

Protection of Minors on Campus Policy

*(Formerly Policy on Children and update to
 accommodate CARC & Summer Camps)*

BOT Approved: September 18, 2018

Update and approval from Board to meet new
 mandates/guidance from insurance provider
 April 21, 2020.

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PURPOSE:

To provide for the protection of and assure the appropriate supervision of minors on campus

POLICY STATEMENT:

- I. Garrett College strives to provide a safe environment in which students, employees and other members of the campus community can pursue their education and work free from the detrimental effects of abuse and molestation. Such actions, in any form, are prohibited and will not be tolerated.
- II. Garrett College encourages safe, supervised campus visitations by minors for the purposes of making decisions about their academic future; attending educational, cultural, or sporting events and camps; and authorized use of facilities such as the library and Community Aquatic and Recreation Complex "CARC".
- III. Garrett College campus grounds and infrastructure are designed to provide an environment conducive to academic and occupational activities performed by students and employees. For reasons that include safety of minors, and assuring professional efficient performance of academic pursuits, operations, and services, the college cannot routinely accommodate unsupervised minors in campus workplaces, classrooms, or any other venue or circumstance on campus.
- IV. Certain exemptions will be made to this policy in accordance with the College's Pregnant and Parenting policy found on the Garrett College Policies and Procedures webpage at <https://www.garrettcollege.edu/policy.php>, which is a requirement of Title IX.

DEFINITIONS:

Caretaking	Caring for and providing for the needs of a minor.
Child(ren)	For purposes of this policy, those under the age of 18 who are dependents of students, faculty or staff.
Child Abuse¹	Physical or mental injury of a minor under circumstances that indicate that the minor's health or welfare is harmed or at substantial risk of being harmed.

¹ Under Maryland law, an act constitutes child abuse, child neglect, or child sexual abuse only if committed by a parent or other person who has permanent or temporary care or custody or responsibility for supervision of a minor, or by any household or family member. An individual who harms a minor may lack this type of relationship with the minor. The harmful conduct may nonetheless be a crime, for example, assault or a sexual offense, and not

Child Neglect²	Failure to give proper care and attention to a minor, including leaving the minor unattended, under circumstances indicating: 1) that the minor's health or welfare is harmed or placed at substantial risk of harm; or 2) mental injury to the minor or a substantial risk of mental injury.
Child Protective Services	Maryland public agency responsible for protecting minors from abuse and neglect. Also known as CPS.
Child Sexual Abuse³	Any act that involves sexual molestation or exploitation of a minor.
Mandated Reporter	Under Maryland law, any adult who has reason to believe a minor may have been subjected to abuse or neglect.
Minors	Individuals under the age of 18.
Minors Enrolled as Students	Properly enrolled students under the age of 18 who have the rights and privileges of any other student in the classroom and on campus grounds.
Parenting	The raising of a child by the child's parents in the reasonably immediate post-partum period.
Supervised	An adult designated as responsible for the child is providing direct on-site care and attention to the child's health, safety, and welfare. An adult responsible for the child who is present but performing work, teaching, or other activities that distracts his/her attention from the child does not meet this criterion.
Unsupervised	The adult responsible for the child is not present or is performing duties that distracts from the adult's attention to the child.

subject to the mandatory reporting law; however such conduct should be reported to the College to evaluate the applicability of State reporting requirements.

² See footnote 1.

³ See footnote 1.

PROCEDURES:

Minors on Campus

General

Parents or guardians are responsible and liable for any and all injuries or damages sustained to or by their child while on the College campus unless caused by the sole negligence of the College, its officers, agents or employees.

Parents and guardians are responsible for ensuring that children behave appropriately while on campus. If, in the view of the faculty or administrator responsible for the class, event, program, etc. a child is disruptive or violates College policy, the parent or guardian must remove the child from the situation.

The College is not responsible for unaccompanied minors who are not participating in a structured program or activity. If a minor on College premises appears to be unaccompanied and in need of supervision (for example if an emergency arises), staff will contact Campus Security who will temporarily supervise the minor and may, in their discretion, contact law enforcement or child protective services.

Minors ages 13 and older may utilize certain facilities on campus, such as the CARC or outdoor play equipment without supervision. Use of outdoor facilities are at their own risk. If these minors behave in a manner that is unsafe or violates College policy, they will be asked to leave.

Individuals under the age of 18 are welcome to visit and tour the campus so long as such visits are compatible with the College's mission. These individuals may enroll full or part time at the College. When they do, FERPA rights shift from the parent to the student, and privacy protections attach to their education records.

Anyone finding an unaccompanied minor on campus grounds should first determine if the parent(s) or guardian(s) are on campus and try to reunite the minor with the parent(s) or guardian(s). If unable to do so, Campus Security should be contacted at 240-321-5799.

Classrooms

Children are allowed in the classroom under the supervision of the parent or guardian in the following limited circumstances:

- Those limited occasions when alternative arrangements are impractical or impossible, such as the illness of a day care provider; AND
- The Faculty member responsible for the classroom has given specific advance approval; OR
- In accordance to the requirements of Title IX as it applies to pregnant and parenting students (*please see the Pregnant and Parent Policy located on Garrett College's Policies and Procedures webpage at: <https://www.garrettcollege.edu/policy.php>*).

This practice should only be utilized sparingly and if there are no other options reasonably available. Alternatives such as the student arranging to record a particular session should be considered. Students requiring longer-term arrangements related to their child-care needs should contact the Director of Equity and Compliance, who, in collaboration with Academics, will discuss and examine available options. Students must avoid bringing children to classrooms on days of examinations and children are not permitted on field trips or retreats.

Circumstances may arise where a faculty member may need to bring their child/children to their office or classroom. In these situations, the faculty member must receive approval from their supervisor and/or the Chief Academic Officer prior to bringing the child/children to campus.

Offices

Children are allowed in offices on campus in the following situations:

- Short, occasional visitations by children who are accompanied by a responsible adult;
- Infrequent exceptions granted by the supervisor due to a temporary, unforeseen emergency and only when the responsible adult is able to be present and attend to the care and welfare of the child.

Children are not allowed in offices on campus in the following situations:

- An alternative to regular childcare provisions, e.g., infant care or childcare during summers or holidays;
- When the child is too ill to be sent to a regular childcare location or school;
- Presence of the child interferes with normal operations.

Supervisors are responsible and accountable for ensuring that campus policy guidelines are met. Should employees require time to resolve their childcare situation, they are required to leave work and use annual leave or sick leave, as applicable.

Areas Totally Off Limits to Minors, Regardless of Supervision

Due to safety and health hazards, and in the interest of an effective learning environment, some areas are totally off limits to minors, regardless of supervision by a responsible adult.

No minors, whether supervised or unsupervised, are permitted on construction sites, in maintenance facilities, in laboratory preparation or storage rooms, or other areas where their presence constitutes a danger to themselves or others.

Protection of Minors

General

The College is committed to providing a safe environment for minors who participate in College programs and activities according to the guidance expressed above. In compliance with COMAR 10.16.06.35⁴, the College endeavors to prevent harm to minors and to take prompt steps to address any harm that may occur. This obligation includes the protection of minors from abuse or neglect, including sexual abuse, and requires prompt and effective response to suspicions of, or observations of abuse or neglect. Reports of abuse or molestation will be handled through the College's Equity Grievance Policy, which handles reports of violations of Title IX (please see the policy that is located on the Garrett College's Policies and Procedures webpage at: <https://www.garrettcollege.edu/policy.php>).

⁴ <http://mdrules.elaws.us/comar/10.16.06.35>

Reporting Child Abuse or Neglect ⁵

All Maryland citizens should report suspected abuse or neglect to the local department of social services or to a local law enforcement agency. Ensuring the safety of Maryland's children is an obligation shared by all citizens and organizations.

If you are a health care practitioner, educator, human service worker or a law enforcement officer, you are required by law to report both orally and in writing any suspected child abuse or neglect.

Any actions observed that are not acceptable behavior according to this policy should be reported immediately to the Coordinator of Safety and Security.

Oral reports should be made immediately. A mandated reporter must also complete a written report within 48 hours of contact which discloses the suspected abuse or neglect.

When making a report of suspected abuse, the report must include at minimum:

- The name and home address of the minor and the parent or other individual responsible for the care of the minor;
- The present location of the minor;
- The age of the minor (or approximate age);
- Names and ages of other minors in the home;
- The nature and extent of injuries or sexual abuse or neglect of the minor;
- Any information relayed by the individual making the report of previous possible physical or sexual abuse or neglect;
- Information available to the individual reporting that might aid in establishing the cause of the injury or neglect;
- The identity of the individual or individuals responsible for abuse or neglect.

The Coordinator of Safety and Security will subsequently report the suspicion to the local department in the jurisdiction where it is

⁵ From the Maryland Department of Human Services <http://dhr.maryland.gov/child-protective-services/reporting-suspected-child-abuse-or-neglect/>

believed the abuse or neglect took or is taking place. The contact number for Garrett County Child Protective Services is 301-533-3005. After business hours, the Garrett County Sheriff's Office should be contacted by calling 301-334-1911.

All reports of suspected child abuse are immune from civil liability unless they are purposefully erroneous or malicious.

Specifics to Camp Operations

To meet licensing requirements, camps operated by the College must have their own child abuse prevention and reporting program. This program (*see Attachment A*) outlines the required training, screening, code of conduct, and reporting for camp staff and volunteers. The camp director maintains a signed copy of the written program and other related documentation.

Background Checks

Criminal history checks can help screen employees and volunteers for their suitability to work with minors. Pre-hire, the College requires criminal background checks for all candidates and volunteers. The College evaluates criminal histories on an individualized basis rather than imposing an automatic disqualification. Some departments and/or positions require screenings that are more extensive and/or fingerprinting. College practices do not replace State of Maryland or other external requirements (*see Human Resources Manual, Part One: Recruitment and Selection, Section II.h. Background Investigations for Current and Prospective Employees*). Employees are also obligated to comply with the College's *Reporting Criminal Activity Policy*, which requires employees to report all criminal charges and traffic violations in which they have been charged, (excluding parking violations) occurring anywhere in the world after October 16, 2018.

Ethical Employee Behavior

While certain regulations pertaining to confidentiality, such as FERPA, require privacy, the College recommends that employees practice behaviors that remove any potential concerns regarding inappropriate behavior when dealing with students, including minors enrolled as students. These ethical behaviors include, but are not limited to refraining from closed-door meetings when applicable, not transporting students or minors in personal

vehicles, and refraining from inviting students or minors to personal homes.

Training

All College employees are required to complete mandatory training at the time of hire on several topics, which include Title IX and the prevention and reporting of sexual misconduct. Annual refresher trainings for all employees will be part of the College's Employee Compliance Training program.

Staff that deals strictly with minors, such as in camp environments, complete a separate training as required to meet licensing requirements by the state.

Attachment A: Protection of Minors on Campus Policy

Garrett College Camps Child Abuse Program

All Garrett College Camps strive to ensure that our camp is a community of safety and care for every person. We ask that you join us in doing what is reasonably within our power to see that all of our campers and staff find among us a safe place where they can be open and trusting. In order to reasonably protect the safety and wellbeing of our children, we ask that you carefully review the following policies, guidelines, and code of conduct regarding abuse. If you have reasonable cause to suspect abuse or life-threatening neglect, you should talk with the appropriate person to see what steps could and should be taken to protect the child and help the family.

CHILD ABUSE POLICIES

No form of child abuse, whether physical, emotional or sexual, will be permitted or tolerated at Camp.

Child abuse is morally and legally wrong. It can come in many forms. Physical abuse can be considered non-accidental injury or pain that is intentionally inflicted upon a child or youth. Emotional abuse can be considered mental or emotional injury to a child or youth that results in an observable and material impairment in the child or youth's growth, development or psychological or emotional functioning. Anything done to inflict pain while disciplining a student can be considered child abuse. The physical size and strength of staff members necessitates that you use discretion and restraint in all physical contact activities with campers.

We cannot be too careful in the area of sexual abuse. Even the appearance of wrong or false allegation can cause irreparable damage to the reputation of the accused staff member, volunteer, and/or the camp. Stating which behaviors are appropriate and inappropriate allows camp staff and volunteers to comfortably show positive affection in ministry, and yet identify individuals who are not maintaining safe boundaries with children or youth.

Child sexual abuse includes, but is not limited to, any contact or interaction between a child and an adult when the child is being used for the sexual stimulation of the adult or third person. Sexual behavior between a child and an adult should be considered forced, whether or not the child has consented. The behavior may or may not involve touching.

Sexual abuse perpetrated by another child or youth is any contact or activity of a sexual

nature that occurs between a child or youth and another child or youth when there is no consent, when consent is not possible, or when one child or youth has power over the other child or youth. This includes any activity that is meant to arouse or gratify the sexual desires of any of the children or youth.

The following Guidelines for Appropriate Affection are based, in large part, on avoiding behaviors known to be used by child abusers to groom children or youth and their parents for future abuse. The following guidelines are to be carefully followed by all camp staff and volunteers, regardless of gender, working around or with children.

Appropriate Forms of Affection

- Brief hugs
- Pats on the shoulder or back
- Handshakes
- “High-fives” and hand slapping
- Verbal praise
- Touching hands, faces, shoulders and arms of children
- Arms around shoulders
- Holding hands while walking with small children
- Kneeling or bending down for hugs with small children
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Inappropriate Forms of Affection

- Inappropriate or lengthy embraces
- Kissing
- Touching bottoms, chests or genital areas
- Showing affection in isolated areas such as bedrooms, closets, staff only areas or other private rooms
- Any form of unwanted contact or affection
- Tickling or full body wrestling
- Comments or compliments (spoken, written, or electronic) that relate to physique or body development
- Snapping bras or giving wedgies or similar touch of underwear whether or not it is covered by other clothing
- Private meals with individual children or youth

CHILD ABUSE REPORTING

Though we have no intention to call our staff or volunteers to suspicion and mistrust, we do recognize the need to call our staff or volunteers beyond the naiveté of unquestioning confidence and into the care and discipline that must characterize our choices where children are concerned.

Reporting abuse can precipitate severe consequences to a family, so it should never be done casually or thoughtlessly, and certainly not for malicious purposes. At the same time, failing to report abuse can have severe consequences to a child at risk. Therefore, if you have reasonable cause to suspect abuse or life-threatening neglect, you should talk with an appropriate person to see what steps could and should be taken to protect the child.

Reasonable cause includes behaviors that are inconsistent with the camp policies, guidelines for appropriate affection, or code of conduct or other inappropriate behaviors.

Procedures for Child Abuse Complaints

1. Any actions you observe that are not acceptable behavior according to the policies, guidelines, code of conduct, or any other inappropriate or suspicious behavior should be reported as soon as possible to a camp director. An incident Report should be filled out as well.
2. The camp director will take appropriate internal and external action.
3. The camp director or his appointee will be the official spokesperson for the camp in any of these matters. All staff members and volunteers must be sensitive to the need for confidentiality in the handling of this information, and therefore, no other staff members or volunteers shall speak to the media, to each other, or to any third party, but only to the camp director regarding issues related to matters of abuse.

In the event that there is an accusation of child abuse, the camp will take prompt and immediate action as follows:

- All allegations will be taken seriously and camp staff will take appropriate action in accordance with state laws, insurance requirements, and based upon advice of legal counsel. This includes full cooperation by camp staff with an investigation with the understanding that failure to do so may be grounds for termination.
- At the first report of probable cause to believe that a child-abuse incident or life-threatening neglect has occurred, the staff member or volunteer receiving the report will notify a camp associate director. The camp director will assist the staff member in filling out an incident report.
- The camp director, along with the head of security, will make a report in accordance with relevant state or local child abuse reporting requirements and will cooperate with any legal authority involved to the fullest extent appropriate.
- In the event the reported incident(s) involves a staff member or volunteer at camp, the camp director will take appropriate remedial action, which can include, but is not limited to, immediate suspension and/or termination. If practical, the parents or legal guardian of the child(ren) involved in the alleged incident, as well as camp staff, will be notified in accordance with the directions of the relevant state or local agency.

CODE OF CONDUCT FOR ABUSE PREVENTION OF CHILDREN AND YOUTH

- Staff member or volunteer agrees that his or her first responsibility is the health, safety and welfare of the campers.
- Staff member or volunteer will not physically, emotionally, or sexually abuse a child or youth.
- Staff member or volunteer will do their best to prevent abuse and life-threatening neglect among children and youth involved in camp activities and services.
- Staff member or volunteer agrees that they have not engaged in or have been accused or convicted of child abuse, a violent crime, indecency with a child, injury to a child, or sexual misconduct of any kind.
- Staff member or volunteer agrees that in the event they observe any inappropriate behaviors or possible policy violations with children or youth, such behaviors or violations will be immediately reported to the camp director.
- Staff member or volunteer is prohibited from using physical punishment in any way for behavior management of children and youth. No form of physical discipline is acceptable. This prohibition includes spanking, slapping, pinching, hitting, or any other physical force. Physical force may only be used to stop a behavior that may cause immediate harm to the individual or to a child, youth or others.
- Staff member or volunteer is prohibited from participating in or allowing others to conduct any hazing activities relating to children's or youth ministry or camp activities.
- Staff member or volunteer agrees to avoid being alone with a child or youth where other adults cannot easily observe them unless it is an emergency or unavoidable circumstance. In the event of an emergency or unavoidable circumstance, staff member or volunteer shall notify a Great Garrett Adventure Camp Permanent Staff member of the situation immediately prior to or directly following the emergency or circumstance.
- Staff member or volunteer agrees that one-to-one conversations with children or youth will be done in an open or public or other place where private conversations are possible but occur in full view of others.
- Staff member or volunteer agrees that when supervising or assisting private activities such as dressing or showering, the staff member or volunteer will remain observable by others or work in pairs.
- Staff member or volunteer will not ask youths to keep any secrets.
- Staff member or volunteer agrees to dress and undress in a modest way in the presence of children or youth.
- Staff member or volunteer will dress conservatively and avoid wearing provocative attire.
- Staff member or volunteer will not engage in inappropriate electronic communication with a child or youth.
- Staff member or volunteer will adhere to the guidelines of appropriate affection as outlined on the preceding page.
- Staff member or volunteer agrees to abide by the established ratios for adults and children, which includes the "Rule of 3" (meaning at least three individuals must be present in private areas—either two campers and one staff member or two staff members and one camper). Compliance with the established ratio is required at all times, including activities that occur off camp premises unless there is an emergency or an unavoidable circumstance. In the

event that an emergency or an unavoidable circumstance occurs, the staff member or volunteer shall notify a Great Garrett Adventure Camp Permanent Staff member of the situation immediately prior to or directly following the emergency or circumstance.

- Staff member or volunteer is prohibited from dating or becoming romantically involved with a child or youth.
- Staff member or volunteer is prohibited from having sexual contact with a child or youth.
- Staff member or volunteer is prohibited from possessing any sexually oriented materials (magazines, cards, videos, films, clothing, etc.) on camp property or in the presence of children or youth except as expressly permitted as part of a pre-authorized educational program.
- Staff member or volunteer is prohibited from discussing their own sexual activities, including dreams and fantasies, or discussing their use of sexually oriented or explicit materials such as pornography, videos or materials on or from the Internet, with children or youth.
- Staff member or volunteer is prohibited from using the Internet to view or download any sexually oriented materials on camp property or in the presence of children or youth.
- Great Garrett Adventure Camp's Code of Conduct and policies extend into cyberspace while in employment or volunteering and apply in all contexts, media and forms of communication. For example, no staff members or volunteers shall engage in private forms of social media communication with campers including, but not limited to, private Facebook messaging, direct messaging on Instagram and Twitter, or any other form of communication on Snapchat or the like.

All employees and volunteers must read and sign this Policy Agreement and Code of Conduct.

By signing my name below, I agree to comply with the above Child Abuse Policies and Code of Conduct. I understand that these may be changed, withdrawn, added to or interpreted at any time at the camp's sole discretion and without prior notice to me.

By signing my name below, I acknowledge my obligation and responsibility to protect children and youth and agree to report known or suspected abuse of children or youth to appropriate camp leaders in accordance with the Child Abuse Policies and Code of Conduct. I also agree that if an investigation of a report is required, I will cooperate fully with camp personnel and/or other authorities and understand that failure to do so may be grounds for termination. I understand that the camp will not tolerate abuse of children and youth and I agree to comply in spirit and in action with this position.

By signing my name below, I have read and understand the Policy Agreement, Code of Conduct, and the above provisions.

Signature

Date

Printed Name