



TEXAS WOMAN'S UNIVERSITY™

Minors on Campus **Frequently Asked Questions**

TWU's minors on campus program sets specific requirements and procedures for Youth Programs in accordance with the TWU [University Regulation and Procedure \(URP\) 04.420: Minors on Campus](#). Please see the [TWU Youth Program Requirements and Procedures](#) for additional information, and contact Risk Management at Risk@TWU.edu with any questions.

Q. What is generally covered by these requirements?

A. “Youth Programs” held on a TWU campus or sponsored/operated by TWU. This includes activities operated by outside organizations utilizing TWU facilities. However, reporting requirements related to abuse or neglect of minors applies to all minors on campus even if not involved in a Youth Program or covered by the requirements of URP 04.420 (e.g. employees and students who are less than 18 years old).

Q. What is definition of “Youth Program”?

A. Any activity/program/camp that has participants who are minors, who are not TWU students or employees, and who are unaccompanied by a parent or guardian. Examples include activities ranging from traditional residential camps and day camps, to music and swim lessons.

Q. What is definition of “minor”?

A. Any person under 18 years of age who has not been married, who has not had the disabilities of minority removed for general purposes.

Q. Do these requirements apply to activities where minors visit campus with their parents?

A. Activities where minors are being supervised by their parent/legal, as well as events that are open to the general public (and where there is no expectation or implication that TWU or others are offering to take “care, custody, or control” of minors at an event on campus) would not fall under these requirements.

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Q. Are Youth Programs required to be registered with TWU?

- A. Yes. Youth Programs must provide documentation to TWU Risk Management with sufficient advance notice to confirm compliance with TWU requirements (minimum of 15 business days prior to the start date). This registration is completed via an online form.

Q. Are Youth Programs required to be registered with the state?

- A. Youth Programs with over 20 participants and lasting four days or more must submit the DSHS Campus Program for Minors training and examination information form ([Publication No. EEH – 28](#)) to TXDSHS within five days of the start of the program. All Designated Individuals must be included on the form, not just paid employees.

Q. Are Youth Programs required to be sponsored by a TWU department?

- A. Yes. Each Youth Program must be sponsored by a TWU department who will designate a “Sponsoring Department Administrator” who is responsible for ensuring that the Youth Program complies with TWU requirements.

Q. Who are “Designated Individuals”?

- A. Any adult involved with a Youth Program who has more than incidental contact with a minor. Designated individuals may include, but are not limited to; TWU faculty, staff, student workers, as well as employees of third party Youth Program Operators, and volunteers of either the university or third party Youth Program Operators.

Excluded from this definition are adult participants in activities involving dual-enrollment students. However, if minors other than dual-enrollment students are present, then all adults with more than incidental contact are again considered to be Designated Individuals. Adults who are supervising or facilitating a Youth Program involving dual-enrollment students are always considered to be Designated Individuals.

Q. What is definition of “adult”?

- A. Adults are generally defined as anyone who is 18 years old or older. This is important as the Youth Programs are required to prevent minors for having more than incidental contact with adults, unless the adults have completed the required training and background checks (and thus are considered to be “Designated Individuals” under the youth protection requirements).

Q. Are there any exceptions to the requirement to keep minors and 18+ year old individuals from having contact?

- A. There are two exceptions to the requirement to prevent more than incidental contact between adults (who are not “Designated Individuals”) and minors.

The first is related to activities involving dual-enrollment students AND other adult students (see the explanation under ‘Who are “Designated Individuals”?’ above).

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The second is related to activities fully supervised by ISD staff. In this case, ISD student participants who are 18+ years old can be treated like the other minor student participants and are not required to complete the training and background checks. Such 18+ year old students would **not** count as Designated Individuals to meet supervisory ratios without meeting the normal training and background check requirements.

Q. What are the background check requirements for Designated Individuals?

- A.** All Designated Individuals are required to complete a criminal background check annually. The TWU requirements include a long list of criminal convictions/deferred adjudications that disqualify an individual from working with or having contact with a child. Background checks under these requirements must meet specific requirements as far as scope (e.g. TWU HR new hire background checks do not meet these requirements).

Q. What are the training requirements for Designated Individuals?

- A.** All Designated Individuals are required to complete a child protection training course within the last two years. The training program must be approved by the Texas Department of State Health Services. TWU had developed an [approved training program that can be found in Bridge](#), but other approved training courses are acceptable. However, if another training course is used, information about TWU requirements must also be provided to Designated Individuals. All Designated Individuals are considered to be [Campus Security Authorities \(CSAs\) under the Clery Act](#). As a result, a brief CSA training is required annually as well.

Q. What are the staffing ratio requirements for Youth Programs?

- A.** The ratio of Designated Individual to minors must meet the following minimums:

For residential/overnight stay programs are:

- One Designated Individual for every 5 minors ages 5 and younger
- One Designated Individual for every 6 minors ages 6 to 8
- One Designated Individual for every 8 minors ages 9 to 14
- One Designated Individual for every 10 minors ages 15 to 17

For non-residential/daytime only programs are:

- One Designated Individual for every 6 minors ages 5 and younger
- One Designated Individual for every 8 minors ages 6 to 8
- One Designated Individual for every 10 minors ages 9 to 14
- One Designated Individual for every 12 minors ages 15 to 17

All programs must have a minimum of at least 2 Designated Individuals. For events involving dual-enrollment students AND adult participants, adequate supervision based on the total number of minor participants must be provided by Designated Individuals. Participation by adults who do not have the required training and background checks does not meet this requirement.

Q. What are the rules related to one-on-one contact with minors?

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A. One-on-one contact with minors is not permitted outside of the presence of others. When there is only one minor present, TWU requires there be a minimum of two Designated Individuals in attendance. With the approval of Risk Management this requirement may be met through video monitoring of 1-on-1 interactions, or other approaches where the second adult has near constant visibility and access.

Q. What about electronic communications with minors?

A. Electronic communication with minors is permitted as long as controls are in place similar to what is required for face-to-face communication. In other words, one-on-one communication with minors is not permitted. Youth Program Operators must implement controls on electronic communications, appropriate for their operations, to prevent such one-on-one communication.

Q. What are the rules regarding drugs and alcohol?

A. Possession of alcohol or illegal drugs or use of alcohol, illegal drugs, tobacco, or e-cigarettes on university owned/leased property, or other Youth Program locations is prohibited. Designated Individuals may not return to the university campus or other Youth Program location intoxicated or under the influence of alcohol or illegal drugs. Designated Individuals must notify the Youth Program Operator immediately if minors are in possession of alcohol/drugs.

Q. Are waivers required for Youth Program participation?

A. Yes. Written consent or authorization from each participating minor's parent or legal guardian and a waiver of liability are required. Additional requirements for intake information that must be collected is described in the TWU Youth Program Requirements and Procedures document.

Q. What are the requirements for managing medication?

A. Youth Program Operators will need to establish procedures related to managing the collection and dispensing of medications. No minor is to self-medicate with limited exceptions for emergency inhalers, epi-pens, and similar emergency medication. An option for short, partial day Youth Programs (e.g. music lessons) is to merely prohibit medications other than the emergency medications mentioned above.

Q. What emergency procedures are required?

A. Youth Program Operators must develop procedures for medical emergencies, severe weather, and fire/building evacuations at a minimum. These plans must include procedures to ensure that all minors and staff are accounted for in the case of an emergency.

Q. What are reporting requirements for suspected abuse or neglect?

A. Anyone with knowledge of suspected child abuse or neglect must immediately report it to the appropriate authorities directly (versus reporting it to their supervisor). Such reports must be made to the Texas Department of Family and Protective Services, TWU Police, or local law enforcement. The requirement is applicable to anyone younger than 18 years old, including TWU employees and students.

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Q. Are events run by school districts exempt?

- A.** No, however, since ISD staff generally receive necessary training and background checks, ISD events may be handled somewhat differently. If ISD staff bring minors to campus as part of normal school activities (e.g. a tour of the library), and minors are exclusively supervised by ISD staff and have no more than incidental contact with TWU faculty/staff/students, then such an event would not have to complete all the steps necessary for other Youth Programs.

Any other event (examples include ISD events with parent/guardian volunteers, events where non-ISD staff have more than incidental contact with minors, etc.) would need to meet all of the Youth Program requirements.

TWU will require ISDs to provide adequate supervision at all times. If this is not the case, the event will also need to meet all of the Youth Program requirements.

Private schools and similar organizations will need to comply with all of the Youth Program requirements as they are generally not required to meet the same standards as ISDs.

Q. What are the insurance requirements for Youth Programs operated by third parties?

- A.** Third-party Youth Program Operators will need to submit certificates of insurance showing insurance meeting TWU requirements for Youth Programs. Below is a brief summary of applicable requirements; please refer to TWU's [Third Party Insurance Standards](#) for additional detail.

1) Commercial General Liability

- a) \$1,000,000 per occurrence/\$2,000,000 aggregate
- b) \$2,000,000 Products/Completed Operations
- c) \$250,000 Damage to Rented Premises
- d) \$1,000,000 Personal and Advertising Injury
- e) \$5,000 Medical Expense (any one person)

2) Commercial Auto Liability

- a) \$1,000,000 each accident for bodily injury and property damage
- b) Must cover all vehicles used for the Youth Program
- c) Must include Personal Injury Protection (PIP)

3) Worker's Compensation

- a) Statutory Limits

4) Employers' Liability

- a) \$1,000,000 each accident
- b) \$1,000,000 each employee
- c) \$1,000,000 policy limit

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5) Sexual Abuse or Molestation Coverage

a) \$1,000,000 limit