



UNIVERSITY SYSTEM OF GEORGIA

Programs Serving Non-Student Minors Roundtable & Training



**Savannah State University
February 25, 2020**

**Chris McGraw
Associate Vice Chancellor of Legal Affairs**

**Wesley Horne
Director of Ethics & Compliance**

Today's Agenda

- 1. Benefits of Youth Programming**
- 2. Legal & Reputational Risks**
- 3. Review USG Policy Requirements**
- 4. Revisions to the USG Implementing Procedures**
- 5. Q & A**

Benefits of Campus Youth Programming



Boy Scouts files for bankruptcy amid deluge of child sex abuse cases

Boy Scouts of America filed for bankruptcy after a flood of sex abuse cases, reports of declining membership, & legal battles with insurance companies.

ALEXIS ARNOLD, USA TODAY



ASSOCIATED PRESS

USA
TODAY

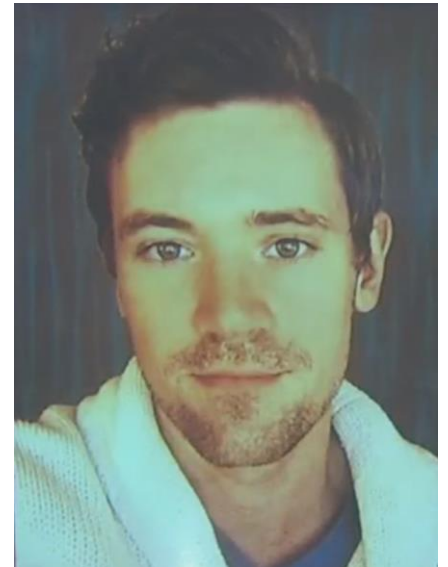
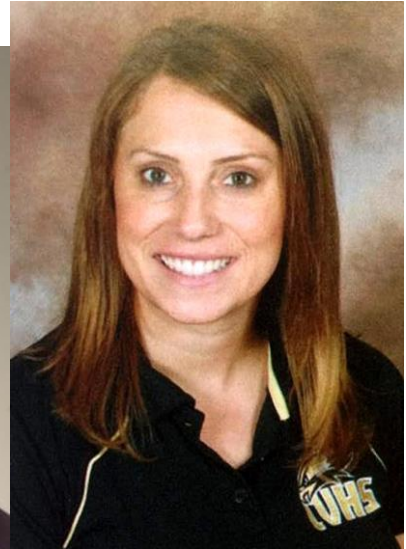
Behold, the Decade of Monsters and Men

In the 2010s, horrors of higher ed came slowly into focus

By Jack Stripling | DECEMBER 19, 2019 ✓ PREMIUM



Who Are the Molesters?



Significance of the Problem

Who are the victims?

- 60 million Sexual Abuse Survivors in the US,
- 1 out of 7 girls; 1 out of 25 boys molested before age 18,
- 90% are molested by someone they know,
- Only 38% of victims disclose sexual abuse,

Who are the offenders?

- Pedophiles and situational offenders,
- 40% of victims are Peer-to-Peer abuse (older more powerful child),
- Average male molester who targets boys:
 - Begins molesting at age 13 – 14
 - 150 victims prior to criminal prosecution
 - Average age of prosecution is 35

**** Less than 10% of abusers will ever be convicted**

Warning Signs & Grooming Behaviors

Two Types of Grooming

1. Grooming the Gate Keeper,
2. Grooming the victim,

Child Most At Risk

- Family instability
- Interested in pornography and sex
- Interested in alcohol or drugs
- Unconnected
- Emotionally needy

Warning Signs:

- Special attention
- Isolating the child from others
- Wrestling / horseplay
- Giving gifts
- “Playful” touches
- Filling unmet needs

Where We Were, Where We Are, & Where We Are Going

2015 Athletics Audit

- Lack of Facility Use Agreements,
- Lack of consistency in background checks and training.

August 2016 BOR Policy 6.9 Programs Serving Minors

- Requires appropriate screening and training for employees and volunteers who are reasonably anticipated to have direct contact with non-student minors

January 1, 2017 - Institutional Procedures In Place

May 1, 2017 – Policies Effective Date

2018 - 2019 System Wide Background Check Audit

- 17 of 26 institutions did not complete background checks on certain employees (5,786 of 23,851 – 24.3%),
- 11 of 26 institutions failed to require background checks for 3rd parties hosting programs serving non-student minors (140 of 434 tested – 32.3%),
- Recommendation to complete a Self-Assessment for USG Insts.

Self-Assessment Process (Improvements Needed)

1. Policy Champion at Each Institution,
2. Accessibility of Youth Programming Policy,
3. Ensuring Training Covers Required Topics
 - Mandatory Reporting - Responsibilities & Expectations
 - Safety & Security Procedures - Staff Code of Conduct
4. Ensuring New & Existing Programs Are Reviewed and Approved
 - Unique risks of the camp were addressed
 - Pre-camp training of staff and volunteers
 - Orientation with youth participants upon arrival
 - Review of medication forms
5. Qualifications of Camp Director / Personnel,
6. Facility Use Agreements.

Updates to the Implementing Procedures

Implementing Procedures

In accordance with [Board of Regents Policy 6.9 Programs Serving Minors](#), each institution is required to establish procedures to implement the requirements of this policy. The following threshold requirements should be included in each institution's procedures:

A. Institutional Programming:

1. **Code of Conduct:** Each institution must maintain a Code of Conduct for program staff and volunteers that addresses appropriate behavior and prohibited conduct when interacting with minors. This code should include the general prohibition against being alone with minors.
2. **Program Registration:** Each institution must maintain a registry of authorized programs.
3. **Program Requirements:** Prior to being authorized, program sponsors must have properly considered the following:
 - Qualifications of personnel leading and supervising the program,
 - Screening and background checks of staff and volunteers,
 - Pre-camp training of staff and volunteers,
 - Supervision ratios,
 - Safety and security planning,
 - Response protocols for injury, illness, participant misconduct, and staff misconduct,
 - Orientation / instructions for youth participants to include conduct expectations,
 - Transportation needs, if any,
 - Housing needs, if any,
 - Participation requirement forms,
 - Risks associated with that program's activities to include special events, trips and water safety, and
 - Licensing requirements of state and federal agencies.
4. **Training:** Each institution should maintain a training program that addresses mandatory reporting requirements, responsibilities and expectations, relevant institutional policies, safety and security procedures, and Staff Code of Conduct.
5. **Screening & Background Investigations:** Institutions should conduct background investigations and appropriate screening of all staff and volunteers working in programs for non-student minors in accordance with the USG Human Resources Administrative Practice Manual. Personnel in charge of screening volunteers should be aware of the inherent limitations of background checks and should seek to utilize other screening methods, when possible, to include in-person interviews and reference checks.

B. Third-Party Programming – Facility Use Agreements:

Institutions licensing, leasing, or allowing the use of institutional facilities by non-USG entities for programs serving non-student minors must include language in a binding written agreement requiring the non-USG entity to comply with institutional policies on youth safety, background checks, training and minimum insurance requirements. In accordance with [Board of Regents Policy 6.14.2](#), the form used for such agreements must be USG-approved.

Code of Conduct

1. Code of Conduct: Each institution must maintain a Code of Conduct for program staff and volunteers that addresses appropriate behavior and prohibited conduct when interacting with minors. This code should include the general prohibition against being alone with minors.

STAFF & VOLUNTEER CODE OF CONDUCT

The University System of Georgia (USG) is committed to the safety and well-being of minors. Authorized staff and volunteers should be positive role models and treat others with respect, courtesy and dignity. Authorized staff and volunteers must abide by all USG policies and state and federal law.

As an authorized staff or volunteer working in programs for minors, I hereby agree as follows:

- I will maintain appropriate physical boundaries at all times.
- I will immediately report any reasonable suspicion or knowledge of abuse of a minor to the institution police department and the appropriate supervisor or program director who can take immediate action.
- I will not touch or speak to a minor in a sexual or other inappropriate manner.
- If one-on-one interaction is required it will take place in an open, well-illuminated space where I am observable by other volunteers or program staff.
- I will not meet with minors outside of established program locations or outside of established times.
- I will not invite minors to my home or other private location or accept their invitations for the same.
- I will not make sexual comments, tell sexual jokes or allow minors to access sexually explicit materials.
- I will not engage or allow minors to engage me in romantic or sexual conversations.
- I will not engage in private communications with minors to include communications via text messaging, e-mail, phone, internet chat, on-line games or other forms of social media.
- I will not accept or give gifts to minors without the knowledge of their parents or guardians.
- I will not inflict any physical or emotional abuse on minors to include, but not limited to striking, humiliating, ridiculing, or degrading minors.
- I will not use, possess or be under the influence of alcohol or illegal drugs at any time while working with minors.
- I will not provide or knowingly allow minors to possess or consume alcohol, tobacco, or illegal drugs.
- I will not use profanity, vulgarity, or harassing language in the presence of minors at any time.
- I will not provide transportation to minors unless doing so is an acknowledged component of the program. When transporting minors, more than one volunteer or program staff must be present in the vehicle, except when multiple children/teens will be in the vehicle at all times through the transportation.

Program Registration

2. **Program Registration:** Each institution must maintain a registry of authorized programs.
3. **Program Requirements:** Prior to being authorized, program **sponsors** must have properly considered the following:
 - **Qualifications of personnel leading and supervising the program,**
 - Screening and background checks of staff and volunteers,
 - **Pre-camp training of staff and volunteers,**
 - Supervision ratios,
 - Safety and security planning,
 - Response protocols for injury, illness, participant misconduct, and staff misconduct,
 - **Orientation / instructions for youth participants to include conduct expectations,**
 - Transportation needs, if any,
 - Housing needs, if any,
 - Participation requirement forms,
 - **Risks associated with that program's activities to include special events, trips and water safety, and**
 - Licensing requirements of state and federal agencies.

Training

4. Training: Each institution should maintain a training program that addresses mandatory reporting requirements, responsibilities and expectations, relevant institutional policies, safety and security procedures, and Staff Code of Conduct.

Screening & Background Investigations

- 5. Screening & Background Investigations:** Institutions should conduct background investigations and appropriate screening of all staff and volunteers working in programs for non-student minors in accordance with the USG Human Resources Administrative Practice Manual. Personnel in charge of screening volunteers should be aware of the inherent limitations of background checks and should seek to utilize other screening methods, when possible, to include in-person interviews and reference checks.

Third Party Programming

Third-Party Programming – Facility Use Agreements:

Institutions licensing, leasing, or allowing the use of institutional facilities by non-USG entities for programs serving non-student minors must include language in a binding written agreement requiring the non-USG entity to comply with institutional policies on **youth safety**, background checks, training and minimum insurance requirements. In accordance with [Board of Regents Policy 6.14.2](#), the form used for such agreements must be USG-approved.

EXHIBIT B

Programs Serving Minors

(These are representative provisions; each institution must develop its own Programs Serving Minors procedures)

1. Institutional Policy. If Permit Holder operates a program or activity that provides for the care, custody, or control of minors, Permit Holder shall be governed by and comply with all requirements of the Institution's policy on programs serving minors. Such requirements include but are not necessarily limited to those listed below.
2. Duty of Care. Permit Holder shall operate such program/activity in a reasonably safe manner.
3. Forms. Permit Holder shall use all appropriate forms related the operation of the program / activity, which may include but are not necessarily limited to parental consent forms, participant conduct agreement forms, medical information and release forms, medical authorization treatment forms, medical authorization to administer medication forms, media release, pickup authorization forms and others.
4. Criminal Background Checks. Permit Holder shall properly screen and conduct criminal history background checks, including the National Sex Offender Registry, on all employees, volunteers, counselors, chaperones and others who are reasonably anticipated to have direct contact or interaction minor program participants. Personnel in charge of screening volunteers should be aware of the inherent limitations of background checks and should seek to utilize other screening methods, when possible, in addition to background checks to include in-person interviews and reference checks.
5. Supervision. Every minor participant must be properly supervised at all times in the immediate presence of at least one authorized adult while participating in the program/activity. Permit Holder certifies that there will be appropriate supervision and that there will be an appropriate participant-to-supervisor ratio, which may vary depending on the age of the participants, the nature of the activity, and whether the program has an overnight component.
6. Training. Permit Holder shall provide training to all employees, volunteers and others assisting with the program/ activity that addresses mandatory reporting requirements, appropriate contact with minors, safety and security procedures, and response protocols for injury or illness, and staff or participant misconduct.
7. Safety and Security. Permit Holder agrees to ensure the safety and protection of program participants and to establish protocols for reporting injuries, staff misconduct, participant misconduct, and procedures for secure pickup and drop-off of program participants. Permit Holder agrees to establish security measures (e.g., where to meet and where to go if lost, responses and protocols for weather alerts, accidents, missing persons, etc.), and to communicate those measures to program participants.
8. Reporting Obligations. Criminal activity should be reported immediately to the Institution's campus police department. Campus law enforcement professionals can assess the situation and determine what other notifications or action is necessary.
9. Known or Suspected Abuse or Neglect of Minors. If Permit Holder and/or any of its employees, volunteers, or other agents or any other authorized adult present at the program/activity know, suspect, or receive information providing reasonable cause to believe that a minor has been abused or neglected, or if Permit Holder or

SAMS Insurance & Camp Accreditation

Sexual Assault & Molestation Insurance (SAMS Insurance)

1. Requires organizations to provide information and meet certain requirements prior to being insured,
2. Requirements are not consistent across all insurance companies.

Accreditation

1. Requires organizations to have policies and processes that address a wide variety of youth programming risks,
2. Can be very limiting, not all organizations will be able to afford a certification process.

EverFi Training

About EverFi Youth Protection Training

- Provides training for those working with minors,
- Establishing Healthy Relationships, Understanding Abuse, Taking Action.

Institutions Using EverFi

- Abraham Baldwin Agricultural College
- Columbus State University
- Fort Valley State University
- Georgia Southern University
- Gordon State College
- University of West Georgia
- Clayton State University
- Dalton State College
- Georgia Tech
- GA Southwestern State U.
- University of Georgia
- Valdosta State University

Updated Training & Platform

Coming later this year.

Account Representative

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? Questions ?