

UNIVERSITY OF HOUSTON SYSTEM
ADMINISTRATIVE MEMORANDUM

SECTION: Student Affairs

NUMBER: 05.C.01

AREA: Campus Programs

SUBJECT: Campus Programs For Minors

1. PURPOSE

[Texas Education Code § 51.976](#) requires individuals who will have contact with minors at certain limited campus programs to receive specific training on preventing sexual abuse and child molestation in order for the campus program to be operated by or on the campus of an institution of higher education. The purpose of this policy is to comply not only with the minimum legal requirements of [Texas Education Code § 51.976](#), but to also ensure all campus programs for minors are conducted in a manner that is as safe as possible.

2. DEFINITIONS

- 2.1 Campus Program for Minors. Any program (including, but not limited to, recreational, athletic, or academic programs) conducted by a component university or on the campus of a component university where any individual in attendance is a minor who is not enrolled as a student at a component university and the program is two or more days in duration.
- 2.2 Coordinator of Campus Programs for Minors – The individual designated by each component university to monitor compliance with this policy (with the exception of Sections 3.5, 3.7, and 5.3).
- 2.3 Minor – Any individual who is under 18 years of age.
- 2.4 Program Operator – The individual who runs, supervises, or operates a specific Campus Program for Minors.
- 2.5 Sexual Abuse and Child Molestation Training – A training and examination program on sexual abuse and child molestation that is approved by the Texas Department of State Health Services (TDSHS). This may include an approved UH System training or a third party's approved training. For a list of training programs that have been approved by TDSHS, see <http://www.dshs.state.tx.us/cpm/training.shtm>.

3. POLICY

- 3.1 Coordinator of Campus Programs for Minors. Each component university shall designate one individual to serve in the role as Coordinator of Campus Programs

for Minors who is responsible for ensuring compliance with this policy (with the exception of Sections 3.5, 3.7, and 5.3).

- 3.2 Written Approval for Programs. Prior to any Campus Program for Minors occurring, the Program Operator must obtain written approval from the Coordinator of Campus Programs for Minors who will ensure all documentation required by this policy is completed prior to the program occurring.
- 3.3 Training Requirement. Prior to working or volunteering at a Campus Program for Minors, each individual shall successfully complete (or provide proof that the individual has successfully completed within the previous two years) Sexual Abuse and Child Molestation Training.
- 3.4 Outside Program Operators. Third parties seeking to conduct a Campus Program for Minors must enter into a contract with the component university before the program occurs and the contract must include the items required by Section 4.2 of this policy.
- 3.5 Component University Departments Which Require Training for Employees. All employees who are employed by, as well as other employees who are assigned to regularly work in, any of the component university departments/areas having the highest likelihood of contact with minors are required to complete Sexual Abuse and Child Molestation Training at least once every two years. The following department/areas have the highest likelihood of contact with minors:
 - a) Athletics - Additionally, all student-athletes are required to complete Sexual Abuse and Child Molestation Training at least once every two years due to their possible involvement with Campus Programs for Minors.
 - b) Student Affairs
 - c) UH Children's Learning Centers
 - d) UH Charter School
 - e) Other areas/departments as determined by the component universityThe Department of Human Resources for each component university (and in the case of student-athletes, the Department of Athletics) shall ensure compliance with this Section 3.5.
- 3.6 Reporting Suspected Abuse. Any individual who suspects that a Minor's physical or mental health or welfare has been adversely affected by abuse or neglect by any person shall immediately make a report as provided by Section 5.3 of this policy.
- 3.7 Background Checks. Any individual who has a conviction for a crime(s) related to abuse, neglect, exploitation, assault, sexual offenses, or any offense involving a

Minor, is prohibited from working at a Campus Program for Minors. Any component university employee who has not submitted to a criminal history record investigation pursuant to [SAM 02.A.37](#), must do so prior to working at a Campus Program for Minors. The component university's human resources director will evaluate any positive criminal history to determine whether the employee is allowed to work at a Campus Program for Minors.

4. PROCEDURE

4.1. Campus Programs for Minors – Conducted by a Component University. The following items must occur prior to any Campus Program for Minors being conducted by a component university:

4.1.1 At least 21 days before the program occurs, the Program Operator will send a spreadsheet to the Coordinator of Campus Programs for Minors that lists the following information for the particular program:

- a) Program name
- b) Type of program
- c) Description of the program
- d) College or department sponsoring the program
- e) Location of the program
- f) Dates of the program
- g) Number of expected participants of the program
- h) Approximate ages of the participants
- i) Full names of all individuals who will be working or volunteering at the program, the title of such individuals, and whether such individuals are employed by a component university.

4.1.2 At least 7 days before the program occurs, the Program Operator will ensure that all individuals listed in Section 4.1.1(i) have completed the Sexual Abuse and Child Molestation Training.

4.1.3 The Coordinator of Campus Programs for Minors will, prior to the program occurring, submit to TDSHS a form for each program that indicates each individual who will be working or volunteering at the program has completed the Sexual Abuse and Child Molestation Training. The information must be submitted on the verification form approved by TDSHS (the current form can be downloaded at <http://www.dshs.state.tx.us/cpm/forms.shtm>). After the information is submitted to TDSHS for a particular program, the Coordinator of Campus Programs for Minors will provide written notice to the Program Operator of approval to conduct the program.

- 4.1.4 The Program Operator must obtain prior written approval from the Coordinator of Campus Programs for Minors to conduct the program.
- 4.2. Campus Programs for Minors – Conducted by a Third Party at a Component University. The following items must occur prior to any Campus Program for Minors being conducted by a third party (any vendor or individual not affiliated with a component university) on the grounds of a component university.
- 4.2.1 The component university must enter into a contract with the third party, which contains, at a minimum, the following terms:
- a) The third party must, within 15 days of the program, submit to TDSHS and the component university, a form indicating each individual who will be working or volunteering at the program has completed the Sexual Abuse and Child Molestation Training. The information must be submitted on the verification form approved by TDSHS (the current form can be downloaded at <http://www.dshs.state.tx.us/cpm/forms.shtm>).
 - b) The third party must certify to the component university that no individual who will be working or volunteering at the program has any felony criminal convictions or any conviction for any crime(s) related to abuse, neglect, exploitation, assault, sexual offense, or any offense involving a Minor.
 - c) The third party must agree to indemnify and hold harmless the component university from any and all liability and claims arising from the program.
 - d) The third party must agree to maintain insurance acceptable to the component university, including listing the component university as an additional insured and providing a certificate of insurance before the program occurs.
- 4.2.2 The college or department that facilitates the contract with the third party shall send copies of the executed contract and the verification form to the Coordinator of Campus Programs for Minors prior to the program occurring.
- 5.3. Reporting Suspected Child Abuse or Neglect. As required by [Texas Family Code Chapter 261](#), any person having cause to believe that a child's physical or mental health or welfare has been adversely affected by abuse or neglect must immediately make a report to:
- a) Any local or state law enforcement agency;
 - b) The Texas Department of Family and Protective Services;

- c) The state agency that operates, licenses, certifies, or registers the facility in which the alleged abuse or neglect occurred; or
- d) The agency designated by the court to be responsible for the protection of children.

5.3.1 Immediate Threat to a Minor. Any employee who suspects that an incident of child abuse or neglect has occurred or is likely to occur as a part of a Campus Program for Minors or within the university environment, shall immediately notify their supervisor, the Program Operator and/or the Coordinator for Campus Programs for Minors, so that any immediate response required to assure the safety of minors can be taken. This obligation is in addition to the duty to report suspected child abuse under Texas law and Section 5.3 of this SAM. Any report made under this Section 5.3.1 should also be reported to the campus police department and General Counsel.

5.3.2 If there is no immediate threat to the health or safety of a Minor and the reporter wishes to remain anonymous, the matter should be reported as soon as practicable via MySafeCampus at <http://www.mysafecampus.com/>. This obligation is in addition to the duty to report suspected child abuse under Texas law and Section 5.3 of this SAM.

5.3.3. If the report made under this Section 5.3 relates to alleged misconduct occurring on a component university's campus, the component university's police department (or local police department in the case of UH-Victoria) shall promptly investigate the matter and/or assist the appropriate agency authorized to investigate the matter.

6. REVIEW AND RESPONSIBILITY

Responsible Party: Vice Chancellor for Student Affairs

Executive Director of Human Resources

Review: Every two years on or before March 1

Interim Due Date for Review: January 15, 2013

7. APPROVAL

Approved: _____
 Executive Director of Human Resources

 Vice Chancellor for Legal Affairs and General Counsel

 Vice Chancellor for Student Affairs

 Executive Vice Chancellor for Administration and Finance

 Chancellor

Date: _____

8. REFERENCES

- [SAM 02.A.37](#) – Security Sensitive Positions
- [Texas Education Code § 51.976](#)
- [Texas Family Code Chapter 261](#)
- My Safe Campus: <http://www.mysafecampus.com/>
- Sexual Abuse and Child Molestation Verification Form:
<http://www.dshs.state.tx.us/cpm/forms.shtm>

REVISION LOG

Revision Number	Approval Date	Description of Changes
Interim	TBD	Initial version