.

Program Staff

All individuals eighteen (18) years of age or older who participate in conducting a Youth Program, including Support Staff and Authorized Adults. Program Staff may not supervise Minors or account for ratios unless they are also Authorized Adults.

Sponsoring Unit

The academic or administrative unit of the University that offers a Program or partners with an External Entity to offer a Program.

Support Staff

Individuals eighteen (18) years of age or older who participate in conducting a Youth Program without directly interacting with Minors (e.g., providing temporary or clerical support). These individuals are not required to meet the Policy’s background check and training requirements.

Youth Program

Any (1) program, event, activity, or endeavor offered by various academic, athletic, or administrative units of the University, by registered student organizations, or by External Entities using University facilities; (2) designed for and including Minors as participants; and (3) during which parents or guardians are not expected to be responsible for the care, custody, and control of the Minors.

II. APPLICABILITY

This Policy applies to University employees, students, External Entities, and/or volunteers working in or with Youth Programs. Except for the exclusions listed in this Policy, all Youth Programs are within the scope of this Policy. This includes, but is not limited to:

1. Youth Programs operated or sponsored by the University or a University unit that take place on campus or in University facilities.
2. Youth Programs that are under the direction and authority of the University at locations off campus or online, including the University of Mississippi High School.
3. Youth Programs that are operated, conducted, or organized by an External Entity on campus or in University facilities.
4. Youth Programs organized, operated, facilitated, or sponsored by a Registered Student Organization (“RSO”) or any other University-affiliated department or organization.
5. Auditions, lessons, or tutoring sessions that take place on campus or in University facilities when a parent or guardian is not present.

This Policy does not apply to the following:

- Activities where a parent or guardian is reasonably expected to be present at all times.
- Attendance by Minors at events open to the general public and other similar ticketed events (though this exception does not include Minors’ participation in the preparation, rehearsal, or backstage work for plays, concerts, and other such events, which may be considered Youth Programs included within the protections of this Policy).
- Health care clinics or counseling centers engaged in the delivery of services to Minors.

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- Normal operations of licensed childcare facilities housed on campus or under the University's oversight (e.g., Willie Price Lab School). However, separate camps, programs, or activities sponsored by these facilities may be subject to this Policy.
- IRB-approved University research involving Minors as human subjects.
- Campus tours as part of a field trip hosted by a childcare facility, elementary or secondary school, community college, religious organization, troop or club organization (e.g., Girl Scouts or Boy Scouts), or other group where supervision would reasonably be expected to be provided by such group.
- Campus tours conducted by the Office of Admissions. However, individuals performing these tours with Minors must successfully complete the training and background check requirements as if they were subject to this Policy.
- Off-campus clinical, practicum, or student teaching experiences, regardless whether supervised by University faculty or an External Entity.
- Activities, such as regularly scheduled classes or career fairs, designed primarily for degree-seeking students of the University, including those regularly scheduled classes that incidentally include dual-credit students.
- Mass transit provided on the University campus (e.g., Oxford-University Transit).
- National tests administered on campus.
- Live-streamed events or virtual programs that do not engage personally identified participants and are generally open to the public.
- Minors visiting campus on their own.

III. PROCEDURES

A. Registration

Youth Programs must register with the Equal Opportunity and Regulatory Compliance ("EORC") Office and identify both a Program Director and Program Contact at least sixty (60) calendar days before the Youth Program start date. Upon review, EORC will notify the Program Director and Program Contact either that the Program has successfully been registered and may move forward with programming or that additional information must be provided and/or changes made before proceeding. Youth Programs must be re-registered and approved by EORC annually. This provision also applies to External Entities utilizing University facilities to provide Youth Programs. Youth Programs must be fully compliant with the background check and training requirements at least fourteen (14) days before the Youth Program start date to receive final approval by EORC.

Should a Youth Program fail to be registered by the registration deadline, EORC has the authority to require the Program to alter its start date in order to promote a safe learning environment for Program participants.

Should a Youth Program fail to comply with the operational requirements set forth in this Policy, including failing to register the Program, EORC has the authority to deny the Program's request to operate and/or immediately cancel or suspend the Program.

Sanctions for violations of this Policy are discussed further in Section XII(B).

To register a Youth Program, visit eorc.olemiss.edu/minors.

B. Background Checks

All Authorized Adults working in or with Youth Programs are required to undergo and pass a current background check initiated by the University before beginning work with Minors. To be considered “current,” the background check must have occurred within the previous twelve (12) months, though background checks may be conducted more frequently (e.g., semi-annually) at the Program Contact/Director’s discretion. Payment of the background check is the responsibility of the Youth Program and/or the Sponsoring Unit unless otherwise specified.

Results of background checks must be reviewed and approved by EORC prior to working with Minors as an Authorized Adult. If such a background investigation indicates a record of crimes against minors or sexually based offenses, that individual shall not participate in any Youth Program. Other criminal history will not automatically disqualify an individual from working with a Youth Program but will be reviewed by EORC on a case-by-case basis in consultation with the Program Director as needed.

Authorized Adults are under a duty to disclose to EORC any charge or arrest that occurs after a background check is performed within seventy-two (72) hours of its occurrence or immediately if such occurs once the Youth Program has begun. Upon notification, EORC shall contact the Program Director and Program Contact to restrict the individual from further participation in the Youth Program until/unless approval is granted by EORC.

C. Training

The Program Contact shall be responsible for ensuring that all Authorized Adults working in a Youth Program have successfully completed training on the protection of minors in a manner conducted by EORC prior to the commencement of their interaction with Minors. Training must be renewed annually by all Authorized Adults. Such training shall include information about responsibilities to safeguard minors, applicable policies and procedures, and reporting requirements.

D. External Entities

External Entities must establish a contractual relationship with the University for the use of facilities and/or resources and agree to abide by all University policies including this Policy. Any External Entity shall provide proof of compliance to the University and EORC upon request.

IV. REPORTING

A. Imminent Danger

If you suspect imminent danger to a Minor, immediately contact the University Police Department (662-915-4911) or other appropriate law enforcement agencies before following all applicable requirements set forth below.

B. Abuse & Neglect

Any person having reasonable cause to suspect that a Minor is neglected or abused shall report such to the Mississippi Department of Child Protection Services. This can be done online at reportabuse.mdcp.ms.gov or by calling the MDCPS hotline (1-800-222-8000). *See* Miss. Code Ann. § 43-21-353. For statutory definitions of “neglected” and “abused” children, see below.

A “neglected child,” pursuant to Miss. Code Ann. § 43-21-105(1), is a child:

- i. Whose parent, guardian or custodian or any person responsible for his care or support, neglects or refuses, when able so to do, to provide for him proper and necessary care or support, or education as required by law, or medical, surgical, or other care necessary for his well-being; however, a parent who withholds medical treatment from any child who in good faith is under treatment by spiritual means alone through prayer in accordance with the tenets and practices of a recognized church or religious denomination by a duly accredited practitioner thereof shall not, for that reason alone, be considered to be neglectful under any provision of this chapter; or
- ii. Who is otherwise without proper care, custody, supervision or support; or
- iii. Who, for any reason, lacks the special care made necessary for him by reason of his mental condition, whether the mental condition is having mental illness or having an intellectual disability; or
- iv. Who, for any reason, lacks the care necessary for his health, morals or well-being.

An “abused child” is a child whose parent, guardian or custodian or any person responsible for his care or support, whether legally obligated to do so or not, has caused or allowed to be caused upon the child sexual abuse, sexual exploitation, emotional abuse, mental injury, nonaccidental physical injury or other maltreatment. However, physical discipline, including spanking, performed on a child by a parent, guardian or custodian in a reasonable manner shall not be deemed abuse under this section. Miss. Code Ann. § 43-21-105(m).

In deciding whether or not to report an incident or situation of suspected abuse or neglect, it is not required to have proof that abuse or neglect has occurred. Any uncertainty in deciding to report suspected abuse or neglect shall be resolved in favor of making a good faith report as outlined above.

C. Institutional Reporting Requirements

1. In addition to the requirements set forth above, the University requires Program Staff members who have reasonable cause to suspect that a Minor has been injured, harmed, abused, or neglected to immediately report the matter to EORC (662-915-7735 or youthprotection@olemiss.edu). Additionally, Program Staff are required to report to EORC if they have reasonable cause to suspect that a Minor has caused injury, harm, abuse, or neglect to any individual while participating in a Youth Program.
2. Youth Programs are also subject to the reporting requirements of Title IX. Therefore, any report involving sexual assault, sexual misconduct, sexual harassment, stalking, fondling, or dating violence shall be reported to the Title IX Coordinator or designee (662-915-7045 or titleix@olemiss.edu).
3. If a Youth Program becomes aware of a criminal allegation made against an Authorized Adult, the Program shall immediately report such to the University Police Department (662-915-4911) and EORC (662-915-7735 or youthprotection@olemiss.edu) and restrict the individual from further participation in the Program until/unless approval of further participation is granted by EORC.
4. If any person witnesses or suspects a violation of any section of this Policy, including, but not limited to, the rule against One-on-One Contact, or anything that gives rise to the concern for the health or safety of a Minor, that person shall notify EORC (662-915-7735 or youthprotection@olemiss.edu).
5. Program Staff must abide by other University policies in addition to the Protection of Minors Policy. If a person witnesses or suspects a violation of any other University policy, that person shall notify EORC (662-915-7735 or youthprotection@olemiss.edu) and any department/agency required to notify under the applicable policy.

V. SUPERVISION OF MINORS

A. Supervision

Youth Programs must make every effort to ensure all the Program's activities are adequately supervised. Some of the factors to be considered in determining requirements for supervision are the number and age of Minors involved in the Program, the activities involved, the type of housing (if applicable), and the age and experience of the Authorized Adults. The Program Director shall assign an Authorized Adult to be on-call and accessible at all times and provide parents and legal guardians with that designee's contact information.

Remember: an appointment as Program Staff is not equivalent to an appointment as an Authorized Adult. Program Staff may not supervise Minors unless the Program Staff members are also Authorized Adults.

B. Ratios

At no time shall a group of Minors be left alone or without the appropriate number of Authorized Adults. The following minimum supervision ratios shall be maintained at all times while the participants are in the care, control, or custody of a Youth Program.

- **Day Programs**

- Age 5 – 1 Authorized Adult for every 6 Minors
- Ages 6-8 – 1 Authorized Adult for every 8 Minors
- Ages 9-14 – 1 Authorized Adult for every 10 Minors
- Ages 15-17 – 1 Authorized Adult for every 12 Minors

No Minors under the age of 5 may participate in a Day Program unless accompanied by a parent or guardian.

- **Residential Programs**

- Age 8 – 1 Authorized Adult for every 6 Minors
- Ages 9-14 – 1 Authorized Adult for every 8 Minors
- Ages 15-17 – 1 Authorized Adult for every 10 Minors

No Minors under the age of 8 may participate in a Residential Program.

If participants from multiple age groups are combined in a single group, the ratio from the youngest participant in the group shall be applied to the whole.

If a Youth Program has a residential component, the Program must abide by the Residential Program ratios set forth above at all times, even if not all Minors participate in the residential component.

Additional Authorized Adults should be assigned to ensure One-on-One Contact with Minors does not occur and that appropriate levels of supervision are implemented and maintained.

All Youth Programs shall conform to the above guidelines at all times, including, but not limited to:

- Periods when participants are given “free” or “rest” time.
- Travel to and from meals and activities.
- Overnight when participants are housed in University residence halls or hotels without being accompanied by their parents. There must be sufficient Authorized Adults on each floor to maintain the appropriate ratio for the age of the participants.

Youth Programs can request a limited exception to the direct supervision ratio requirements set forth above if, to further the Program’s purposes, Minors need to be able to independently travel (e.g., to attend class). If the exception is granted, the Authorized Adults must maintain appropriate ratios and remain within such close proximity to the Minors that either party can reach one another within a few minutes. The exception must be granted by the Sponsoring Unit and EORC and clearly communicated to parents/guardians.

C. One-on-One Contact

There shall be no One-on-One Contact between Program Staff and Minors in Youth Programs.

If an activity requires any type of one-on-one interaction (e.g., tutoring, private lessons, interviews), these interactions must take place in a high-traffic location that is in a public space, in a place containing windows with clear visibility into the room, or in a space where the door can be left open. The exception to this is if written approval of such interaction has been obtained by the Minor's parent or legal guardian and the Sponsoring Unit. Such documentation must be on file with and approved by EORC before any One-on-One Contact can occur. In these instances, the parent/guardian must be offered the option to sit/drop in on the lesson at any time.

The best practice of preventing One-on-One Contact and maintaining appropriate ratios is to assign more than the minimum number of Authorized Adults required under this Policy. When transporting Minors in Youth Programs, Program Directors should pay close attention to the ratio of Authorized Adults and Minors as the ratio must be kept in every location throughout the travel (e.g., if transporting Minors off-campus, the ratio must be maintained on-campus, during transit, and at the off-campus site while avoiding One-on-One Contact).

D. Residential Programs / Housing

Youth Programs that include a residential component must adopt and implement policies for proper supervision of Minors in University housing, including policies requiring the following:

- Written permission signed by the parent or legal guardian for the Minor to reside in University housing.
- An age-appropriate curfew for participants, no later than midnight.
- Guests of participants restricted to visitation in the building lobby and only during approved hours specified by the Program.
- Compliance with all security measures and procedures specified by the Department of Student Housing.

Youth Programs must provide overnight supervision for their participants with sufficient Authorized Adults on each floor to maintain appropriate ratios. University Housing staff are responsible solely for building operations, including operation of the front desk, and are not intended to serve as supervision for participants.

Only Authorized Adults within the Youth Program are able to leave the lobby and enter the floors of the residence hall housing Minors unless on a move-in/move-out day during times specified by the Youth Program. Authorized Adults shall not enter participant rooms alone. If it is necessary to enter a room to check on a participant, two Authorized Adults must be present, and the door must remain open. No Minor shall enter an Authorized Adult's room.

Housing staff and external security personnel must have successfully completed a background check and Protection of Minors training to enter the floors of a residence hall housing Minors and must only do so in furtherance of the normal responsibilities of their work.

VI. MEDICAL & EMERGENCY SITUATIONS

A. Emergency Planning

All Youth Programs shall have a plan for responding to emergencies, including medical or conduct concerns, natural disasters, active physical threats, and other significant program disruptions. Emergency plans must be specific to the needs of the participants. Each Program Director shall train Program Staff on these plans and ensure that they understand their response and reporting obligations.

Each Youth Program must develop a plan for communicating these pertinent emergency procedures to the parents/guardians of each participant. Programs must request parent/guardian contact information and keep this information accessible for use in the event of an emergency.

Program Directors must provide a list of all Program participants and a directory of Program Staff (including and denoting Authorized Adults) to EORC prior to the Program's start date. This list shall include a participant's name, room assignment (if applicable), sex, age, and emergency contact information for their parent/guardian. This list must also include contact information for the Program Director. EORC will share this information with UPD to be accessible at any point during the Program.

B. Medical Information

Medical information requirements and medication management procedures must be communicated in writing to the parents/guardians in advance of the Program.

Youth Programs shall require the Minor to provide a medical treatment authorization form. All forms must include the following:

- A statement informing the parent/legal guardian that all medical expenses are the obligation of the participant/participant's family.
- A statement authorizing emergency treatment in case the parent/legal guardian cannot be reached for permission.
- A list of any physical, mental, or medical conditions the Minor may have, including any allergies that could impact their participation in the Program, along with any requests for reasonable accommodations.

C. Medication

Medication shall be administered by a properly licensed healthcare professional or distributed by Program Staff for self-administration by the Minor under the following conditions:

- The Minor's parent or legal guardian must provide written authorization for the administration or self-administration of any medicine.
- The Minor's parent or legal guardian must provide the medicine in its original pharmacy container labeled with the Minor's name, medication name, dosage, and

- timing of consumption. Over-the-counter medications must be provided in their manufacturer's container.
- All medication must be kept in an appropriate and secure location by Program Staff for the duration of the Program with the exception of personal epinephrine ("epi") pens and inhalers which may be carried by the Minor during activities.
 - A record showing the date, time, and signature of the Program Staff member who administered or witnessed each self-administration of medicine must be kept for ninety (90) days.
 - Any medicine the Minor cannot self-administer must be administered by a licensed healthcare professional associated with the campus, or, if no one is available, arrangements must be made with another healthcare professional in advance of the Minor's arrival.
 - When a Minor needs to self-administer their medication, a designated Program Staff member will give that participant's medication, after first asking the Minor to provide their name and date of birth to ensure they give the correct medication to the Minor. At no time will Program Staff handle the medication directly or give any guidance on what medication or dosage to take.

VII. COMMUNICATIONS WITH MINORS

A. Communication

While a Youth Program is being conducted, Authorized Adults may communicate with Minors by phone, text, email, social media, Zoom, or other electronic means only to convey programmatic information and may not have contact with Minors outside of official programmatic activities.

When communicating with Minors in these methods, the Program Director or another Authorized Adult participating in the Program must be included in the communication.

Program Staff should not friend/follow Minor participants on social media and should not allow any Minors within the Program to friend/follow them while the Program is being conducted. Additionally, Program Staff shall not engage in any "cloud-based gaming platforms" with Minor participants during the Program unless such activity is central to the Program and written authorization has been received by the Minors' parents/legal guardians.

These requirements are not meant to prohibit communications between adults and Minors sharing a relationship established outside of and prior to the Program such as a relationship established by blood, marriage, adoption or foster care, or person with whom the Minor resides.

B. Media Releases

Program Staff may photograph, videotape, or digitally record a Minor only (a) for programmatic purposes, including marketing, and (b) with the express written authorization of the Minor's parent or legal guardian using an image release form providing for such consent.

VIII. INTERACTIONS BETWEEN PROGRAM STAFF & PARTICIPANTS

Program Staff are required to conduct themselves in a professional manner and maintain the highest standards of personal behavior. In addition to inappropriate behavior and conduct mentioned in other University policies and discussed in other sections of this Policy, Program Staff participating in a Youth Program shall not:

- Engage in abusive conduct of any kind toward, or in the presence of, a Minor.
- Berate, intimidate, or belittle a Minor.
- Strike, hit, administer corporal punishment to, or touch any Minor in an illegal manner.
- Allow any inappropriate touching, including between participants.
- Engage in rough or sexually provocative games, including horseplay.
- Shower, bathe, or undress with or in the presence of Minors.
- Engage in sexual innuendo or make sexually suggestive comments.
- Make obscene material in any form available to participants or assist them in any way in gaining access to such materials.
- Use language that encourages a Minor to keep secrets from their parent/guardian or from other Program Staff.
- Be under the influence of alcohol or illegal drugs while interacting with any Minor or while on duty with a Youth Program.
- Provide alcohol, cigarettes, or other drugs to a Minor or provide any medication to a Minor unless specifically authorized in writing by the parent/guardian and as outlined in Section VI(C) of this Policy.
- Date or become romantically or sexually involved with a Minor.
- Give personal gifts to a Minor.

Note: this list merely provides examples of inappropriate behavior and is not intended to be exhaustive.

IX. ACCOMMODATING SPECIAL NEEDS

The Americans with Disabilities Act (“ADA”) requires that Programs provide reasonable modifications of their policies, practices, and procedures when necessary to enable participants and Program Staff with disabilities to participate fully, unless the Program can demonstrate that the necessary modifications would fundamentally alter the nature of the services and activities offered by the Program. Reasonable accommodations could include, but are not limited to, ground floor housing assignments for individuals with mobility impairments, sign language interpreters for the deaf and hard of hearing, special meals for individuals with food allergies, or more frequent breaks for individuals with physical disabilities. The necessary arrangements must be determined on a case-by-case basis by EORC through collaborative communication with the staff member or participant’s parent/guardian (as applicable), the Program Director, medical professionals, Student Disability Services (as applicable), and other campus partners. EORC will confirm reasonable accommodations and communicate such to all necessary parties, including the applicable Program Director and Program Contact.

Accommodations can be requested by contacting EORC at youthprotection@olemiss.edu.

X. TRANSPORTATION

No adult shall be alone with a Minor inside a vehicle at any time during a Youth Program. The ratios detailed in Section V(B) and the rule against One-on-One Contact apply during transportation.

Minors are not allowed to use rides arranged via ride-share services (e.g., Uber or Lyft), even if requested by the parent/legal guardian, while involved in a Youth Program.

Transporting Minors, other than the those under the legal care/custody of the driver, to or from their homes is not allowed, except as specifically authorized in writing by the Minor's parent/guardian and by the Program Director.

XI. MAINTAINING RECORDS

At the conclusion of the event, the Youth Program shall create and maintain the following records:

- Final list of participants.
- Final list of Program Staff, denoting Authorized Adults.
- Copies of all waivers and medical documentation, including medication forms, physician's instructions, or medical clearance forms.
- Records of any incidents, injuries, or accidents that may have occurred during the activity or program.

Records must be kept with the Sponsoring Unit's recordkeeping unit in accordance with the University's [Record Retention Policy](#).

XII. ACCOUNTABILITY

A. Compliance

Compliance with this Policy is required as a condition of operating Youth Programs at the University. Failure to comply with the requirements of this Policy can result in loss of Program privileges and other sanctions.

EORC will conduct site visits of Youth Programs to ensure compliance with this Policy and to encourage the use of best practices when dealing with Minors. Following the visit, EORC will provide feedback to Youth Programs on areas of recommended improvement, if any. Youth Programs, Sponsoring Units, and Program Staff shall cooperate with EORC during these visits.

B. Sanctions

Violations of this Policy by an individual or Youth Program may constitute cause for EORC to conduct an investigation. If sufficient evidence is found to believe this Policy was violated, EORC will make recommendations as appropriate to address the violation. In any case, EORC will review all relevant evidence and make recommendations, taking into account the circumstances and nature of the alleged violation. EORC will work with relevant on-campus offices, including the Program

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Director of the relevant Youth Program, to determine and implement the appropriate recommendation.

Sanctions recommended against an individual responsible for a policy violation may range from a warning to termination for employees and suspension for students. Sanctions for an individual who is not affiliated with the University beyond the Youth Program may include removal or barring from University property or guidance to the External Entity that the staffer shall not return to the Youth Program at the current time or in future years.

Sanctions may also be recommended against the Youth Program, typically for repeated violations in a program that are not specific to the actions of one individual. Those sanctions may include suspending or delaying the Youth Program or limiting its ability to run on University property.

Notwithstanding any other provision in this Policy, and subject to applicable statutes, regulations, and University policies or procedures, EORC retains the right to take immediate action as necessary to protect Minors and to enforce University policies and procedures and protect University property. This right includes the ability to immediately separate and/or restrict any individual or Youth Program from access or participation in activities on University property, including the ability to shut down an upcoming or active Youth Program.

XIII. INTERPRETATION

Questions related to the daily operational interpretation and application of this Policy should be directed to:

Compliance Specialist, Programs Serving Minors
Office of Equal Opportunity & Regulatory Compliance
youthprotection@olemiss.edu
662-915-7735