

**CALIFORNIA UNIVERSITY OF
PENNSYLVANIA
PROTECTION OF MINORS ON
CAMPUS POLICY**

**NON-UNIVERSITY SPONSORED
PROGRAM HANDBOOK**

**For All Programs Involving Non-
Matriculated Minors**



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Identification, Selection, and Screening of Authorized Adults or Program Staff

A list of all authorized adults and program staff must be provided to the Program administrator (contact at California University of PA) at least 30 days before the start of the program.

The Non-University Sponsored Program must ensure that all authorized adults and program staff have completed the following:

1. Background Check Requirements – Outlined later in this document
2. Training – Outlined later in this document
 - i. Mandatory Reporter Training
 - ii. Sexual Harassment Training
 - iii. Code of Conduct Training
 - iv. Health Management Training

The Non-University Sponsored Program must certify that the background checks are complete by signing and sending the **Certification Form** and **Facilities Use Agreement** to the Program administrator (contact at California University of PA) at least 30 days before the start of the program.

Background Check Requirements

All employees and volunteers are required to have the following three background clearances:

1. A criminal history record check from the Pa State Police (PSP) or a statement from the PSP that the individual has not been convicted of a reportable offense. The link to obtain this is below. The applicant or organization can input the information to obtain the record check.
<https://epatch.state.pa.us/>
2. Certification from the Department of Human Services as to whether the individual is named in the statewide database as a perpetrator in a pending child abuse investigation or in a founded or indicated report of child abuse within the last five years. (Child Abuse Clearance) The link to obtain this is below. The applicant must enter the information.
<https://www.compass.state.pa.us/cwis/public/home>
3. A federal criminal history record check. The individual must submit a full set of fingerprints to obtain this report. The fingerprints will be submitted to the Federal Bureau of Investigation for the purpose of verifying the identity of the individual and obtaining a current record of any criminal arrests and convictions. The applicant or organization can enter the information. A receipt is then printed out. The applicant must then go to one of the listed sites to get fingerprinted (taking the receipt with them).
<https://www.pa.cogentid.com/index.htm>

The background clearances above are required for the following:

- New Employees – Pre-employment and every 60 months after.
- Employees employed prior to December 31, 2014 – Background checks 60 months old or less (at the end date of the program)
- Volunteers - Prior to approval and start of the program and every 60 months after. The clearances are good for 60 months.

Volunteer Exception for Federal Background Check Only (For Volunteers Only)

- The position is unpaid.
- The volunteer has been a resident of the Commonwealth during the entirety of the previous ten year period.
- The volunteer swears in writing that they are not disqualified from service or has not been convicted of an offense similar in nature to those crimes listed in paragraph IV.B or similar. This can be accomplished by using the **Volunteer-FBI Exemption** form.

NOTE: California University of PA does not review or keep copies of the background checks for Non-University Sponsored University Events. It is the organizations responsibility to store these background checks. The **Certification Form** and **Facilities Use Agreement** is completed by the employer to ensure these background checks are completed at least 30 days before the start of the program.

Reporting of Arrests or Convictions

All employees, volunteers, and program administrators must self-report within 72 hours if they are arrested or convicted of certain reportable offenses outlined in the law. This is accomplished by using form Pennsylvania's State System of Higher Education 72-Hour Self-Reporting of Reportable Offenses available from the Human Resources Office. If the university or program administrator has a reasonable belief that an employee or volunteer has been arrested or convicted of a reportable offense or was named

as perpetrator in a founded or indicated report, or if an employee or volunteer has provided notice of activity that would be sufficient to deny employment or program participation, the university or program administrator must immediately require the employee or volunteer to immediately submit current information as required to secure the three background clearance checks. Any employee or volunteer who fails to comply with this paragraph may be subject to discipline up to and including termination or removal.

Report Suspected Child Abuse

In a situation of suspected child abuse, all State System administrators, faculty, coaches, staff, student workers, independent contractors, and volunteers are mandated reporters under State System Policy. You, as a mandated reporter must immediately contact the Department of Human Services (DHS) by calling 1-800-932-0313 to report suspected child abuse. Immediately following the report to DHS, the mandated reporter must notify the University's Director of Social Equity and the Chief of the University Campus Police Department

Grounds for Denying Employment/Volunteerism

1. No prospective employee or volunteer shall be engaged in services to the Organization when the prospective employee or volunteer is named in the Department of Public Welfare's central register as the perpetrator of a founded report of child abuse committed within the five-year period immediately preceding verification.
2. No prospective employee or volunteer shall be engaged in services for the Organization where the report of criminal history record information indicates the prospective employee or volunteer has been convicted of an offense under one or more of the following provisions of Title 18 of the Pennsylvania Consolidated Statutes or an equivalent crime under Federal law or the law of another state (includes attempt, solicitation or conspiracy to commit):

Chapter 25 (relating to criminal homicide)

Section 2702 (relating to aggravated assault)

Section 2709.1 (relating to stalking)

Section 2901 (relating to kidnapping)

Section 2902 (relating to unlawful restraint)

Section 2910 (relating to luring a child into a motor vehicle or structure)

Section 3121 (relating to rape)

Section 3122.1 (relating to statutory sexual assault)

Section 3123 (relating to involuntary deviate sexual intercourse)

Section 3124.1 (relating to sexual assault)

Section 3124.2 (relating to institutional sexual assault)

Section 3125 (relating to aggravated indecent assault)

Section 3126 (relating to indecent assault)

Section 3127 (relating to indecent exposure)

Section 3129 (relating to sexual intercourse with animal)

Section 4302 (relating to incest)

Section 4303 (relating to concealing death of child)

Section 4304 (relating to endangering welfare of children)

Section 4305 (relating to dealing in infant children)

A felony offense under section 5902(b) (relating to prostitution and related offenses)

Section 5903(c) or (d) (relating to obscene and other sexual materials and performances)

Section 6301(a) (1) (relating to corruption of minors)

Section 6312 (relating to sexual abuse of children)

Section 6318 (relating to unlawful contact with minor)

Section 6319 (relating to solicitation of minors to traffic drugs)

Section 6320 (relating to sexual exploitation of children)

Mandatory Reporter Training

The Non-University Sponsored Program must certify that the authorized adults and program staff have completed the Mandatory Reporter Training (**by reviewing the attachment/handout**) by signing and sending the **Certification Form** and **Facilities Use Agreement** to the Program administrator (contact at California University of PA) at least 30 days before the start of the program. The training can also be found at <http://www.calu.edu/faculty-staff/hr/protection-of-minors/index.htm>.

California University of Pennsylvania Protection of Minors Training

This course covers how to:
recognize child abuse
detect child predators
report suspected abuse

Child Abuse Reporting Law

- The [Pennsylvania Child Protective Services Law](#) requires certain people (called "mandated reporters") to report to the authorities any reasonable suspicion of child abuse:
- involving children they are responsible for, or come into contact with, during work (including while volunteering)
- based on a specific disclosure involving an identifiable child, or by an individual over 13 years of age who committed the abuse.
- Pursuant to Board of Governors policy 2014-01-A: Protection of Minors, all State System employees are designated as mandated reporters. You are mandated to report any time you are on State System property, attending a State System event, or attending an event on behalf of the State System.

Mandated Reporters are?

- Health Practitioners
- Clergy
- Childcare Services Personnel, Adoptive and Foster Parents
- Law Enforcement
- School Employees who work with children
- Individuals who come into contact with children while working under the management or supervision of most mandated reporters
- Attorneys affiliated with entities (including schools and religions) that are responsible for children
- An adult responsible for a child with an intellectual or chronic psychiatric disability in a family living home, community home, or host home for children

Protections & Penalties

- **Protections:**
 - You cannot be successfully sued or prosecuted, as long as the report was made in good faith — even if the agency's investigation does not confirm your suspicions. (Title 23 § [6318](#).)
- **Penalties:**
 - However, if you willfully fail to report child abuse, you may be subject to criminal liability ranging from a misdemeanor to a felony.
- **Liability:**
 - Committing any of these crimes could also expose you to a costly lawsuit.

Long-Term Effects of Abuse

- Abused children may develop anti-social or self-destructive behaviors to cope with their experiences.
- Some act out and become cruel toward others or sexually promiscuous. Others act in by becoming depressed, withdrawn, or suicidal.
- Even momentary abuse can cause permanent damage, including stress-related health problems and an increased risk of:
 - anxiety, fear, panic, and depression
 - hostility, anger, and aggressive behavior
 - difficulty with trust, honesty, intimacy, and forming positive relationships
 - low self-esteem
 - isolation and alienation
 - guilt, shame, and humiliation
 - alcohol and drug abuse
- We can't ignore these long-term consequences. We all must do our part to stop child abuse to create a safe and healthy community.

Recognize Child Abuse

The different types of child abuse:

- sexual abuse
- physical abuse
- neglect
- emotional or mental abuse
- **Note:** Since abused children commonly suffer from more than one type of abuse, you do not have to identify each type to report your reasonable suspicions.

Sexual Abuse

- Sexual abuse occurs when an adult exploits a child (anyone under 18 years old) for sexual gratification — even if no touching is involved.
- Warning signs of sexual abuse could include:
 - unusual sexual knowledge or behavior considering the child's age
 - pregnancy, injuries to a child's private parts, difficulty walking or sitting, or sexually transmitted disease
 - dramatic change in appetite or behavior
 - nightmares or bedwetting
 - running away from home (or attempting to do so)
 - parent extremely jealous, controlling, or secretive
 - an adult possessing child pornography
- Sexual abuse and neglect often occur together — for example, if parents or caregivers fail to protect a child from sexual abuse by someone else.
- Sexual abusers are generally very careful to avoid getting caught in the act, so a child's words or other indirect clues may be all you have.
- If you suspect sexual abuse but are unsure, immediately contact the authorities and let them determine whether a child is a victim of sexual abuse.

Physical Abuse

- The term "physical abuse" refers to acts or omissions that cause, or fail to prevent, a serious physical injury to a child.
- Warning signs include:
 - abnormal injuries for the child's age, maturity level, and physical ability
 - multiple injuries in different stages of healing
 - unexplained broken or fractured bones
 - glove-like or sock-like immersion burns
 - injuries in shapes of objects (belt or whip, iron, cigarette, etc.)
 - restraint injuries (rope burns or similar bruises)
 - withdrawal or extreme fear of parents, adults, or physical contact
 - parent offers implausible or changing explanations for the injury
 - Physical abuse injuries are not always visible. For example, shaking a baby is a form of physical abuse that can result in significant internal injuries.
- **Note:** Although parents are generally permitted to use reasonable, age-appropriate physical force (corporal punishment or spanking) to discipline their children, excessive punishment that causes physical injury is considered abuse.

Neglect

- Neglect is one of the most common categories of child abuse. It occurs when a parent or any other person responsible for a child's care and protection severely or persistently fails to provide for a child's physical, emotional or basic needs.
- **Examples of neglect can include**
 - chronically failing to provide a child's basic needs (e.g., food, clothing, shelter, or personal hygiene)
 - denying or delaying medical treatment
 - exposing a child to hazards, leaving a child unsupervised or with an inappropriate caregiver, or permitting a child to engage in risky, illegal, or harmful behaviors
 - failure to educate a child or to provide psychological or psychiatric treatment
- **Examples of warning signs of neglect include**
 - dangerous or extremely unsanitary living conditions
 - malnutrition (child morbidly underweight/overweight)
 - severe hygiene problems, or filthy or inadequate clothing

Emotional or Mental Abuse

- Emotional or mental abuse involves words, acts, or omissions that have an actual or likely severe negative impact on a child's emotional and behavioral development, including those resulting from persistent or severe emotional mistreatment. For example, it could include:
 - humiliating, belittling, or ridiculing a child
 - intimidating, frightening, or terrorizing a child
 - withholding affection, or refusing to acknowledge or speak to a child
 - exposing a child to domestic violence
 - exposing a child to alcohol or drug abuse
 - encouraging a child's criminal or delinquent behavior
- These are some behaviors that could be warning signs of emotional abuse:
 - extreme lags in a child's development
 - angry, aggressive, or destructive behavior to gain adult attention
 - parent is overly critical, doesn't understand child's basic needs, has unrealistic expectations about a child's development, or blames the child for the parent's problems

Detect Predators

- Most child predators lead a double life: they are careful to present themselves as someone you would never suspect of misconduct. Many are trusted family and friends, respected members of the community, and skillful liars.
- In this section, we'll cover how to:
- recognize predatory behavior
- avoid placing children at risk
- **Note:** *Because 80-95% of predators are male, we will use "he" to refer to all predators. While there are fewer women who commit child sexual abuse, the harm they cause is as severe as that committed by male predators, and they are more difficult to spot.*

Creating an Image

- You cannot identify predators by their age, sex, position, or appearance.
- Predators will do what it takes to make you like them and not consider them a threat. Many are smart, charming, and respected members of the community. If a child discloses abuse or an adult becomes suspicious, most people won't believe them because the predator isn't "that kind of person."
- Instead, you need to be suspicious of certain behaviors that help you identify high risk people and situations.

Grooming Children

- Predators use calculated behavior called "grooming" to win children's affection and manipulate them into having sex. Signs of grooming include:
- preferring children's company over someone their own age
- giving children gifts
- showering children with attention and praise
- roughhousing with, tickling, and touching children
- Often, predators prefer children who are easy targets, such as those who:
- lack confidence or have low self-esteem
- have a reputation for lying or emotional problems
- are needy and don't have a happy home life
- have stressed-out and busy parents
- are easy to manipulate

Grooming Adults

- Predators also groom adults to appear like ordinary nice and helpful people. But predators have a hidden agenda. Gaining the trust of adults gives predators access to children, creating opportunities for abuse.
- These are the primary techniques predators use to groom adults:
- offer unsolicited help and not ask for anything in return — but the price may be unsupervised access to children
- commit boundary violations to test physical and emotional limits on contact and interactions with children
- create a team or insider status to avoid enforcement of boundaries and the usual screening process
- make unsolicited promises (e.g., "they're safe with me, I promise")
- discount or ignore "no," trying to make adults feel wrong or guilty for enforcing boundaries

Digital Predators

- Technology has expanded the predators' ability to groom children without being detected. Predators use computers and cell phones to befriend their victims and lure them into sexual encounters.
- "Sexting" (sending revealing or sexually suggestive photos with a text message) has become more common among high school teens.
- "Sextortion" is another way online predators ensnare their victims. They take over the victims' computers, or hack into their Facebook or other online accounts, to find personal information and incriminating photos. The hackers contact the victims and threaten to publicly post incriminating photos unless the victims pose for increasingly sexual photos via webcam.
- As new media tools are created at a frenetic pace, they increase the risks that young people face in the digital world.

Report Suspected Abuse

The procedures for reporting child abuse, including:

- what is a reasonable suspicion
- how to make a report of child abuse
- what information to report
- how to report child sexual abuse under Title IX

Report Your Reasonable Suspicions

- You must make a report to the authorities when you have a reasonable suspicion that a child may be a victim of abuse.
- If you suspect a child was or is being abused, ask yourself "would a person with average judgment, who saw or heard what I did, suspect child abuse?" If the answer is "yes," you have a reasonable suspicion.
- A reasonable suspicion does not have to be based on your personal knowledge — but it does need to be based on more than a rumor.
- Reasonable suspicion doesn't always mean something bad happened. It only means you suspect that abuse may have occurred or a child is at risk of being abused. It can be based on a single incident, what the child says, or a combination of signs (physical, behavioral, environmental, or parental clues).

How to Report

- Once you have a reasonable suspicion of child abuse, **immediately** make a report to the Pennsylvania Department of Human Services either:
- electronically at www.compass.state.pa.us/cwis/public/home
- 1-800-932-0313
- TDD: 1-866-872-1677 (for the hearing impaired)
- For emergencies or crimes in progress, call 911 or [local law enforcement](#).
- You must follow up within **48 hours** with a written report to the Pennsylvania Department of Human Services. Notify the University or State System individual designated in the University's or State System's local Protection of Minors Policy.
- In lieu of making both an oral and a written report, mandated reporters may submit **one** report online at:
- <https://www.compass.state.pa.us/cwis/public/home>
- A mandated reporter who reports online is not required to follow up with a written report.

- In addition to reporting directly to the government authorities, mandated reporters who are staff members of California University of Pennsylvania must notify the person in charge (or a designated person—Dr. John Burnett) if they suspect child abuse while performing their work. The designated person (Dr. John Burnett) must then facilitate our cooperation with the appropriate government agency.

What to Report

- When you report, provide as much of the following information as you can:
- child and child's parents' or caregivers' name, address, age, and sex
- where the suspected abuse occurred
- nature and extent of the suspected child abuse
- prior abuse to the child or siblings of the child
- suspected perpetrator's name, age, sex, and relationship to the child, and any history of causing prior abuse
- composition of the child's family
- your name, telephone number, and email address
- any actions you've taken on behalf of the child
- any other information that may be relevant
- You must report your reasonable suspicions of abuse even if you don't have all of this information. Just provide all the information you do have available that may help the agency protect the child.

Title IX Prohibits Child Sexual Abuse

- In addition to your duties under the child abuse reporting laws, you're also required to report sexual misconduct to your school under a federal law called Title IX.
- Title IX requires schools to address sexual misconduct — including child abuse — when it limits or denies a student's ability to participate in or benefit from educational programs or activities.
- It doesn't matter whether the sexual misconduct is committed by school employees, other students, or third parties.
- Once the school knows or should have known about the sexual misconduct, it must take prompt and effective steps to stop it, prevent it from happening again, and remedy its effects.

Title IX Reporting Duties

- Title IX requires "responsible employees" to report information regarding alleged sexual misconduct to the school's Title IX coordinator (Dr. John Burnett) or other designated person. All employees are responsible employees.
- Reports must be made to the Title IX coordinator (Dr. John Burnett) **immediately**

CALU's Protection of Minors Policy

- Is located on the Social Equity page of the Calu Website or can be obtained at the Social Equity Office located in South Hall, Room 112. The Social Equity phone number is 724-938-4014.
- <http://www.calu.edu/faculty-staff/files/protection-of-minors-on-campus.pdf>

Congratulations! In this course you've learned how to:

- Recognize the signs and types of child abuse
- Recognize predatory behavior and avoid placing children at risk
- Report your reasonable suspicions of child abuse

- Lets work together to keep children and CALU safe!

Sexual Harassment Training

The Non-University Sponsored Program must certify that the authorized adults and program staff have completed the Sexual Harassment Training (**by reviewing the attachment/handout**) by signing and sending the **Certification Form** and **Facilities Use Agreement** to the Program administrator (contact at California University of PA) at least 30 days before the start of the program. The training can also be found at <http://www.calu.edu/faculty-staff/hr/protection-of-minors/index.htm>.

CALU EEO Laws and Discrimination Prevention,
Preventing Discrimination and Sexual Violence
Title IX and the SaVE Act, ADA,
The Clery Act, Affirmative Action,
Unlawful Harassment Prevention, Title VII-CALU Policy,
and Protection of Minors on Campus

Presented by: Dr. John A. Burnett,
Special Assistant to the President for EEO
Office of Social Equity
South Hall 112
Office Hours: M-F 8 am - 4 pm or by appointment
724-938-4014
www.calu.edu/SocialEquity

Training Disclaimer

This training contains adult situations and language. The content and the delivery of the content is not meant to offend, embarrass or harass and is strictly for training purposes to show what behavior and language is prohibited.

The Office of Social Equity South Hall 112

1. Manage the Affirmative Action Plan
2. Conduct internal investigations concerning discrimination
3. Handle inquiries concerning employment discrimination/issues
4. Conduct training for Faculty, Staff & Students
5. Review, create and update policies and procedures
6. Title IX and ADA enforcement
7. Serve on diversity committees and perform other service activities at the University

The Office of Social Equity's Accommodations

- > We are able to meet with individuals before or after work.
- > We are able to meet in public locations other than our South Hall offices if necessary.
- > An online Complaint Form can be accessed at: www.calu.edu/SEcomplaint
- > The Social Equity policies can be reviewed at: www.calu.edu/SEpolicies
- > Our office can be contacted anonymously through the PASSHE **Navex Global** system at: www.ethicspoint.com
Or call toll free within the United States, Guam, Puerto Rico and Canada: 1-855-298-5316.
EthicsPoint is NOT a 911 or Emergency Service

Affirmative Action

- As an employer that receives more than \$50,000 dollars in federal monies we are required to have an Affirmative Action (AA) Program.
- This program requires that we have recruiting and outreach goals for underrepresented groups (Minorities, Women, Veterans and People with Disabilities). This is in addition to our yearly AA plan which reflects these goals.
- This is required by Executive Order 11246 and is also stated in Title 41, Chapter 60 of the Code of Federal Regulations

ADA Compliance

- Faculty and staff, if you have, or develop a disability whether physical or mental and need accommodation, please contact the Office of Human Resources.
- Service animals are allowed on campus for accommodation purposes, but may be restricted in areas that could be harmful to the animals.
- Student Classroom accommodations will be handled by Robert Mehalik, Director of the Office of Student with Disabilities.

Title IX

Title IX of the Education Amendments of 1972.
Implementing regulations at:

20 U.S.C. 1681 & 34 C.F.R. Part 106

"No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving federal financial assistance."

Title IX Coordinator's Duties

Title IX Coordinator's duties consist of, but not limited to:

- Overseeing the University process and response to Title IX reports and complaints
- Identifying and addressing patterns or systemic problems
- Enforce Title IX policies and procedures for all academic programs
- Perform training to all members of the campus community regarding Title IX
- Providing accommodations for victims of discrimination or sexual assault as required by Title IX

The Clery Act

Named after Jeanne Clery, a 19 year old freshman student who was killed at her campus in 1986. The Clery Act became a law in 1990 requiring universities to maintain records and disclose information about crimes that occur on their campuses.

All crimes committed at Cal U must be reported and if necessary reported to the community in a timely fashion. A crime log of all crimes is kept at the Department of Public Safety and University Police, Pollock Maintenance Building, for review by anyone.

Protection of Minors on Campus

California University of Pennsylvania Protection of Minors policy was approved in December 2015.

Any sexual assault, abuse whether physical/mental, or neglect that could result in the harm of any child (an individual under the age of 18) should be reported immediately to the Department of Public Safety and University Police, Pollock Maintenance Building, 724-938-4299 and to the Director of Social Equity, Dr. John Burnett, 724-938-4014.

When it comes to Discrimination and Sexual Harassment, someone else's perception of an event may differ from our own.



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Harassment vs. Unlawful Harassment

- > Unlawful harassment involves conduct aimed at any legally protected category: Race, Gender, Religion, Color, Nation Origin, Age, Disability and Veteran's status.
- > Some harassing situations may not fall under protected categories, but may still be prohibited under CALU Office of Human Resource policies. Example: *A supervisor who yells at all his or her employees.*
- > Being respectful in the workplace towards co-workers and others is the best way to avoid problematic situations.

**CALU has a zero tolerance for violence
in the workplace or campus.**

Unlawful Harassment is...



- > Unwelcome
- > Offensive both to the recipient and a "reasonable person"
- > Severe or pervasive-meaning more than a one time occurrence. Excluding battery, rape, or physical assault which is always severe and pervasive. Also in cases where there is a pattern of conduct that might seem like a one time occurrence where other victims are not aware of each other.
- > Prohibited under Pennsylvania State and Federal Law
- > Does not refer to occasional compliments of a socially acceptable nature

Sexual Harassment and Discriminatory Behavior

Sexual Harassment and Discriminatory Behavior can include:

- > Inappropriate Touching, Hugging, Patting, Rubbing, Pinching, Getting too close to someone
- > Sexually explicit pictures, cartoons, screensavers, posters, sexual objects/toys, pornographic magazines, and videos that are not related to someone's educational course, study content, syllabus
- > Anything with sexually explicit language (i.e., t-shirts, music) again not related to academic freedom
- > Stalking/Indecent Exposure/Flashing/Domestic Violence & Dating Violence
- > Using racial, ethnic or gender slurs or Sexually explicit profanity

**One's cultural background and upbringing
are not valid defenses to illegal behavior.**



Consensual Relationships

- > All employees should avoid inappropriate romantic or sexual relationships in circumstances in which one of the individuals involved is in a position of direct professional power over the other.
- > Consensual Relationship in the workplace could result in what is called third party sexual harassment where co-workers feel they are treated unfairly based on the actions of a supervisor or someone in authority who is engaging in a relationship with a co-worker.
- > Faculty and students or supervisors and supervisees entering into a relationship where no power differential exists should be aware that power differentials may change, and should avoid situations that may become exploitative.

**There is no such thing as a SECRET OFFICE
or CLASSROOM ROMANCE!**



Retaliation

- Retaliation is taking a negative or punitive action against an individual who files a complaint, complains of discrimination or sexual harassment, or provides information in an investigation concerning discrimination or sexual harassment.
- Retaliatory conduct is a violation of CALU policy and Pennsylvania State and Federal laws.
- No action should be taken against any employee unless it is for a legitimate business reason that is or can be documented.
- Retaliatory acts which result from complaints are often proven more easily than the initial charges.

Retaliatory Acts

Some retaliatory acts may include, but not limited to:

- unwarranted disciplinary action
- a reduction in pay
- denial of merit
- an unfair evaluation rating
- an unfair grade
- frequent and undesirable changes in the location of an office
- a bad work schedule
- a dismissal or transfer
- isolation of an employee
- sabotaging a person's work product
- Intimidation
- threats

Discrimination and Sexual Harassment

- Can happen to anyone regardless of your race, gender, ethnicity, disability, religion, sexual orientation, age, etc.
- If you observe discrimination or sexual harassment occurring to others, don't think it can't happen to you.
- Report all incidents of discrimination and sexual harassment to the **Office of Social Equity** by contacting us at 724-938-4014 or by visiting our office located at South Hall 112.

Penalties of Discrimination and Sexual Harassment for violations of CALU policies



- Discipline, which can result in termination (employees) or expulsion (Students)
- Loss of Time and Money (Legal Fees)
- Embarrassment, ruined career and reputation
- Discrimination and Sexual Harassment complaints can sometimes end up in a court room, in a police officers report, the newspaper, or in an attorney's office.

**The penalties are real,
so please take this seriously!**



Computer Usage

- By using CALU owned computers, you are agreeing to abide by the University's IT Services Security Policy. This policy is available for inspection at the IT Services Center located in the basement of Mandernio Library.
- There is no reasonable expectation of privacy on a CALU owned computer. Please make sure you are using the campus computers for appropriate uses.
- Computers can be checked at anytime for pornography and other inappropriate materials if problems are reported or discovered.
- Types of complaints commonly seen:
 - Hate Mail
 - Pornography
 - Sexually Explicit Jokes or pictures
 - Evidence of Stalking or harassing an Individual



Supervisor's Responsibilities



As per policy, every Supervisor has the responsibility to take reasonable steps that are intended to prevent acts of harassment and discrimination. These steps include:

1. Monitoring the work and school environment for signs that harassment and discrimination that may be occurring.
2. Refraining from participation in, or encouragement of actions that could be perceived as harassment (verbal or otherwise) or discrimination.
3. Reporting and stopping any observed acts that may be considered harassment/discrimination, and taking appropriate steps to intervene, whether or not the involved individuals are within his/her line of supervision.

***Failure to take action may be grounds for disciplinary action.**

The University has the right to take immediate action to minimize or eliminate the work and/or school contact between the two individuals when a situation arises that is openly hostile, retaliatory or presents a situation that could cause bodily harm.

What to do...

- If you feel you may be in harms way by telling someone their conduct is unwelcome, please report the conduct to the Office of Social Equity, the Office of Human Resources, or the Department of Public Safety and University Police – so we and/or other appropriate individuals may intervene on your behalf.
- Anyone who feels that they have been subjected to sexual harassment or discrimination by anyone is encouraged to promptly tell the person that their conduct is unwelcome and ask that they stop the conduct.
- Always report all occurrences no matter how insignificant.
- Any person who receives such a request must immediately stop the behavior or actions and comply with the request.
- Retaliation against the person rejecting the conduct is prohibited under the policies in place.

Complaints Process

- Every person in our campus community has a right to file a complaint regardless of the merits.
- Complaints must be filed within 180 days to be considered timely under CALU policy. However, the University will investigate issues outside of the 180 day timeline.
- All complaints are taken in confidence, but confidentiality cannot be guaranteed throughout the investigative process.
- Most complaint investigations are resolved within 30 days; however, some cases may require additional time.
- All Complainants and Respondents are notified in writing within five working days of the complaint being filed.
- All respondents will have the opportunity to answer to the allegations against them.
- All parties to the complaint will be kept informed during an investigation.
- All parties will be notified in writing of the findings of an investigation.
- If there is any subsequent disciplinary action taken against an employee after an investigation, this is confidential.

Support Person

An individual filing a complaint of alleged discrimination or sexual harassment may select anyone as their support person.

A Respondent also has the right to have a support person.

The Support Person can be a faculty member, co-worker, student, union representative, or any person that would make you more comfortable while making your complaint.

The Support Person will not be permitted to advocate on your behalf or comment.

Other Resources

Office of Human Resources, Dixon Hall 408, 724-938-4427
Eric Guiser, Director

Office of Students with Disabilities, Azorsky Hall 105, 724-938-5721
Robert Mehalik, Director

Dept. of Public Safety & University Police, Pollock Maintenance Building, 724-938-4299
Chief Ed McSheffery

Union Representatives:

AFSCME:	George Josay	724-938-4529
APSCUF:	Dr. Barbara Hess	724-938-5785
OPEIU:	Christine Matty	724-938-4232
SCUPA:	Sheleta Webb	724-938-4021 or 5758
SPFPA:	Officer Merle McGrew	724-938-4884

**Integrity, Civility,
and
Responsibility**



**Let's make CALU
a great place
to work and learn!**

Code of Conduct Training

The Non-University Sponsored Program must certify that the authorized adults and program staff have reviewed the Code of Conduct Training by signing and sending the **Certification Form** and **Facilities Use Agreement** to the Program administrator at least 30 days before the start of the program.

1. Do not engage in any sexual activity, make sexual comments, tell sexual jokes, or share sexually explicit material with minors or assist in any way to provide access to such material to minors.
2. In the case of adults supervising minors overnight, Authorized Adult should not enter a minor's room. Bathroom facility or similar area without another adult in attendance.
3. Separate accommodations for adult and minor are required other than the minor's parents/guardians.
4. Do not engage or allow minors to engage you in romantic or sexual conversations or related matters. Similarly, do not treat minors as confidantes; refrain from sharing sensitive personal information about you. Examples of sensitive personal information that should not be shared with minors are information about financial challenges, workplace challenges, drug or alcohol use, and/or romantic relationships, etc.
5. Do not touch minors in a manner that a reasonable person could interpret as inappropriate. All personal contact should generally only be in the open, and in response to the minor's needs, for a purpose that is consistent with the program's mission and culture, or for a clear educational, developmental, or health-related purpose (e.g., treatment of injury). Any refusal or resistance from the minor should be respected.
6. Do not be alone with a minor. If one-on-one contact is required, meet in an open, well illuminated space or room with windows observable by other Authorized Adults or Program Staff Members, unless the one-on-one contact is expressly authorized and must include more than one Authorized Adult or Program Staff Member.
7. Do not meet with minors outside of the established times for program activities. Any exceptions require written parental authorization and must include more than one Authorized Adult or Program Staff Member.
8. Do not invite individual minors to your home or other private locations. Any exceptions require authorization by the program administrator and written authorization by a parent/guardian.
9. Do not provide gifts to minors or their families independent of items provided by the program.
10. Do not engage or communicate with minors except for an educational or programmatic purpose; the content of the communication must be consistent with the mission of the program and the University.
11. Do not engage in any abusive conduct of any kind toward, or in the presence of, a minor, including, but not limited to, verbal abuse, striking, hitting, punching, poking, spanking, or restraining. If restraint is necessary to protect a minor or other minors from harm, all incidents must be documented and disclosed to the program administrator and the minor's parent/guardian.
12. Do not use, possess, or be under the influence of alcohol or illegal drugs while on duty, or in the presence of minors involved in a program, or when responsible for a minor's welfare.
13. Do not provide alcohol or illegal substances to a minor.
14. Do not provide medication to a minor unless authorized by the program's medication management guidelines.
15. When transporting minors, more than one Authorized Adult or Program Staff Member from the program must be present in the vehicle, except when multiple minors will be in the vehicle at all times through the transportation. Avoid using personal vehicles if possible and comply with the program's transportation guidelines.
16. Any communication with a minor in electronic format (email/text) should be in a group mail/text format or include another program personnel or parent – this avoids any 1-to-1 communication. Personnel and supervisors should monitor the internet use of minors in the program and assure filters or blocked content/security options are on in those program which allow minors to use University PCs or other electronic devices. Personnel should not access any site inappropriate for minor while in supervision or monitoring role.
17. Do not use harassing language that would violate the Board of Governor's Policy 2009-03: Social Equity, or university harassment policies.

Health Management Training

The Non-University Sponsored Program must certify that the authorized adults and program staff have completed the Health Management Training (**by reviewing information below**) by signing and sending the **Certification Form** and **Facilities Use Agreement** to the Program administrator (contact at California University of PA) at least 30 days before the start of the program.

MEDICAL EMERGENCY

1. If serious injury or illness occurs on campus, immediately dial Ext. 4299 or 724-938-4299 to reach the California University Police Department. Give your name, describe the nature and severity of the medical problem, and give the campus location of the victim. Please dial 911 if necessary.
2. In case of minor injury or illness, report to the Wellness Center for evaluation.
3. In case of serious injury or illness, **ONLY** certified or appropriately trained personnel should quickly perform the following steps:
 - a. Keep the victim still and comfortable. **DO NOT MOVE THE VICTIM.**
 - b. Ask the victim, "Are you OK?" and "what is wrong?"
 - c. Check victim's breathing and begin artificial respiration, if necessary. Send someone to get help.
 - d. Control serious bleeding by direct pressure on the wound.
 - e. Continue to assist the victim until help arrives.
 - f. Look for emergency medical ID.
 - g. Give all information to the medical response team.
4. AEDs are available by contacting the Campus Police at Ext. 4299 or 724-938-4299. They are located at the following:
 - Police Vehicles
 - Hamer Hall Pool and Gym
 - Steele Auditorium
 - Dixon Hall First Floor Lobby
 - Convocation Center (main lobby, second floor by elevator, outside the athletic training room)
 - Adamson Stadium (athletic training room)
 - Natali Student Center (across from the information desk)
 - Herron Recreation Center Office
 - Health Center (Carter Hall)
 - Farmhouse (great room)
5. Medication Management
 - If medical personnel do not accompany the camp, parent(s) and/or guardian(s) are required to make arrangements with the Health Center for the administration of any medicine that the participant cannot self-administer.
 - Devices for the self-administration of medications which are prescribed by a physician may be carried by the participant during program activities. (Examples include, but are not limited to, personal "epi" pens and asthma inhalers.)
 - Over-the-counter medications can only be administered with prior approval. Program staff should make reasonable efforts to have basic first-aid kits available if needed. Participants can self-administer over-the counter medication that they bring themselves.

PSYCHOLOGICAL EMERGENCY

A psychological crisis exists when an individual is threatening harm to himself/herself or to others, or is out of touch with reality due to severe drug reactions or a psychotic break. A psychotic break may be manifested by hallucinations, uncontrollable behavior, etc.

1. Never try to handle a situation you believe is dangerous without appropriately trained assistance.
2. Notify the California University Police Department by calling Ext. 4299 or 724-938-4299. Please dial 911 if necessary.
3. When contacting University Police, state the following:
 - Clearly state that you need IMMEDIATE ASSISTANCE.
 - Give your name.
 - Give your location.
 - Provide brief description of the situation.

Safety and Securing Planning

All authorized adults and program staff must review the California University of Pennsylvania, Quick Reference Guide for Emergencies. This can be found at <https://www.calu.edu/campus-safety/emergencies-quick-reference/index.htm>.

Minimum Staff Supervision Ratio

Each program must provide the ratio of supervision to the Program administrator (contact at California University of PA). As a guide, the following ratios are provided and were derived from the American Camp Association.

- 5 years of age and younger – 1 staff for 5 minors (overnight)
- 5 years of age and younger – 1 staff for 6 minors (day)
- 6-8 years of age - 1 staff for 6 minors (overnight)
- 6-8 years of age - 1 staff for 8 minors (day)
- 9-14 years of age – 1 staff for 8 minors (overnight)
- 9-14 years of age – 1 staff for 10 minors (day)
- 14-17 years of age – 1 staff for 10 minors (overnight)
- 14-17 years of age – 1 staff for 12 minors (day)

Participation Forms

These forms may include the following and the program can add forms as needed.

- Participation Agreement – Specific to the Program
- ***Health Forms** (Include proof of medical insurance, emergency contact, authorizing release of medical information and treatment if the parent/guardian cannot be reached, and a listing of medical conditions and allergies)
 - o *** This form is provided at the end of this handbook**

Transportation Plans

A transportation plan must include the following:

- A procedure for the pick-up and drop-off of participants, specifying times and locations
- A procedure to obtain written permission from a parent or legal guardian in the event any participant is to be released to any person other than his or her parents or legal guardians
- A description of any transportation of participants to be provided by the program, specifying:
 - The type of vehicle
 - The Driver
- **No Adult will be permitted to be alone with a minor in a car or other vehicle**
- Vehicle Seat Belt Usage - All Pennsylvania laws must be followed.
- Car Seat/Booster Seat Usage - All Pennsylvania laws must be followed.
- If there is no transportation for the program, this should be noted.

Housing Plans

The Program Administrator accepts responsibility for the policies, procedures and general information as provided by the Summer Camp Program Office.

- Doors
 - To ensure safety and security during your stay at California University, the main doors are to be used as the **only entrance** and **exit** except in case of emergencies. The front doors are to be kept locked. The doors are not to be 'propped' or opened to allow non-residents access to the hall. All other doors are designated as **emergency exits only** and are **alarmed** at all times.
- Keys
 - The University will be responsible for key distribution and collection. There will be a charge for all lost keys or keys not returned upon check-out.
- University Rights - The University may exercise the following rights:
 - To enter any room for the purpose of inspection, repair or emergency.
 - To reassign participants within an overnight facility, after timely notification, in order to accomplish necessary repairs and renovation to the building.
 - To revoke the campus privilege including residency in or utilization of any of its buildings or any occupant whose conduct, solely in the University's opinion, becomes injurious or potentially injurious to the university community.
- University Policies
 - These policies are designed to protect both participants and the University, not to limit an individual's freedom. Each person on campus is responsible for his or her own behavior. The Camp Directors and Conference organizers are responsible for maintaining proper behavior of participants. Each individual is asked to abide by the University policies to help ensure each Camp and Conference is a success. Please review the policies under the Specified Policies section.
- Specified Policies Section
 1. Alcohol and drugs are strictly prohibited on campus.
 2. Smoking is prohibited in all buildings.
 3. Firearms and fireworks are prohibited on campus.
 4. Fire alarms and equipment are to be used only in emergencies and are not to be tampered with.
 5. Window screens are not to be removed.
 6. Camps and Conferences will be charged for room or common area damages
 7. Cleats are not to be worn in the buildings.
 8. Camps and Conferences will be billed for each lost key.
 9. Side doors are to be used only in emergencies.
 10. Non-participants are not allowed on the floors during the camp or conference. Participants are only allowed on the floors/wings or in the Residence Halls to which they are assigned.
 11. Camp and Conference Directors and participants are to park automobiles in assigned lots and must have valid parking permits. Violators will be ticketed if not parked in the proper lots and/or if they do not have a valid parking permit appropriately displayed.
 12. Local ordinance has established a 10 p.m. curfew for minors which is enforced by Community Police

Emergencies

- All medical problems should be reported to the Student Health Center at 724-938-4232. When the Health Center is closed, emergencies should be reported to University Police at 724-938-4299. Emergency transportation to local hospitals is arranged through the Health Center or University Police.
- University Police Officers are available by calling 724-938-4299. Additionally, Conference Staff perform rounds until 12 a.m. through each Residence Hall to check doors, alarms and surroundings. The on-call Conference Services Staff can be reached by calling 724-984-6400, during the on-call times stated.

All Program Staff and volunteers staying the Residence Halls must have the mandatory background checks as described in this document completed.

Under no circumstances will Program Staff and volunteers be allowed to stay in the same room as minor participants.

Protocols for Injury or Illness

All authorized adults and program staff must review the following information:

1. For a critical injury, Public Safety at (724) 938-4299 is contacted or 911 is called if there is a life-threatening incident. Program administrator is to be notified as soon as the injured party is attended to.
2. For any other injury, program director is notified immediately. An accident report must be filed, including record of how the incident happened and how it was handled.
3. Parents/guardians are contacted by the program administrator at time of participant injury, if appropriate, or at earliest convenient time to communicate details.
4. Anyone reporting to the University Health Services Center (located in Carter Hall) for an injury will be asked to complete a form and that form is specific to an employee or to a student/visitor on campus. The Health Center forwards the form to either the workers' compensation (WC) manager or to the director of administrative services for students/visitors.
5. For the University's main campus, automatic external defibrillators (AEDs) are located in all police vehicles, in the Natali Student Center across from the information desk, at the Hamer Hall pool and gym, at the Herron Recreation Center office, at Steele Auditorium, at the Health Center, in Dixon Hall (first floor lobby), and at three locations in the Convocation Center.

Protocols for Accusations of Misconduct for Authorized Adults/Program Staff

All authorized adults and program staff must review the following information:

Any person believing that an instructor, counselor, or volunteer should not be allowed to continue with the program must make a written and signed complaint to the program administrator. The program administrator will investigate the complaint and make a report of the findings to the appropriate parties. All complaints and investigation reports will be kept confidential.

Reporting of Child Abuse - In a situation of suspected child abuse, all administrators, faculty, coaches, staff, student workers, independent contractors, and volunteers are mandated reporters under this policy. Everyone who is deemed a mandated reporter pursuant to this policy shall be trained as if designated a mandated reporter by Pennsylvania Law.

All mandated reporters shall make an immediate report of suspected child abuse or cause a report to be made if they have reasonable cause to suspect that a child is a victim of child abuse under any of the following circumstances:

- The mandated reporter comes into contact with the child in the course of employment, occupation, and practice of a profession or through a regularly scheduled program, activity, or service.
- The mandated reporter is directly responsible for the care, supervision, guidance, or training of the child, or is affiliated with an agency, institution, organization, school, regularly established church or religious organization, or other entity that is directly responsible for the care, supervision, guidance, or training of the child.
- A person makes a specific disclosure to the mandated reporter that an identifiable child is the victim of child abuse.
- An individual 14 years of age or older makes a specific disclosure to the mandated reporter that the individual has committed child abuse.

The minor is not required to come before the mandated reporter in order for the mandated reporter to make a report of suspected child abuse. The mandated reporter does not need to determine the identity of the person responsible for the child abuse to make a report of suspected child abuse.

Mandated reporters must immediately make an oral report of suspected child abuse to the Department of Human Services (DHS) by calling **1-800-932-0313**, or a written report to DHS using electronic technologies when available. If an oral report is made, a written report shall also be made within 48 hours to DHS or the county agency assigned to the case as prescribed by DHS. Immediately following the report to DPW, the mandated reporter must notify the University's Director of Social Equity at 724-938-5425 and the Chief of University Campus Police Department at 724-938-4299.

Protocols for Accusations of Misconduct for Participants

All authorized adults and program staff must review the following information:

Any person believing that a participant should not be allowed to continue with the program must make a written and signed complaint to the program administrator. The program administrator will investigate the complaint and make a report of the findings to the appropriate parties. All complaints and investigation reports will be kept confidential.

Reporting of Child Abuse - In a situation of suspected child abuse, all administrators, faculty, coaches, staff, student workers, independent contractors, and volunteers are mandated reporters under this policy. Everyone who is deemed a mandated reporter pursuant to this policy shall be trained as if designated a mandated reporter by Pennsylvania Law.

All mandated reporters shall make an immediate report of suspected child abuse or cause a report to be made if they have reasonable cause to suspect that a child is a victim of child abuse under any of the following circumstances:

- The mandated reporter comes into contact with the child in the course of employment, occupation, and practice of a profession or through a regularly scheduled program, activity, or service.
- The mandated reporter is directly responsible for the care, supervision, guidance, or training of the child, or is affiliated with an agency, institution, organization, school, regularly established church or religious organization, or other entity that is directly responsible for the care, supervision, guidance, or training of the child.
- A person makes a specific disclosure to the mandated reporter that an identifiable child is the victim of child abuse.
- An individual 14 years of age or older makes a specific disclosure to the mandated reporter that the individual has committed child abuse.

The minor is not required to come before the mandated reporter in order for the mandated reporter to make a report of suspected child abuse. The mandated reporter does not need to determine the identity of the person responsible for the child abuse to make a report of suspected child abuse.

Mandated reporters must immediately make an oral report of suspected child abuse to the Department of Human Services (DHS) by calling **1-800-932-0313**, or a written report to DHS using electronic technologies when available. If an oral report is made, a written report shall also be made within 48 hours to DHS or the county agency assigned to the case as prescribed by DHS. Immediately following the report to DPW, the mandated reporter must notify the University's Director of Social Equity at 724-938-5425 and the Chief of University Campus Police Department at 724-938-4299.

Orientation Materials for Parents and Participants

1. Specific Orientation Materials are not required as each program is different. However, as a guideline, they could include the following:
 - Information describing the purpose, length, rules and contacts for the program, including the Program Administrator, Camp Director, Event Coordinator, etc.
2. Consult with the Program or Registry Administrator.

Insurance Requirements

1. The organization shall, at its own expense, obtain and maintain during the term of this agreement, public liability insurance issued by a company authorized to provide insurance in the Commonwealth to cover personal bodily injury and wrongful death in the sum of not less than \$250,000 for each person and not less than \$1,000,000 per occurrence, as well as property damage liability insurance in the amount of not less than \$1,000,000 for each occurrence. The University shall be included as an additional insured in the required policies and Organization shall provide written evidence that such policies are current and in effect. Insurance must be on an occurrence basis only. Where required by law, Organization will provide workers' compensation insurance that complies with the statutory requirements of the Commonwealth.

Record Retention Policy and the Storage of Records

1. Background Checks - Copies should be stored for 25 years by the Non-University Sponsored Organization. They should not be sent to California University of PA.
2. **Certification Forms and Facility Use Agreements** for Non-University Sponsored Programs - Copies should be stored with the assigned Registry Administrator (California University of PA) in a secured area. These records shall be stored for 7 years in either paper or electronic form.

Certification Form

California University of Pennsylvania's Minor Participation Event Certification for Non-University Sponsored Programs

Please read this entire form carefully before completing it. This form is to be used by event Program and Registry Administrators and all others working with organizations who will use facilities controlled by California University of Pennsylvania where minors will attend. This form is **NOT REQUIRED** for temporary guest speakers, presenters, or other individuals who have no direct contact with program participants other than short-term activities supervised by program staff or fellow students whose only role is as a participant in the education, services, or program offered. This form is also **NOT REQUIRED** for internal events that ONLY California University of Pennsylvania faculty, staff, or students are attending that are run by the University.

Submit this form and the Facilities Use Agreement to the Program or Registry Administrator at California University.

Section 1. Program Information – To be filled out by Organization Program Contact

Event Title: _____ Event Date(s): _____

Program Description: (include target audience and any advertisements for the event)

Facilities Utilized:

Organization Contact Name and Contact Information:

Section 2. Minor Participation – To be filled out by Organization Program Contact – Check Appropriate Box

Minor - Individuals under the age of 18 years old.

Authorized Adult – Defined in [PRP 2410](#) as individuals, paid or unpaid, who may have direct contact, interact with, treat, supervise, chaperone, or otherwise oversee minors. This includes all employees, but is not limited to, faculty, staff, coaches, volunteers, graduate and undergraduate students, interns, employees of temporary employment agencies, and contractors. Roles of authorized adults or program staff include, but are not limited to, positions as counselors, chaperones, coaches, instructors, health care providers, and outside providers conducting programs in leased facilities.

- By checking this box, I certify that minors will **NOT** participate in this event and compliance with the Pennsylvania Child Protective Services Law, 23 Pa.C.S. §6301 does **NOT** apply to this event. (A "List of Participating Adults" is not required.) Fill out section 3.
- By checking this box, I certify that minors **participating** in this event will be under the care, custody, and control of a parent or legal guardian or an individual designated by a parent or legal guardian. Compliance with the Pennsylvania Child Protective Services Law, 23 Pa.C.S. §6301 does **NOT** apply to this event. (A "List of Participating Adults" is not required.) Fill out section 3.
- By checking this box, I certify that minors may be present at this event and under the care, custody, and control of an Authorized Adult. Authorized Adults **must comply** with required background clearances per PRP 2410 and the Pennsylvania Child Protective Services Law, 23 Pa.C.S.6301. I also certify that I have received the Non-University Sponsored Program Handbook and that the all authorized adults and/or program staff have the completed the following as outlined in the handbook: **Fill out section 3.**
 - Required Background Checks
 - All Trainings (Mandatory Reporter, Sexual Harassment, Code of Conduct, Health Management)
 - Will comply with the procedures as outlined in the handbook

Section 3. Certification – To be signed by Organization Program Contact

By signing this form, I swear and affirm under penalty of law that the statements made in this form are true, accurate, correct, and complete. (Students may NOT act as an Administrator.)

_____	_____	_____
Organization Contact/Administrator Name (Print)	Program Administrator Signature	Date

California University of Pennsylvania

Protection of Minors on Campus Policy

A. Purpose and Scope

The purpose of this policy is to promote the safety and security of children who participate in programs sponsored by California University of Pennsylvania (Cal U) or held on University-owned property by non-University organizations.

Except for the reporting of child abuse or child neglect, this policy does not apply to:

1. Events on campus that are open to the general public and which minors attend at the sole discretion of their parent or legal guardians,
2. Private events where minors attend under parental or legal guardian supervision, or
3. Other programs as may be designated by the University President or designated official in advance and in writing as exempt from this policy or specific provisions of this policy.

B. Definitions

Affiliated Entity: A private organization (typically classified as 501 (c) (3) nonprofit organization for federal tax purposes) that exists solely for the benefit of the University, including, but not limited to, foundations, alumni associations, and student associations.

Authorized Adults or Program Staff Members: Individuals, paid or unpaid, who may have direct contact, interact with, treat, supervise, chaperone, or otherwise oversee minors.

Child Abuse: Child abuse is defined in 23 Pa. C. S. §6303. That definition includes nonaccidental actions or omissions that cause serious physical or mental injuries to a child, or sexual abuse/sexual exploitation of a child including:

1. **Physical Abuse:** Acts or omissions that cause, or fail to prevent, a serious physical injury to a child.
2. **Sexual Abuse:** Includes, but is not limited to, rape, sexual assault, molestation, incest, indecent exposure, or otherwise exploiting a child in a manner in which the child is used for gratification or sexual enjoyment by another person.
3. **Emotional or Mental Abuse:** Acts or omissions that have an actual or likely severe negative impact on a child's emotional and behavioral development, including those resulting from persistent or severe emotional mistreatment.
4. **Neglect:** A severe or persistent failure to provide for a child's physical, emotional, or basic needs.

Direct Contact: Providing care, supervision, guidance, or control; or routine interaction with minors.

Mandated Reporter: In a situation of suspected child abuse, all administrators, faculty, coaches, staff members, student workers, contractors, and volunteers who are mandated reporters. Mandated reporters must immediately contact the Department of Human Services by calling 1-800-932-0313 to report suspected child abuse. Immediately following the report to DPW, the mandated reporter must notify the University's Director of Social Equity and the Chief of University Campus Police Department. The University will provide training and protocols for mandated reporters.

Minor/Child: A person under 18 years of age. Minors may be enrolled undergraduate/graduate students; students "dually enrolled" with the University and in elementary, middle, or high school; employees; or participants in program activities.

One-on-One Contact: Personal, unsupervised interaction between any Authorized Adults or Program Staff Member and a participant without at least one other Authorized Adult or Program Staff Member, parent, or legal guardian being present.

Program: Programs or activities offered by various academic or administrative units of the University, or by non-University groups using University facilities where the parents or legal guardians are not responsible for the care, custody, or control of their children. This includes, but is not limited to, workshops, services, camps, conferences, campus visits, and similar activities. These do not include organized events where parents or legal guardians are responsible for minors.

Program Administrator: The person(s) who has primary and direct operational responsibility for managing a program.

Registry: An official record or list of Authorized Adults or programs.

Sponsoring Unit: The academic or administrative unit of the University that offers a program or gives approval for the use of University facilities.

University Facilities: Facilities owned by or under the control of California University of Pennsylvania entity, including spaces used for education, athletics, dining, recreation, University housing, and on-campus affiliate-owned housing.

University-Sponsored Programs: Programs that are directly managed by University faculty, staff members, and affiliated entities on behalf of the university. All university-sponsored programs must be registered.

Non-University-Sponsored Programs: Programs that are not operated on behalf of the University or under the university's control.

C. Policy

1. **Program Registration** - The University must establish and maintain a registry of all University Sponsored Programs that are offered to minors. All programs must be registered no later than 30 days before the start of the program. Programs must be registered annually with the appropriate Registry Administrator.
2. **Program Registration Requirements** – The Sponsoring Unit of all University Sponsored Programs, all Affiliated Entities and any person of organization offering a Non- University Sponsored Program offering programs to minor children must establish and implement policies and procedures will, at a minimum, include the following requirements. An evaluation form will be used to review each of these topics for each program at least 30 days before the start of the program.
 - a. Identification, selection, and screening of Authorized Adults or Program Staff Members, including criminal background checks
 - b. Training for Authorized Adults or Program Staff Members
 - c. Supervision ratio
 - d. Safety and security planning
 - e. Participation requirement forms
 - f. Transportation
 - g. Housing
 - h. Response protocols when there is an injury or illness
 - i. Response protocols when an Authorized Adult or Program Staff Member is accused of misconduct
 - j. Response protocols when a participant is accused of misconduct
 - k. Program orientation or information for minors and parents
 - l. Insurance requirements

m. Record retention

3. Authorized Adults or Program Staff Members Code of Conduct

Authorized Adults and Program Administrators must follow these expectations:

- a. Do not engage in any sexual activity, make sexual comments, tell sexual jokes, or share sexually explicit material with minors or assist in any way to provide access to such material to minors.
- b. In the case of adults supervising minors overnight, Authorized Adult should not enter a minor's room. Bathroom facility or similar area without another adult in attendance.
- c. Separate accommodations for adult and minor are required other than the minor's parents or guardians.
- d. Do not engage or allow minors to engage you in romantic or sexual conversations or related matters. Similarly, do not treat minors as confidantes; refrain from sharing sensitive personal information about you. Examples of sensitive personal information that should not be shared with minors are information about financial challenges, workplace challenges, drug or alcohol use, and/or romantic relationships, etc.
- e. Do not touch minors in a manner that a reasonable person could interpret as inappropriate. All personal contact should generally only be in the open, and in response to the minor's needs, for a purpose that is consistent with the program's mission and culture, or for a clear educational, developmental, or health-related purpose (e.g., treatment of injury). Any refusal or resistance from the minor should be respected.
- f. Do not be alone with a minor. If one-on-one contact is required, meet in an open, well illuminated space or room with windows observable by other Authorized Adults or Program Staff Members, unless the one-on-one contact is expressly authorized and must include more than one Authorized Adult or Program Staff Member.
- g. Do not meet with minors outside of the established times for program activities. Any exceptions require written parental authorization and must include more than one Authorized Adult or Program Staff Member.
- h. Do not invite individual minors to your home or other private locations. Any exceptions require authorization by the program administrator and written authorization by a parent/guardian.
- i. Do not provide gifts to minors or their families independent of items provided by the program.
- j. Do not engage or communicate with minors except for an educational or programmatic purpose; the content of the communication must be consistent with the mission of the program and the University.
- k. Do not engage in any abusive conduct of any kind toward, or in the presence of, a minor, including, but not limited to, verbal abuse, striking, hitting, punching, poking, spanking, or restraining. If restraint is necessary to protect a minor or other minors from harm, all incidents must be documented and disclosed to the program administrator and the minor's parent/guardian.
- l. Do not use, possess, or be under the influence of alcohol or illegal drugs while on duty, or in the presence of minors involved in a program, or when responsible for a minor's welfare.
- m. Do not provide alcohol or illegal substances to a minor.
- n. Do not provide medication to a minor unless authorized by the program's medication management guidelines.
- o. When transporting minors, more than one Authorized Adult or Program Staff Member from the program must be present in the vehicle, except when multiple

minors will be in the vehicle at all times through the transportation. Avoid using personal vehicles if possible and comply with the program's transportation guidelines.

- p. Any communication with a minor in electronic format (via email or text) should be in a group mail/text format or include another program personnel or parent – this avoids any one-to-one communication. Personnel and supervisors should monitor the internet use of minors in the program and assure filters or blocked content/security options are on in those program which allow minors to use University PCs or other electronic devices. Personnel should not access any site inappropriate for minor while in a supervision or monitoring role.
- q. Do not use harassing language that would violate university harassment policies.

Violations of any of the forgoing shall be reported to the program or registry administrator.

4. Criminal Background Screening

- a. University Sponsored Programs - Background checks must be consistent with PASSHE Procedure/Standard 2015-21, which is the University's adopted procedure for background checks. The University reserves the right to deny permission for any University employee to act as an Authorized Adult based on a background check.
- b. Non University Sponsored Programs – All Authorized Adults are required to provide the certification attesting to compliance with the Program Registration Requirements described in Section 2 above. Background checks must be consistent with PASSHE Procedure/Standard 2015-21, which is the University's adopted procedure for background checks.

5. Participant Requirements

Minors and parents or legal guardians of minors must submit required forms before minors will be allowed to participate in University Sponsored Programs. These forms may include, but are not limited to, a participation agreement, health form, emergency contact form, proof of medical insurance, photo and recording release, and participant code of conduct.

6. Training

All Authorized Adults or Program Staff Members working with minors are required to be trained on policies and issues related to minor safety and security. The training should be completed annually and may vary based on the role of the Authorized Adult.

Documentation of training completion is required to be maintained by the program administrator. Program administrators of non-university-sponsored programs or non-University groups providing services to university-sponsored programs are required to certify that they have satisfactorily completed required training before being allowed to use University facilities. Training should address the following topics:

- a. Mandatory reporter training
- b. Health and Wellness Management
- c. Participant conduct management and disciplinary procedures
- d. Authorized Adult or program staff code of conduct
- e. Sexual Harassment
- f. Safety and security protocols
- g. Crime reporting procedures

7. Facilities Use Agreement

Universities licensing, leasing, or allowing the use of University facilities for non-University-sponsored programs or events primarily serving minors are required to include language in

the agreement requiring identification of Authorized Adults or program staff, supervision ratios, adult code of conduct, training (including mandated reporter training), and background screening consistent with this policy.

8. Reporting Obligations

a. Reporting of Child Abuse

In a situation of suspected child abuse, all administrators, faculty, coaches, staff, student workers, independent contractors, and volunteers are mandated reporters under this policy. Everyone who is deemed a mandated reporter pursuant to this policy shall be trained as if designated a mandated reporter by Pennsylvania Law.

All mandated reporters shall make an immediate report of suspected child abuse or cause a report to be made if they have reasonable cause to suspect that a child is a victim of child abuse under any of the following circumstances:

- (1) The mandated reporter comes into contact with the child in the course of employment, occupation, and practice of a profession or through a regularly scheduled program, activity, or service.
- (2) The mandated reporter is directly responsible for the care, supervision, guidance, or training of the child, or is affiliated with an agency, institution, organization, school, regularly established church or religious organization, or other entity that is directly responsible for the care, supervision, guidance, or training of the child.
- (3) A person makes a specific disclosure to the mandated reporter that an identifiable child is the victim of child abuse.
- (4) An individual 14 years of age or older makes a specific disclosure to the mandated reporter that the individual has committed child abuse.

The minor is not required to come before the mandated reporter in order for the mandated reporter to make a report of suspected child abuse. The mandated reporter does not need to determine the identity of the person responsible for the child abuse to make a report of suspected child abuse.

Mandated reporters must immediately make an oral report of suspected child abuse to the Department of Human Services (DHS) by calling **1-800-932-0313**, or a written report to DHS using electronic technologies when available. If an oral report is made, a written report shall also be made within 48 hours to DHS or the county agency assigned to the case as prescribed by DHS. Immediately following the report to DPW, the mandated reporter must notify the University's Director of Social Equity and the Chief of University Campus Police Department.

Immediately following the report to DHS, the mandatory reporter must notify the designated person in charge at the university who will assume responsibility for facilitating the university's cooperation with the investigation of the report. More than one report of the suspected child abuse is not required.

b. Reporting of Arrests and Convictions

All employees, volunteers, and program administrators must provide written notice to the designated person in charge at the university if they or an authorized adult or program staff are: (1) arrested for, or convicted of, an offense that would constitute grounds for denial of employment or participation in a program, activity, or service; or (2) are named as a perpetrator in a founded or indicated report under the Child Protective Services Law (23 Pa.C.S. §6301, et seq.). The employee, volunteer, or program administrator shall provide such written notice within 72 hours of arrest, conviction, or notification that the person has been listed as a perpetrator in the

statewide database. The failure of an employee or program administrator to make a written notification, as required, is a misdemeanor of the third degree. If the employer or program administrator has a reasonable belief that an employee or volunteer has been arrested or convicted of a reportable offense or was named as perpetrator in a founded or indicated report under the Child Protective Services Law, or if an employee or volunteer has provided notice of activity that would be sufficient to deny employment or program participation, the employer must immediately require the employee or volunteer to immediately submit current information for required criminal background screening clearances in accordance with applicable procedures, standards, and guidelines as established by the chancellor.

- D. Effective Policy Date:** December 31, 2014, Updated April 15, 2016, Updated November 8, 2016

(Example Form – Organization may use their own designated document)

FORM C - 1



**CALIFORNIA UNIVERSITY OF PENNSYLVANIA
STUDENT HEALTH SERVICES DEPARTMENT**

**PARENTAL PERMISSION FORM FOR PERSONS UNDER THE AGE
OF 18 ATTENDING CAMP OR CONFERENCE.**

CAMP/CONFERENCE: _____ DATE(S) ATTENDING: _____

NAME: _____ AGE: _____
(LAST) (FIRST) (MI)

HOME ADDRESS: _____
(STREET) (CITY) (STATE) (ZIP)

HOME PHONE: () _____ Cell/Business Phone: () _____

IN CASE OF ACCIDENT OR MEDICAL EMERGENCY CONTACT:

NAME: _____ ADDRESS: _____

(CITY) (STATE) (ZIP)

RELATIONSHIP: _____ PHONE: () _____

HEALTH HISTORY (Please check yes or no)

BLEEDING/CLOTTING DISORDER	yes ___ no ___	LUNG/ASTHMA	yes ___ no ___
DIABETES	yes ___ no ___	PHYSICAL LIMITATIONS	yes ___ no ___
HEARING/VISION IMPAIRMENT	yes ___ no ___	SEIZURE DISORDER	yes ___ no ___
HEART DISEASE	yes ___ no ___	STROKE	yes ___ no ___
HYPERTENSION	yes ___ no ___	SURGERY	yes ___ no ___
KIDNEY DISEASE	yes ___ no ___	OTHER _____	

COMMENTS:

DATE OF LAST TETANUS INJECTION: _____

LIST ALLERGIES: _____

LIST MEDICATION YOU ARE TAKING: _____

INSURANCE INFORMATION:

NAME OF CARRIER

POLICY NUMBER

I, _____, THE PARENT OR GUARDIAN UNDERSTAND THAT CALIFORNIA UNIVERSITY OF PENNSYLVANIA DOES NOT PROVIDE HEALTH AND ACCIDENT INSURANCE TO STUDENT OR CAMP PARTICIPANTS AND THAT MY INSURANCE IS THE PRIMARY COVERAGE. I AGREE TO ASSUME FULL RESPONSIBILITY FOR ANY COSTS INCURRED AS RESULT OF ANY EMERGENCY SERVICES AND/ OR TREATMENT.

I GRANT PERMISSION FOR MY CHILD, NAMED ABOVE, TO RECEIVE PROPER MEDICAL TREATMENT IN THE EVENT THAT HE OR SHE MAY SUSTAIN INJURY OR ILLNESS DURING THE PERIOD OF THE ABOVE CONFERENCE.

Signature _____

Date _____

PHYSICIAN’S PERMISSION FORM FOR ALL PARTICIPANTS

In accordance with the policies and guidelines determined by California University Student Health Services, I have examined the general physical condition of _____ and find the said participant to be physically fit to participate in the camp/conference activities as indicated by the date of examination and by my signature. **(PHYSICAL EXAMINATION SHOULD HAVE TAKEN PLACE NO MORE THAN ONE (1) YEAR PRIOR TO PARTICIPANT’S ATTENDANCE AT CAMP/CONFERENCE.)**

PHYSICIANS SIGNATURE

____/____/_____
DATE OF EXAMINATION

NO Participant shall be eligible to take part in any camp/conference drills or game competitions unless a licensed physician of medicine or osteopathic medicine, a certified school nurse practitioner, or physician’s assistant has examined him/her.

Revised 2/16



Pennsylvania's State System of Higher Education
Volunteer Exemption from FBI Background Check
(Under the Child Protective Services Law)

Please read this entire form carefully before completing it. This form is to be used by a Pennsylvania resident who serves or wants to serve as a volunteer with a program or activity associated with Pennsylvania's State System of Higher Education or one of its universities and seeks exemption from the requirement to submit a report of federal criminal history record information (FBI background check).

Section 1. Personal Information

Name of Volunteer: _____ Date: ___/___/___
Current Address: _____
Number of Months _____ Years _____ at this Address*
*If less than 10 years, provide prior Pennsylvania addresses on a separate page.
Volunteer Position: _____

Section 2. Instructions

Check the appropriate boxes below. Then, sign the certification under Section 3.

- By checking this box, I certify that I have been a resident of Pennsylvania for the entirety of at least the last 10 consecutive years prior to the date of this application, which is set forth above.
By checking this box, I certify that I have not been convicted of any of the Reportable Offenses listed below.

List of Reportable Offenses

A Reportable Offense enumerated under Pennsylvania's Child Protective Services Law, 23 Pa.C.S. §6344(c), consists of one or more of the following:

1. Provisions of Title 18 of the Pennsylvania Consolidated Statutes (relating to crimes and offenses) or an equivalent crime under the laws or former laws of the United States or one of its territories or possessions, another state, the District of Columbia, the Commonwealth of Puerto Rico or a foreign nation, or under a former law of the Commonwealth of Pennsylvania:

- Chapter 25 relating to criminal homicide
Section 2702 relating to aggravated assault
Section 2709.1 relating to stalking
Section 2901 relating to kidnapping
Section 2902 relating to unlawful restraint
Section 3121 relating to rape
Section 3122.1 relating to statutory sexual assault
Section 3123 relating to involuntary deviate sexual intercourse
Section 3124.1 relating to sexual assault
Section 3125 relating to aggravated indecent assault
Section 3126 relating to indecent assault
Section 3127 relating to indecent exposure
Section 4302 relating to incest
Section 4303 relating to concealing death of a child
Section 4304 relating to endangering welfare of children
Section 4305 relating to dealing in infant children
A felony offense under Section 5902(b) relating to prostitution and related offenses
Section 5903(c) or (d) relating to obscene and other sexual materials and performances
Section 6301 relating to corruption of minors
Section 6312 relating to sexual abuse of children

1. An offense designated as a felony under the act of April 14, 1972 (P.L. 233, No. 64), known as "The Controlled Substance, Drug, Device and Cosmetic Act," committed within the preceding five-year period.
2. A founded report within the preceding five-year period in the statewide database maintained by the Department of Human Services.

Section 3. Certification

I understand that by submitting this completed Volunteer Exemption Form, I swear or affirm that all of the information I have provided on this application is complete, accurate, true, and correct. I make this declaration subject to the penalties of 18 Pa.C.S. §4904 relating to unsworn falsification to authorities.

Volunteer's Signature

Date

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