

# BOWIE STATE UNIVERSITY POLICY AND PROCEDURES

## VI-3.00 - POLICY ON MINORS ON CAMPUS

### I. PURPOSE

Bowie State University (BSU) is committed to protecting minors in university related and non-university related activities. The purpose of this policy is to provide guidance for those in the University community who participate in programs or activities that involve minors. This policy also establishes requirements for non-University organizations and entities that operate programs or activities involving minors on campus. This policy will also address work restrictions for paid and unpaid positions filled by minors working with the University.

### II. SCOPE

This policy applies to interactions between minors, University students, faculty, staff, and volunteers in University-sponsored or-affiliated programs or activities both on and off campus, and programs for minors sponsored by non-University organizations that operate in University facilities. University agreements with such organizations and entities shall reflect those requirements. All BSU students, faculty, staff and volunteers are responsible for understanding and complying with this policy. Appendices to this policy set forth specific requirements and procedures.

### III. DEFINITIONS

**A. Abuse or Neglect of Minors** for purposes of this policy means infliction of physical or mental injury, sexual abuse or exploitation, or negligent treatment or maltreatment of a person under age 18. Sexual abuse includes engaging in or attempting to engage in a sexual act or sexual contact with a minor, causing or attempting to cause a minor to engage in sexually explicit conduct, or exposing the minor to sexually explicit conduct. Neglect includes the failure to make reasonable efforts to prevent the infliction of abuse upon a person under age 18. Further guidance on reasonable efforts for prevention of abuse can be found under **Section IV.E Reporting Requirements**.

**B. Authorized Adult** for purposes of this policy means individuals, age 18 and older, paid or unpaid, who interact with, supervise, chaperone, or otherwise oversee minors in program activities, recreational, and/or residential facilities. This includes but is not limited to faculty, staff, volunteers, graduate and undergraduate students, interns, employees of temporary employment agencies, and independent contractors/consultants. The Authorized Adults' roles may include positions as counselors, chaperones, coaches, instructors, etc. Authorized Adults are considered to be mandated reporters as defined by Maryland law. Further guidance on reporting child abuse for BSU employees is provided in University System of Maryland (USM) **IV-1.50 Policy on the Reporting of Suspected Child Abuse & Neglect**, and University Human Resources policy.

- C. Campus** for purposes of this policy means all buildings, facilities, and properties that are owned, operated, managed, or controlled by the University.
- D. Child or Minor** for purposes of this policy means any person under the age of 18. BSU undergraduate students who are under the age of 18 are treated by this Policy similarly to all other students for purposes of their interactions with minors in University-run or -affiliated programs or activities and are subject to the requirements that apply to other students over the age of 18.
- E. Direct Contact** for purposes of this policy means any position with the possibility of care, supervision, guidance, or control of children or routine interaction with children.
- F. Eligible Minors** for purposes of this policy means any person under the age of 18 who is not enrolled in Bowie State University as an undergraduate or graduate student.
- G. Professional Employee** for purposes of this policy means a person employed by the University as a:
1. Faculty member;
  2. Administrator;
  3. Coach; or
  4. Other employee who provides academic support, student service, or institutional support activities, whose duties require either a college degree or comparable experience.
- H. Sponsoring Unit** for purposes of this policy means the academic or administrative unit of the University which offers a program or gives approval for housing or use of facilities for university-run or affiliated programs and activities involving minors.
- I. University Community** for purposes of this policy means BSU faculty, staff and students.
- J. University-run or -affiliated programs and activities** for purposes of this policy means programs or activities that Bowie State University operates or sponsors or in which University students, faculty or staff engage in through their University roles. This term does not include programs or activities in which one may engage that are unrelated to one's status as a member of the University's faculty, staff or student body.
- K. Volunteer** for purposes of this policy means any person who provides services or performs duties for the University without receiving compensation. For more information regarding requirements for volunteers at BSU, please visit <https://www.bowiestate.edu/files/resources/bsu-volunteerism-form.pdf>.

## IV. POLICY

### A. General Guidelines and Responsibilities

When participating in University-run or affiliated programs and activities, students, faculty and staff must:

1. Always be vigilant in protecting the well-being and safety of minors with whom they interact on campus or elsewhere.
2. Review the informational material about the signs of abuse and neglect of minors in Appendix A.
3. Watch for signs of minor abuse or neglect and promptly report suspected instances of abuse or neglect, or violations of this policy or law, as provided in Section IV.E below.
4. Before engaging in any University-run or -affiliated program or activity involving contact with minors: meet the requirements of this Policy relating to training (Section IV.C) and criminal background checks (Section IV.D); meet any additional requirements that relate to the specific program or activity; and determine whether they are a mandated reporter under Maryland law (Section IV.E).

University faculty and others on campus who only interact in classes or other normal academic settings with BSU students under the age of 18 are not obligated to undergo the training or background checks required by this policy. However, anyone covered by this policy who knows or suspects that an student under the age of 18 has been abused or neglected must make a report as required by Section IV.E.

University faculty and others on campus who interact in classes with students enrolled through the dual enrollment program are not obligated to undergo the training or background checks required by this Policy. However, anyone covered by this policy who knows or suspects that a high school student under the age of 18 enrolled in the dual enrollment program has been abused or neglected must make a report as required by Section IV.E.

Non-University organizations and entities that operate programs or activities involving minors on campus must be aware of and comply with this Policy.

To the extent University faculty, staff, volunteers or students are participating in programs or activities run by a non-University organization or entity off campus, they should familiarize themselves with, and follow the policies of the organization relating to interactions with minors and understand their legal obligations with respect to working with minors in the program setting.

Information about the signs of abuse and neglect of minors appears in Appendix A.

## **B. Guidelines for Sponsoring Units Offering Programs for Minors Utilizing University Housing**

A sponsoring unit offering or approving a program that involves minors or provides University housing for minors participating in a program, or a non-University group being sponsored for a program must adhere to the following guidelines and restrictions.

### **1. Emergency Contact and Medical Requirement Guidelines**

- a. The sponsoring unit must establish a procedure for the notification of the minor's parent/legal guardian in case of an emergency or other significant program disruptions. Authorized Adults associated with the program, as well as participants and their parents/legal guardians, must be advised of this procedure in writing prior to the minor's participation in the program.
- b. The sponsoring unit offering residential programs at BSU facilities must provide a list of all program participants and a directory of program staff to the campus unit(s) responsible for policing services. This list shall include:
  - i. The participant's name;
  - ii. The participant's room assignment (if applicable);
  - iii. The participant's gender and age;
  - iv. The participant's address; and
  - v. The participant's parent or legal guardian phone number(s), as well as emergency contact information.
- c. The sponsoring unit must provide a Medical Treatment Authorization form to the campus unit responsible for health services. All forms must include the following:
  - i. A statement informing the parent/legal guardian that the University does (or does not, as applicable) provide medical insurance to cover medical care for the minor.
  - ii. A statement authorizing the release of medical information (HIPAA) and emergency treatment in case the parent/legal guardian/emergency contact cannot be reached for permission.
  - iii. A statement requesting a list of any physical, mental or medical conditions the minor may have, including any allergies that could impact his/her participation in the program.
  - iv. A statement requesting all emergency contact information including name, address and phone number of the emergency contact.
- d. The sponsoring unit must follow guidance from University Henry Wise Wellness Center concerning communicable diseases, use of first aid kits, and epinephrine. This information can be found here:  
<https://www.bowiestate.edu/files/resources/physician-allergy-letter.pdf>.

## 2. Authorized Adults Requirement Guidelines and Exceptions

- a. BSU must ensure adequate supervision of minors while they are on University property. All activities involving minors must be supervised by at least two (2) or more Authorized Adults or by their parent(s) or legal guardian(s) at all times. Factors to consider in determining “adequate supervision” include:
  - i. The number and age of participants;
  - ii. The activity(ies) involved;
  - iii. The type of housing if applicable; and
  - iv. The age and experience of the counselors.
  
- b. There are several exceptions to the Authorized Adults requirement. These include:
  - i. BSU students hosting high school students, including prospective athletes, participating in pre-enrollment visitation, the hosting students are required to be at least 21 years of age, and the requirement for two Authorized Adults may be waived.
  - ii. Licensed psychologists providing psychological and counseling services to minors.
  
- c. BSU must also require the program to provide and supervise trained counselors (also considered to be Authorized Adults) who must be at least 18 years of age. The ratio of counselors to program participants must reflect the gender distribution of the participants, and should meet the following standard:
  - i. Standards for resident camps are:
    - 1) One staff member for every five (5) campers ages four (4) and five (5).
    - 2) One staff member for every six (6) campers ages six (6) to eight (8)
    - 3) One staff member for every eight (8) campers ages nine (9) to fourteen (14).
    - 4) One staff member for every ten (10) campers ages fifteen (15) to seventeen (17).
  
  - ii. Standards for non-residential camps and programs:
    - 1) One staff member for every six (6) participants ages four (4) and five (5).
    - 2) One staff member for every eight (8) participants ages six (6) to eight (8).

- 3) One staff member for every ten (10) participants ages nine (9) to fourteen (14)
- 4) One staff member for every twelve (12) participants ages fifteen (15) to seventeen (17).

### **3. Program Rules and Discipline Measures**

- a. All supervised minor participants in a BSU program or a program taking place on BSU property are permitted in the general use facilities [e.g. athletic fields, public spaces, academic buildings] but may be restricted from certain areas of the facilities [e.g. storage rooms, equipment rooms, athletic training rooms, staff/faculty offices] or from utilizing certain equipment.

BSU will be responsible for ensuring that the sponsoring unit develops and makes available to participants the rules and discipline measures applicable to the program. The following must be included in the sponsoring unit's program rules:

- i. BSU prohibits participants from leaving the University after the program's established curfew. The sponsoring unit will be required to articulate the rules and procedures determining when and under what circumstances participants may leave University property during the program.
  - ii. BSU prohibits participants from possessing or using alcohol and/or other drugs, fireworks, guns and other weapons.
  - iii. BSU prohibits participants from using or promoting violence, including sexual abuse or harassment.
  - iv. BSU prohibits participants from hazing in any form.
  - v. BSU prohibits participants from bullying including verbal, physical, and cyber bullying.
  - vi. BSU prohibits participants from stealing. Theft of property, regardless of owner, will not be tolerated.
  - vii. BSU prohibits participants from smoking in all University buildings. No use of tobacco products will be tolerated.
  - viii. BSU prohibits participants from misusing or damaging University property. Charges will be assessed against those participants who are responsible for damage or misuse of University property.
  - ix. BSU prohibits participants from inappropriately using cameras, imaging, and digital devices, including use of such devices in showers, restrooms, or other areas where privacy is expected by participants.
- b. Program participants and staff must abide by all BSU regulations and may be removed from the program for non-compliance with the rules. Disciplinary measures may vary depending on the severity of the violation. Disciplinary measures may include, but are not limited to:

- i. Suspension from participating in an activity in the program (e.g., requiring a participant athlete to forfeit his/her right to participate in a program competition);
- ii. Expulsion from the program;
- iii. Monetary damages (e.g., for vandalism, theft, etc.); and/or
- iv. Criminal charges.

### **C. Training for Those Participating in Programs and Activities with Minors**

BSU students, faculty and staff who participate in University-sponsored or-affiliated programs or activities involving minors must complete appropriate training. At a minimum, training must include:

1. Basic warning signs of abuse or neglect of minors.
2. Guidelines for protecting minors from emotional and physical abuse and neglect.
3. Requirements and procedures for reporting incidents of suspected abuse or neglect or improper conduct.

Training is provided by the BSU Office of Equity and Compliance. Each applicable worker is required to participate in the training within 10 business days of their employment. Training may be expanded depending upon the program or activity and the person's role in the program or activity.

Non-University organizations and entities that wish to operate programs or activities involving minors on campus must provide documentation to the University indicating that all individuals who will be interacting with minors (and anyone who supervises such individuals) have received training that meets or exceeds the minimum requirements of this section.

### **D. Criminal Background Checks**

All Authorized Adults who have direct contact with minors are required to have a current background check on record with the University coordinated by the Office of Human Resources at the time of hire and/or beginning work with the minors. The three clearances required include:

1. State Police Criminal Background Check
2. Child Abuse History Clearance Form
3. Federal (FBI) Fingerprint Criminal Background Check (Criminal History Report)

A prior conviction shall not automatically disqualify a person from participating in a program or activity. Records of background checks will be maintained separately from an individual's personnel or student file.

Overall guidance for background checks is provided in the USM VII – 1.15 **Policy on Criminal Background Checks for Faculty and Staff Employees**:  
<http://www.usmd.edu/regents/bylaws/SectionVII/VIII115.pdf>.

Non-University organizations and entities that operate programs or activities on campus involving minors are also required to conduct state and federal criminal background checks of their employees, volunteers, and representatives that meet University standards. The University may request any additional information it deems necessary to meet the requirements of this Policy. **Specific requirements and procedures for background checks for camp workers appear in Appendix B.**

## **E. Reporting Requirements**

These procedures are intended to assist in implementing the University System of Maryland’s Policy on the Reporting of Suspected Child Abuse and Neglect (VI-1.50). The USM Policy provides direction and guidance on how Maryland’s mandatory child maltreatment reporting laws apply in the university setting. The USM policy may be found at <http://www.usmd.edu/regents/bylaws/SectionVI/VI150.pdf> or at the end of this document in Appendix D.

### **1. Determining Whether You Need to Make a Report**

Under Maryland law, a reporting individual must report if he/she has “reason to believe that a child has been subjected to abuse or neglect.” In some instances, a reporting individual may witness an incident or receive information that obviously will require a report. In other situations, the need to make a report may not be clear, especially when the information is vague or substantially incomplete. In these unclear cases, the reporting individual should consider the following factors:

- a. Would reporting the information provide Child Protective Services (“CPS”) or the police with enough information to initiate an investigation of the possible incident?

Essential information includes:

- i. Information that is sufficient to identify and contact the victim; and
- ii. Information that is sufficient to allow CPS or the police to determine whether the incident constituted child abuse or neglect under the law, including:
  - 1) Whether the victim was a child (i.e., under age 18) when the incident occurred;
  - 2) Whether the alleged perpetrator was a parent, household or family member, or other person who had care, custody or supervision of the child when the maltreatment occurred; and



- 3) Whether the child was injured, harmed or at substantial risk of harm as a result of the alleged maltreatment.
- b. In the absence of sufficient information, the reporting individual is not required to report the incident. Nevertheless, the reporting individual should consider making a report if he/she genuinely suspect that it was child abuse or neglect, regardless of the information that may not be available. Reporting individuals should note that:
    - i. The decision to make a report is appropriate and protected under the law and the USM Policy, if it is made in good faith; and
    - ii. CPS encourages individuals to report if they have any genuine suspicion that child abuse or neglect may have occurred.

## 2. Making an Initial Oral Report

- a. When making the initial report, the reporting individual should call the CPS Hotline or the police in the locality where the suspected abuse or neglect took place as soon as possible. A link to local CPS Reporting Hotline Numbers appears on the CPS website at: <http://dhr.maryland.gov/child-protective-services/reporting-suspected-child-abuse-or-neglect/local-offices/>

### Local CPS Hotline Numbers

<b>Anne Arundel County</b>	(410) 421-8400	
<b>Baltimore City</b>	(410) 361-2235	
<b>Baltimore County</b>	(410) 853-3000	After hours: (410) 583-9398
<b>Cecil County</b>	(410) 996-0100	After hours: (410) 996-5350
<b>Harford County</b>	(410) 836-4713	After hours: (410) 838-6600 Sheriff's Office
<b>Howard County</b>	(410) 872-4203	After hours: (410) 313-2929 Police Dept.
<b>Montgomery County</b>	(240) 777-4417	
<b>Prince George's Co.</b>	(301) 909-2450	After hours: (301) 699-8605

- b. A reporting individual can report to the police by calling 911.
- c. If a reporting individual is unsure of the location where the suspected maltreatment occurred, he/she should contact the Prince George's County CPS Hotline or the Prince George's County Police Department.
- d. A reporting individual should call 911 immediately if he/she witnesses child abuse or neglect actually taking place.
- e. After making a report to CPS, the reporting individual must also promptly inform the University General Counsel if:
  - i. The reporting individual is a health practitioner, educator, human service worker, police officer, or "professional employee" of BSU and he/she learns of the maltreatment in the course of his/her duties at BSU; or

- ii. The abuse or neglect involves:
  - 1) A BSU employee, contractor, volunteer or student;
  - 2) An incident on BSU property; or
  - 3) An incident that took place in connection with a BSU-sponsored or recognized program or activity.

### **3. Submitting a Follow-Up Written Report**

If a reporting individual is a health practitioner, educator, human service worker, police officer, or BSU professional employee who makes a report in the course of his/her work duties, he/she must follow up his/her oral report with a written report within 48 hours of when he/she suspected the incident of abuse or neglect occurred.

- a. When submitting a follow-up written report, one of the following forms should be used:
  - i. The USM Form "University System of Maryland Report of Suspected Child Abuse or Neglect" for reporting child abuse/neglect., available at <http://www.umaryland.edu/oac/report-a-concern/report-suspected-child-abuse-or-neglect/>.
  - ii. The State of Maryland, Child Protective Services, Report of Suspected Child Abuse/Neglect (DHR Form 180)\ available at <http://www.dhr.state.md.us/blog/wp-content/uploads/2012/10/form180-new.pdf>.
- b. Although only a health practitioner, educator, human service worker, police officer, or BSU professional employee are required to submit a written report, other individuals are encouraged to complete and submit the form if they suspect child abuse or neglect.
- c. This form should be sent to CPS or the police and to the University General Counsel.
- d. Every effort should be made by those making a report to protect the privacy of the child, the child's family, and the information exchanged. Reports should be sent in a sealed envelope marked "confidential."

### **4. Necessary Information**

- a. Reports should include all of the following information, to the extent that it is known by the individual reporting:
  - i. The name, age, address and whereabouts of the child;
  - ii. The name and address of the child's parents or other caregiver(s);
  - iii. The nature and extent of the suspected maltreatment; and
  - iv. Any other information that may help in identifying the abuser or neglecter or determine the cause.

- b. A reporting individual is only required to report information that he/she has witnessed or information disclosed to him/her, or which he/she has learned as part of his/her regular professional responsibilities (e.g., a health care practitioner's review of medical reports or records).
  - i. A reporting individual is not expected or encouraged to interview the child or conduct any independent inquiry into the incident or disclosure that led to the belief that abuse or neglect has occurred. Reporters should not initiate their own investigation of the alleged maltreatment.
  - ii. In some cases, a reporting individual may will not have sufficient information to complete the form. In these cases, he/she should simply report the information available to him/her and leave the other items blank.
- c. While a reporting individual is personally responsible for reporting suspected child maltreatment, duplicative reporting is not required under the law or USM Policy in the following situations:
  - i. If the reporting individual is a BSU employee or student working at a location off-campus (such as a hospital, public health agency, child care institution, juvenile detention center, school, or similar institution), and is acting as a staff member of that facility, he/she is only required to report the suspected maltreatment to CPS and the head of that facility. The reporting individual is not required to report it to the University General Counsel, unless the suspected abuser or neglector is an employee, contractor, or volunteer of BSU.
  - ii. If the reporting individual and another BSU colleague have reason to believe that child abuse or neglect has occurred in the process of work together (e.g., as members of a treatment team, or through an employee/supervisor relationship), both individuals may file a single, joint report.
  - iii. If a disclosure of past abuse or neglect is made in a public group setting (e.g., in class or at a campus event), the individual(s) responsible for convening the group or event is responsible for making the report on behalf of the other attendees.

## **5. Reporting Follow-Up**

Depending upon the specific circumstances of the alleged child maltreatment, the reporting individual may be contacted by CPS, the University General Counsel, or the BSU Police for more information after making a report. It is important to remember that:

- a. Both CPS and BSU will keep the identity of a reporter of suspected child abuse or neglect confidential.

- b. Maryland law and USM Policy offer immunity from reprisal to any member of the campus community for making a good faith report of child maltreatment.

Under state and federal child abuse confidentiality laws, it is possible that a reporting individual will not be informed of the results of the child maltreatment investigation that was initiated in response to your report. If a reporting individual is not contacted by CPS, the General Counsel, or the BSU Police, please do not assume that the concern reported was not investigated or addressed. By following the provisions of the USM Policy and these procedures in good faith, he/she will have met your obligations under the law and the policy to report suspected child maltreatment.

## 6. Special Concerns when Reporting Past Abuse Disclosed by an Adult Victim

Maryland residents are required to follow the state's reporting requirements for suspected child abuse or neglect, even if he/she learned about the maltreatment for the first time from an adult victim who was under the age of 18 when the incident occurred. USM institutions (including BSU) are obligated to follow this requirement. This is set forth in the official Attorney General's Opinion interpreting Maryland's child abuse reporting laws (*see* <http://www.marylandattorneygeneral.gov/Opinions%20Documents/1993/78oag189.pdf>).

- a. Reporting requirements are the same for information about past abuse. According to CPS, these reports are important to "determine whether children in the household or care of the alleged abuser or neglector are currently in need of protection." (Department of Human Resources Circular Letter SSA 95-14).
- b. In many instances of past abuse disclosed by an adult victim, the information disclosed may be incomplete. In such cases, a reporting individual should:
  - i. Use the guidance in **Section IV.E.1** of these procedures to determine whether the information is sufficient to make a report.
  - ii. Remember that, it is not necessary for you to approach or interview the victim to obtain additional information. Simply report the information available to you, especially any information that helps CPS to determine whether children currently are at risk of abuse or neglect.

The report should include:

- 1) The identity and whereabouts, if known, of the alleged abuser or neglector;
- 2) The identity and whereabouts of any children who may currently require protection from the alleged abuser or neglector; and

- 3) Any other information that would help to determine the nature and cause of the suspected maltreatment and the identity of the suspected abuser/neglector.
- c. A reporting individual is required to report the name and contact information available regarding the adult victim. However, if the reporting individual has any reason to be concerned that the adult victim may be distressed or will otherwise experience negative consequences as a result of your report, the reporting individual should make that concern clear when he/she makes his/her report orally and, if required, in writing and consult with the University General Counsel.

While it is not required that you inform the adult victim that you are making a report, you should feel free to do so.

#### **F. Hiring Practices**

The University's hiring practices are in compliance with the State of Maryland Department of Labor, Licensing and Regulation's Guidelines, pursuant to Labor and Employment Article, Section 3-206, Maryland Annotated Code.

1. Sixteen (16) and seventeen (17) year olds cannot exceed the following work hour restrictions:
  - a. That they work no more than twelve (12) hours in a combination of school hours and work hours each day.
  - b. That they have at least eight (8) consecutive hours of non-work, non-school time in each twenty-four (24) hour period.
  - c. That they are not permitted to work more than five (5) consecutive hours without a non-working period of at least thirty (30) minutes.
2. Fourteen (14) and fifteen (15) year olds cannot exceed the following work hour restrictions:
  - a. That they work no more than four (4) hours on any day when school is in session.
  - b. That they work no more than eight (8) hours a day on any day when school is not in session.
  - c. That they work no more than twenty-three (23) hours in any week when school is in session.
  - d. That they work no more than forty (40) hours in any week when school is not in session.
  - e. That they do not work more than five (5) consecutive hours without a non-working period of at least thirty (30) minutes.

**G. Tours Involving Minors**

1. Any tour for a group consisting of or including minors must be approved in advance by the Campus Tour Coordinator in the Office of Admissions. The Office of Admissions will establish procedures for requests for approval. (Approval will not be required for tours of areas normally accessible to the public.)
2. A tour that includes any prohibited area, wet laboratory, or hazardous location may not be conducted for any minor below the age of thirteen (13).

**For more information on campus tours, please visit <https://www.bowiestate.edu/about/visit-us/campus-tours/>.**

**Approved on April 12, 2017**

## **APPENDICES**

- APPENDIX — A**                      SIGNS OF PHYSICAL ABUSE
- APPENDIX — B**                      CRIMINAL BACKGROUND CHECK SPECIFICS
- APPENDIX — C**                      USM VI-1.50 POLICY ON THE REPORTING OF SUSPECTED  
CHILD ABUSE & NEGLECT
- APPENDIX — D**                      RELATED POLICIES AND LAWS