



Texas Christian University Policy

Policy Title: Protection of Minors: Minors on Campus

Policy Subject: Requirements for conducting an activity or program with Minor participants

Division: Office of Risk Management and the Office of Compliance

Policy Number:

I. Applicability

This policy applies to any programs, activities, or events on Campus, whether sponsored by the University, a student organization, a member of the University community, or by third parties, that are expected to include one or more Minors as part of the program or activity except as provided below.

Exclusions: This policy does not apply to:

1. Events or performances on campus open to the general public, which Minors may attend, where parents/guardians are expected to provide supervision of Minors (e.g., athletics events, educational or entertainment events or activities, concerts, etc.).
2. Events or programs offered by University personnel which Minors are invited to participate and the expectation is the Minor is accompanied by their parent(s) or guardian(s) during the event or program.
3. Minors employed by the university.
4. Student recruitment activities, including admissions tours, which involve Minors visiting campus with a parent, legal guardian, or any other adult acting as a guardian for the activity or a recruitment activity that is scheduled to last no longer than one day and does not include an overnight stay.
5. Kindergarten through 12th grade school groups (accompanied by teachers and/or chaperones) visiting campus as members of a campus tour or field trip.
6. Institutional review board (IRB)-approved research involving Minors as human subjects.
7. Clinical services provided to Minors in the Miller Speech & Hearing Clinic or other university clinical or client-care setting.
8. Individuals engaged as volunteers at the [KinderFrogs School](#) or [Starpoin School](#).

II. Policy Statement and Purpose

The purpose of this policy is to adopt and implement program requirements to promote the safety and welfare of Minors who visit TCU's campus, including those who participate in university-sponsored programs and activities, university academic activities, university-related events, or university co-sponsored events and Minors

who participate in a third-party program, camp or event, administered by an external entity, conducted on TCU's campus.

III. Policy Definitions

- a. **Minor:** Any individual under the age of 18. For purposes of this policy, this definition does not include persons under the age of 18 who are enrolled for academic credit, have been accepted for enrollment and are attending new student orientation sessions, or are working for the university as employees.
- b. **Authorized Adult:** Individuals 18 years of age or older, paid or unpaid, who interact with, supervise, chaperone, or otherwise oversee Minors as a part of a Program and who have satisfied the training and background check requirements outlined in this Policy.
- c. **Abuse or neglect:** Texas law broadly defines "abuse" and "neglect" so that every action in which a child's physical or mental health or welfare has been or may be adversely affected is potentially covered. For more information, individuals can refer to [Texas Family Code, Title 5, Subtitle E, Subchapter A, Section 261.001](#)
- d. **Campus:** For purposes of this policy means all buildings, facilities, and properties that are owned, operated, managed, or controlled by the University.
- e. **Program:** Any event or activity on Campus to which this Policy applies (See Section I above).
- f. **Program Director:** Individual responsible for the operation of a Program.

IV. Policy

This policy outlines the requirements for conducting any Program involving Minors as participants on Campus. These requirements, established in accordance with state and federal law, serve as safeguards to protect the well-being of Minors participating in such programs and activities.

A. Registration

The Program Director must register the Program at least 60 days prior to the scheduled start date. Registration shall be completed via the [Special Events Application](#) on the Conference Services website. Recurring Programs must register annually.

For programs and activities coordinated in conjunction with TCU Extended Education, the Program Director must register the Program with [TCU Extended Education](#).

B. Authorized Adults

Only Authorized Adults may interact with, supervise, chaperone, or otherwise oversee Minors as a part of a Program. This includes but is not limited to faculty, staff, volunteers, graduate and undergraduate students, interns, employees of

temporary employment agencies, independent contractors/consultants, and on-campus vendors as well as third parties who interact with Minors as a part of third-party programs, camps or events conducted on Campus.

To become an Authorized Adult, an individual must satisfy the following requirements:

1. Training Requirements

All Authorized Adults must successfully complete a [state-approved training and examination program](#) on sexual abuse and child molestation awareness within 365 days prior to participation. A list of state-approved sexual abuse and child molestation awareness training and examination courses is available on the [Texas Department of State Health Services \(TDSHS\) website](#).

The Program Director shall be responsible for ensuring and documenting that all Authorized Adults have completed required training prior to commencement of the Program. The Program Director must submit the [Campus Program for Minors Information Form](#) to the TDSHS, listing the names of the proposed Authorized Adults who have successfully completed an approved sexual abuse and child molestation awareness training and examination course. As required by Texas Education Code 51.976, the TDSHS approved document must be submitted prior to the start of the Program. Additionally, the [Campus Program for Minors Information Form](#) must be submitted to Conference Services (or Extended Education) prior to the scheduled start date of the Program. Individuals are prohibited from serving in the role of an Authorized Adult if they have not successfully fulfilled the training requirement as reflected on the *Campus Program for Minors Information Form* submitted by the Program Director to Conference Services (or Extended Education).

TCU faculty, staff and, enrolled students may request access to the online, state-approved *Protecting Youth: Preventing Abuse and Neglect*. Successful completion fulfills the training requirement outlined within this Policy. Requests to gain access to the online course and/or verification of successful course completion by a TCU faculty or staff member, or by an enrolled student may be obtained by contacting the Office of Compliance at askcompliance@tcu.edu.

2. Background Checks

Prior to the scheduled start date of the Program, the Program Director must submit to Conference Services (or Extended Education), the *Background Checks: Certification of Compliance* form, attesting that each individual listed by the Program Director on the *Campus Program for Minors Information Form* has satisfied the background check requirements described in this section:

- a. Each Authorized Adult must have passed a criminal conviction and sex offender background check within the previous 365 days before participating in any Program. The cost of the background checks will

be borne by the department, activity, program, or external third-party responsible for the program. Additionally, the background checks must meet University standards and criteria, including a national sex offender registry check, a search of federal and state or county databases for criminal history, and a social security number trace.

- b. Before the Program Director attests that each Authorized Adult has passed a background check, the Program Director shall inquire of each proposed Authorized Adult whether, since the time they completed the background check, the Authorized Adult has the following types of criminal convictions or deferred adjudications: a misdemeanor or felony under Texas Penal Code, Title 5 (Offenses Against the Person) excluding a Class C misdemeanor under §22.01 (Assault), Title 6 (Offenses Against the Family), Chapter 29 (Robbery) of Title 7, Chapter 43 (Public Indecency) or §42.072 (Stalking) of Title 9, §15.031 (Criminal Solicitation of a Minor) of Title 4, §38.17 (Failure to Stop or Report Aggravated Sexual Assault of Child) of Title 8, or any like offense under the law of another state or under federal law.
- c. If a criminal background check or other credible source of information (including the self-disclosure required in the preceding paragraph) reveals adverse information or unfavorable results, the Program Director shall only attest that the Authorized Adult has passed the background check if the individual has been approved as an authorized Adult by the TCU Police Department. To that end, the Program Director shall provide any adverse information or unfavorable results to the TCU Police Department, at which time the TCU Police Department will conduct an individualized assessment designed to identify potential risk to Minors. A prior conviction shall not automatically disqualify an individual from becoming an Authorized Adult.
- d. The Program Director shall instruct each Authorized Adult that each Authorized Adult has a continuing duty to disclose to the Program Director and to TCU, if after receiving approval to serve as an Authorized Adult and before the end of the Program, they have been: 1) arrested, convicted, or charged with any crime involving child abuse or neglect, sexual offenses, sexual exploitation, domestic violence, and/or other acts of violence; or 2) served with a protective order, a restraining order, or an injunction based upon allegations of stalking. In the event any Authorized Adult discloses such information to the Program Director, the Program Director shall suspend the Authorized Adult's participation in the Program until such time as TCU Police clears the individual to participate in the Program.

C. Mandatory Reporting of Child Abuse and Neglect

Under Texas law, the Texas Education Code - Chapter 51.9761 and [Section 261.101 of the Texas Family Code](#) mandates that a person who witnesses, suspects or receives a report of child abuse or neglect is required by law to report it immediately. The report shall be made to the Texas Department of Family and Protective Services at 1-800-252-5400 or any local law enforcement agency. The law provides immunity for those who make a good faith report since we are not responsible for verifying whether suspected or alleged abuse has actually occurred. Failure to make a report is a crime in Texas, punishable by up to one (1) year in prison and a fine of up to \$4,000.

For an emergency on campus, call TCU Police Department at 7777 or 817-257-7777; for an emergency off campus, call 911. If the incident occurred off campus, the reporter shall contact the TCU Police Department and they will assist with connecting the reporter to the local law enforcement agency responsible for investigating the allegations.

In addition to the above required actions pertaining to child abuse or neglect, any individual may also file a report by calling the [TCU Ethics & Compliance Hotline](#) at 1-844-996-0283 or by [making an online report](#). The hotline enables individuals to communicate issues and concerns with unethical, illegal, or otherwise inappropriate activity while maintaining anonymity and confidentiality.

D. Standards of Behavior

Authorized Adults working in a Program must not engage in any behavior that could cause harm or be misinterpreted as possibly causing harm. Prohibited conduct for Authorized Adults includes, but is not limited to:

- No Authorized Adult who is not the parent or guardian of the Minor may be alone with a Minor in a private area (behind closed doors in an area that cannot be observed by others). Approved one-on-one interactions may only take place in open and well-illuminated areas or rooms observable by another Authorized Adult from the Program.
- No Authorized Adult may be alone in a vehicle with a Minor at any time.
- Contact between an Authorized Adult and Minor is restricted to Program-sanctioned activities and times. Authorized Adults should not contact Minors outside of Program activities or Program specific needs.
- No Authorized Adult may have direct electronic contact with a Minor without another Authorized Adult included in the communication.
- No Authorized Adult may touch a Minor in a manner that a reasonable person would interpret as inappropriate.
- No Authorized Adult may use or be under the influence of alcohol or illegal drugs in the presence of a Minor.

E. Consent (and Liability Waiver)

The Program Director shall obtain written consent from the Minor's parent or legal guardian for the Minor's participation in any Program. Such consent shall include a process for contacting a parent or legal guardian in case of an emergency.

V. Enforcement

Individuals violating this policy will be held accountable for their actions and are subject to corrective action, up to and including termination of employment.

Additionally, failure to comply with the requirements set forth in this policy may lead to revocation of permission to use university premises. The University may also take necessary interim actions before determining whether a violation has occurred. The University may terminate relationships or take other appropriate actions against non-University entities that violate this policy.

VI. Administrative Responsibility

The Department of Public Safety, Office of Risk Management, Division of Human Resources, and the Office of Compliance are responsible for administering and interpreting this policy. Questions regarding this Policy should be directed to askrisk@tcu.edu.

VII. Policy History

Issued: March 11, 2021

VIII. Related Policies and or Related Documents

[Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act](#)
[Texas Education Code, Chapter 51, Section 51.976](#)

[Texas Administrative Code, Campus Program for Minors, Rule 265.401 – 265.405](#)
[Section 261.101 of the Texas Family Code](#)

[Policy 6.080 – Duty to Report Suspected Child Abuse](#)

Background Checks: Certification of Compliance

Protection of Minors: Checklist

IX. Appendix

There are no appendices.

X. Approved By and Approval Date

Approved by Chancellor's Cabinet, March 10, 2021