

YOUTH PROGRAM REQUIREMENTS AND PROCEDURES



TEXAS WOMAN'S UNIVERSITY™

CONTACT INFORMATION:

For general questions, contact: risk@twu.edu
Phone: 940-898-4001

Last revised: March 2024

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INTRODUCTION

This document sets out the specific requirements and procedures for Youth Programs in accordance with the Texas Woman's University (TWU) [University Regulation and Procedure URP 04.420: Minors on Campus](#). This document will familiarize you with the roles and responsibilities of individuals associated with Youth Programs.

MISSION

TWU is committed to ensuring the safety of minors. This includes those participating in camps or programs on university premises or participating in those programs sponsored or supported by the university.

**With everything we do, we are endeavoring to
ensure the safety of minors on our campus**

DEFINITIONS

Child/Minor: Any person under 18 years of age who has not been married, and who has not had the disabilities of minority removed for general purposes.

Youth Program: Any activity/program/camp that meets all the following criteria:

1. Held on a TWU campus OR sponsored/operated by TWU and held off campus or virtually; and
2. Has participants who are minors unaccompanied by a parent or legal guardian.

Excluded from this definition are activities where there is no actual or implied care, custody, and/or control of minors by TWU or third parties. Examples of activities that are not considered youth programs include:

- Events open to the general public,
- University tours or information sessions,
- Programs for K-12 students arranged by public or private schools where primary responsibility for the care and custody of the minors is the responsibility of the school personnel.

Also excluded from this definition are activities involving matriculated students enrolled in a degree-seeking program who are under the age of eighteen (18), and employees of TWU who are under the age of eighteen (18). This exclusion does not include activities involving dual-enrollment students, however, the requirements for youth programs involving dual-enrollment students are less stringent than for other youth programs.

Youth Program Operator: The individual or organization who owns, operates, controls, or supervises a Youth Program, regardless of profit.

Designated Individual: Any adult person involved with a Youth Program who has more than incidental contact with a minor other than their own child. Designated individuals may include, but

are not limited to, TWU faculty, staff, and student workers, as well as employees of third party Youth Program Operators, and volunteers of either the University or third-party Youth Program Operators.

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

Sponsoring Department Administrator: An individual from the TWU department sponsoring a Youth Program who is responsible for ensuring that the Youth Program Operator is aware of these requirements and that the Youth Program is registered with Risk Management. A TWU department must sponsor all Youth Programs (including third party Youth Programs) and must designate an individual to this role.

MANDATORY REPORTING

Texas law requires anyone with knowledge of suspected child abuse or neglect to report it immediately to the appropriate authorities.

The duty to report **may not be delegated to another person**. In other words, anyone with knowledge of suspected child abuse or neglect must immediately contact one of the following:

- Texas Department of Family and Protective Services (DFPS) at its toll-free, 24-hour hotline at 1-800-252-5400 or online at [Texas Abuse Hotline](http://www.txabusehotline.org) (www.txabusehotline.org). The hotline and website are available 24 hours a day, seven days a week.
- Campus Law Enforcement:
 - TWU Department of Public Safety (DPS) at Denton - (940) 898-2911
 - TWU DPS at Dallas - (214) 689-6666
 - TWU DPS at Houston - (713) 794-2222
- Local Law Enforcement

The suspected child abuse or neglect should also be reported to the Youth Program Operator,

**If you believe a child is being abused or neglected,
you are required to report it to law enforcement**

the Sponsoring Department Administrator, and Risk Management. However, as noted above, this does **NOT** meet the requirement to report to one of the above agencies and may only be done **AFTER** completion of the mandatory reporting.

Retaliation against good faith reporting of suspected abuse or neglect or any other crimes is strictly prohibited.

YOUTH PROGRAM REQUIREMENTS

BACKGROUND CHECKS

All Designated Individuals are required to complete a criminal background check **annually**. The Sponsoring Department Administrator shall ensure that all persons in a position that involves more than incidental contact with minors in Youth Programs have successfully completed the required background check.

As noted above, adults participating in youth programs involving dual-enrollment students are not considered to be Designated Individuals, and thus do not need to complete a background check. However, if other minors are involved in the Youth Program, then all adults with more than incidental contact are considered Designated Individuals. Adults who are supervising or facilitating a Youth Program involving dual-enrollment students are always considered to be Designated Individuals and must complete annual background checks.

The following criminal convictions/deferred adjudications shall **permanently disqualify** a person from working with or having contact with a child:

1. Felony or misdemeanor under Texas Penal Code to include:
 - a. Title 5 (Offenses Against the Person)
 - b. Title 6 (Offenses Against the Family)
 - c. Title 7 Chapter 29 (Robbery)
 - d. Title 7 Chapter 31 (Theft)
 - e. Title 8, 38.17 (Failure to Stop or Report Aggravated Sexual Assault of Child)
 - f. Title 9 Chapter 43 (Public Indecency)
 - g. Title 9, Section 42.072 (Stalking)
 - h. Title 4, Section 15.031 (Criminal Solicitation of a Minor)
 - i. Any like offense under the law of another state or under federal law

2. Felony or Class B misdemeanor or higher under the Texas Health and Safety Code Chapter 481 (Texas Controlled Substances Act)

The following criminal convictions/deferred adjudications under the Texas Penal Code **shall disqualify** a person from working with or having contact with a child **if they occurred within the past 10 years**:

1. Title 10, Section 46.13 (Making a Firearm Accessible to a Child)
2. Title 10, Chapter 49 (Intoxication and Alcoholic Beverages Offenses)
3. Any like offense under the law of another state or federal law

Contact Risk Management for additional details of the relevant applicable offences under these Texas Penal Code standards, or equivalent state and federal laws.

TRAINING

All Designated Individuals are required to complete a child protection training course within the last two (2) years. The training program must be approved by the Texas Department of State Health Services. In addition to this required training, the information in this document must be provided to Designated Individuals by the Youth Program Operator. Program Operators should also develop and administer training materials tailored to the unique needs of their Youth Program.

As noted above, adults participating in youth programs involving dual-enrollment students are not considered to be Designated Individuals, and thus do not need to complete a background check. However, if other minors are involved in the Youth Program, then all adults with more than incidental contact are considered Designated Individuals. Adults who are supervising or facilitating a Youth Program involving dual-enrollment students are always considered to be Designated Individuals, and must complete the required training.

The Youth Program Operator must maintain copies of all employee training documentation until the second anniversary of the training examination date.

SUPERVISION

Youth Program Operators must develop plans and procedures to ensure adequate supervision, including staffing ratios, rules pertaining to visitors, curfews (for overnight programs), and preventing on-on-one interactions and unsupervised free time.

The ratio of Designated Individual to minors must meet the following minimums:

For residential/overnight stay programs:

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

For non-residential/daytime only programs:

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

All Youth Programs, including those involving dual-enrollment students, must have a minimum of at least two (2) Designated Individuals. **No one-on-one contact with minors is permitted outside of the presence of others.** When there is only one (1) minor present, TWU requires there be a minimum of two (2) Designated Individuals in attendance. This is sometimes referred to as the “rule of three.” This requirement is also applicable to virtual interactions such as via videoconference platforms where a parent or guardian is not participating.

With the approval of Risk Management this requirement may be met through video monitoring of one-on-one interactions, or other approaches where the second Designated Individual has near constant visibility and access. An example of this would be assigning a Designated Individual to continuously monitor several one-on-one music lessons in rooms that have windows.

DESIGNATED INDIVIDUAL PROHIBITED CONDUCT

Designated Individuals must not engage in behaviors that could cause harm or be misconstrued as possibly causing harm. These prohibitions also apply to adults participating in Youth Programs with dual-enrollment students. Prohibited conduct includes, but is not limited to:

- No one-on-one contact with minors is permitted outside the presence of others as described above.
- Do not meet with minors outside of established times for program activities.
- 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.
- Do not shower, bathe, or undress with, or in the presence of, minors.
- Do not use, possess, or be under the influence of alcohol or illegal drugs.
- Do not be alone in a vehicle with a minor at any time.
- Do not have unmonitored electronic contact/communication with minors.
- Do not make sexual materials in any form available to minors or assist them in any way in gaining access to such materials.
- Do not touch minors in a manner that a reasonable person could interpret as inappropriate.

<i>Examples of Appropriate Physical Interactions</i>	<i>Examples of Inappropriate Physical Interactions</i>
<ul style="list-style-type: none"> ▪ Side hugs ▪ Shoulder-to-shoulder hugs ▪ Pats on the shoulder or back ▪ Handshakes ▪ High-fives and hand slapping ▪ Verbal praise ▪ Pats on the head (when culturally appropriate) ▪ Holding hands (with young children in escorting situations) ▪ Other physical interactions that are part of approved therapeutic or educational procedures 	<ul style="list-style-type: none"> ▪ Corporal punishment/hitting ▪ Shaking ▪ Compliments relating to physique or body development ▪ Kisses ▪ Touching bottom, chest, or genital areas ▪ Tickling <p>The following examples may be inappropriate outside of recognized therapeutic, athletic, or educational procedures:</p> <ul style="list-style-type: none"> ▪ Full-frontal hugs ▪ Lap sitting ▪ Wrestling ▪ Piggyback rides ▪ Allowing a youth to cling to a Designated Individual's leg ▪ Massaging

<i>Examples of Appropriate Verbal Interactions</i>	<i>Examples Inappropriate Verbal Interactions</i>
<ul style="list-style-type: none"> ▪ Positive reinforcement ▪ Appropriate jokes ▪ Encouragement ▪ Praise 	<ul style="list-style-type: none"> ▪ Name calling ▪ Discussing sexual encounters ▪ Secrets ▪ Cursing ▪ Off-color or sexual jokes ▪ Shaming ▪ Belittling ▪ Derogatory remarks ▪ Harsh language that may frighten, threaten, intimidate or humiliate youths ▪ Derogatory remarks about the youth or his/her family

ELECTRONIC COMMUNICATION

Electronic communication with minors is permitted as long as controls are in place similar to what is required for face-to-face communication. In other words, one-on-one communication with minors must be avoided. Youth Program Operators must implement controls on electronic communications, appropriate for their operations, to prevent such one-on-one communication.

<i>Examples of Permitted Electronic Communication</i>	<i>Examples of Prohibited Electronic Communication</i>
<ul style="list-style-type: none"> ▪ Sending and replying to emails and text messages from minors when copying other Designated Individuals, the Youth Program Operator, or the minor’s parent or guardian ▪ Utilizing software that allows for other Designated Individuals and/or the Youth Program Operator to review emails and/or text messages without having to be copied on them ▪ Communicating through “organization group pages” on Facebook or other approved public forums 	<ul style="list-style-type: none"> ▪ Private messages/emails/texts between Designated Individuals and minors that do not include other Designated Individuals ▪ Posting inappropriate comments in response to minors’ social media activity

REQUIRED YOUTH PROGRAM PROCEDURES

TWU is committed to making every effort to keep minors safe while on our campus. To promote a safe environment for minors, Youth Program Operators and Designated Individuals must implement program-specific procedures covering a number of areas.

- Think safety first and foremost. If an activity appears dangerous, discontinue immediately.
- Develop/follow safety protocols appropriate to the Youth Program's activities.
- Notify the Youth Program Operator of any safety concerns.
- Report all injuries/illnesses to the Youth Program Operator immediately. Call TWU DPS or 911 for serious injuries/illnesses.
- Call TWU DPS or 911 if an unknown person or vehicle is loitering or regularly passing by, or there are any other suspicious activities.
- Require use of the buddy system when going to the restroom or en route to activities.
- **Possession** of alcohol or illegal drugs or **use of** alcohol, illegal drugs, tobacco, or e-cigarettes on university owned/leased property, or other Youth Programs locations is **prohibited**. Designated Individuals **may not** return to the university campus or other Youth Program location intoxicated or under the influence of alcohol or illegal drugs.
- Designated Individuals must notify the Youth Program Operator immediately if minors are in possession of alcohol/drugs/weapons.

Think Safety First

The university is committed to a drug-free workplace. Youth Program Operators or Designated Individuals suspected of possessing, selling, or distributing drugs will be reported to TWU DPS.

GENERAL INTAKE INFORMATION

Youth Programs must collect intake information for each minor, as applicable:

- Written consent or authorization from each minor's parent or legal guardian for participation in the Youth Program and a waiver of liability are required.
- Medical information and medical treatment authorization forms. Medical information is confidential and only for use by Youth Program staff.
- List of individuals who are and are not allowed to see or pick up a minor. If applicable to the Youth Program, written authorization from parents/guardians for high school age minors to self-transport to/from the Youth Program.
- Special needs and/or dietary requirements if applicable to the Youth Program.
- Photography/videography releases if applicable to the Youth Program, including any limitations on what and where photos may be used.

MEDICATION

With the exception of short, partial day Youth Programs (e.g. music lessons), Youth Program Operators will need to establish procedures related to managing medications.

Minors requiring daily prescription or over the counter (OTC) medications must turn in their medications, with complete instructions, during check-in. Prescription medications must be in the original pharmacy container with the minor's name and dosage on it and include a note from the parent/legal guardian if there are specific directions in addition to the labeled instructions.

Prescriptions and medications will be secured in a designated location in a room that can be locked and access restricted. A Designated Individual should be assigned to access/administer medications and provide treatment protocols. A record of when medication is dispensed will be maintained and the Designated Individuals and minors are responsible for keeping track of medication schedules. If an injection, breathing treatment, or other similar invasive or complex form of administration is necessary, the parent or legal guardian will be responsible for administration.

No minor is to self-medicate. Procedures will need to be developed for minors to have access to their personal EpiPen, emergency inhaler, or similar medication (if applicable) for the duration of the Youth Program.

MEDICAL EMERGENCY PROCEDURES

In the event of an emergency involving an injury or acute illness, the Youth Program Operator must implement a procedure including the following:

1. Call TWU DPS or 911 to summon emergency personnel.
2. Notify the parent/legal guardian or the provided emergency contact.
3. A Designated Individual must accompany the minor to the hospital or other medical treatment and remain until a parent/legal guardian arrives.
4. A Designated Individual must prepare a written report no later than 24 hours following the medical emergency to submit to the Youth Program Operator and Risk Management.

EMERGENCY PLANS

Youth Program Operators must develop plans for emergencies such as severe weather and fire/building evacuation, and need to be communicated to all Designated Individuals. These plans must include procedures to ensure that all minors and staff are accounted for in the case of an emergency. If a minor or Designated Individual are missing when attendance is taken, immediately notify DPS or other responding emergency personnel. When staying in a dormitory, residence hall, or off-campus housing, review fire alarm and evacuation procedures with minors.

Emergency plans must also include how information will be communicated to parents/guardians when necessary (e.g. changes in schedules or pick up times as a result of an emergency situation).

At least two Designated Individuals for each Youth Program must be registered in TWU's "Pioneer Alert" emergency notification system. Youth Program Operators must have adequate procedures

to ensure that emergency notifications they receive are communicated to staff and appropriate actions taken in a timely manner. This may require that additional Designated Individuals register in the Pioneer Alert system, especially where there are multiple shifts or large numbers of Designated Individuals and participants.

FIELD TRIP/TRANSPORTATION PROCEDURE

When on a field trip with minors, Designated Individuals should adhere to the following procedures:

- Complete an initial count of all minors.
- Have minors follow the buddy system.
- Take attendance prior to departing, immediately when everyone is in the vehicle, several times once you have arrived, prior to returning to the vehicle, and once minors are in the vehicle for the return trip.

Youth Programs operated directly by TWU departments must comply with the requirements of TWU's [Vehicle Operations Policy \(URP 04.520\)](#) for all vehicle use. Other Youth Program Operators must establish similar procedures to ensure only appropriate individuals are driving vehicles used to transport minors. Youth Program Operators must also consider the safety and appropriateness of vehicles being used to transport minors.

PICK UP PROCEDURE

Youth Programs need to establish procedures for pick up of minors, including establishing a list of who is allowed to see or pick up a minor. These procedures must also describe the rules for minors who transport themselves to and from Youth Programs, and the process to obtain authorization for a minor to do so from parents/guardians.

MISSING/LOST MINOR PROCEDURE

Designated Individuals are responsible for knowing the location of minors at all times, both on campus and off for the duration of the Youth Program.

- Designated Individuals must account for minors at all times.
- Regularly check attendance, especially when minors are in transition.
- Immediately notify the Youth Program Operator if a minor is unaccounted for.
- The Youth Program Operator and Designated Individuals will immediately begin searching the area where the minor was last seen.
- **Simultaneously, the Youth Program Operator must contact DPS or local law enforcement for assistance.**
- The Youth Program Operator will contact parents to apprise them of the situation in a timely manner.

When the police arrive, they will assume command of the search.

LAB/STUDIO SAFETY

Minors entering and/or performing activities in a university lab, studio, or other higher hazard environment are to adhere to applicable safety requirements specific to area in which they are occupying and/or using. This includes receiving applicable required training prior to entering or using the area, and understanding and using proper Personal Protective Equipment (PPE). Additionally, lab use will require the parent or guardian or each participating minor must sign the TWU Laboratory Use Agreement.

WATER SAFETY

Youth Programs involving minors that are under the age of 12 and include swimming activities or other activities involving bodies of water are required to comply with [5 TAC 341.0646](#) (*Child Water Safety Requirements for Certain Organizations*, also known as “Caiti’s Law”). Youth Program Operators must obtain a signed written affirmation from a parent or legal guardian for each participating minor indicating whether the minor is able to swim, or is at risk of injury or death, when swimming or otherwise accessing a body of water.

Minors who are unable to swim, or otherwise are at risk of injury or death from such activities, must use a properly fitted and fastened Type I, II, or III United States Coast Guard-approved personal flotation device when swimming or otherwise entering a body of water. Exceptions to this requirement are limited to minors actively participating in swim instruction or a competition who are closely supervised at all times during such activities.

TWU Fitness and Recreation requires any minor who is under the age of 12 or less than 48 inches in height to successfully complete a swimming test prior to being allowed to swim in the TWU pool without a personal flotation device. This requirement is in addition to the above parent/legal guardian attestation requirement. A similar procedure must be developed for Youth Programs operating at non-TWU pools or other bodies of water.

A minimum of two Red Cross-certified lifeguards are required for any swimming activities or other activities involving bodies of water. One lifeguard is required to be on surveillance duty at all times. A lifeguard on surveillance duty is added at 26 swimmers, again at 51, and so on (see chart below):

Number of Swimmers	Lifeguard #1	Lifeguard #2 (surveillance)	Lifeguard #3 (surveillance)	Lifeguard #4 (surveillance)	Lifeguard #5 (surveillance)
0-25	X	X			
26-50	X	X	X		
51-100	X	X	X	X	
100-150	X	X	X	X	X

The normal supervision ratios required for youth programs must still be maintained during swimming/aquatic activities. Lifeguards only count towards required supervision if they meet the requirements applicable to Designated Individuals.

YOUTH PROGRAM REGISTRATION

Youth Programs must provide documentation to Risk Management with sufficient advance notice to confirm the requirements of the [Minors on Campus URP](#) and this document have been met (minimum of 15 business days). Certain Youth Programs will also need to submit documentation to the Texas Department of State Health Services.

TEXAS DEPARTMENT OF STATE HEALTH SERVICES (TXDSHS)

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

RISK MANAGEMENT

All Youth Programs must register and be approved by Risk Management at least annually via an [online registration form](#). The following documentation must be provided to Risk Management for each Youth Program:

1. **Basic Information:** Information about dates, activities, locations, etc.
2. **Sponsoring Department and Sponsoring Department Administrator:** The Youth Program Operator must indicate the TWU department that is sponsoring the Youth Program, and the name of the designated Sponsoring Department Administrator.
3. **Employee Training:** Documentation listing each Designated Individual, the specific DSHS-approved sexual abuse and child molestation training and examination program they completed, and the date they last completed it. Training is required every two years.
4. **Criminal Background Checks:** Documentation listing each Designated Individual and the date of their last background check meeting the requirements [listed above](#).
5. **Authorization Forms/Liability Waivers:** An example of the authorization/liability waiver(s) used.
6. **Procedures:** The Youth Program Operator will provide descriptions or copies of their procedures, including but not limited to:
 - a. Medical Procedures
 - i. Procedures for collecting and protecting medical information
 - ii. Procedures for handling prescription and over-the-counter medications
 - iii. Medical emergency procedures
 - b. Emergency Procedures
 - i. Emergency notification procedures
 - ii. Severe weather procedure
 - iii. Building evacuation procedure
 - iv. Missing/lost participant procedure
 - c. Other Procedures

- i. Procedures to ensure adequate supervision
 - ii. Pick up procedures
 - iii. Field trip/transportation procedures
 - iv. Other safety procedures applicable to Youth Program activities (e.g. swimming, cooking classes, archery, etc.)
7. **Insurance:** Third party Youth Program Operators will need to submit certificates of insurance showing insurance meeting [TWU requirements for Youth Programs](#).

OTHER APPLICABLE TWU POLICIES

[Sexual Misconduct Policy \(Regent Policy B.20010\)](#)

[Prohibition of Sexual Misconduct \(URP 01225\)](#)

[Drug Free Workplace Policy \(URP 01.255\)](#)

[University Tobacco Use Prohibition \(URP 01.260\)](#)

[TWU Whistleblower/Anti-Retaliation Policy \(Regent Policy B.20020\)](#)

[TWU Campus Carry/Gun Free Zones](#)

[Hazing \(URP 06.240\)](#)

[Vehicle Operations Policy \(URP 04.520\)](#)

[Third Party Insurance Requirements](#)

CONTACT NUMBERS

<i>Contact</i>	<i>Phone</i>	<i>Email</i>
Risk Management	940-898-4001	risk@twu.edu
Title IX Coordinator	940-898-2969	TitleIX@twu.edu
TWU DPS - Denton	940-898-2911	N/A
TWU DPS - Dallas	214-689-6666	N/A
TWU DPS - Houston	713-194-2222	N/A