

Additional Requirements for Designing and Operating Programs Involving Minors

General Program Documents:

- 1) If applicable, the program must deliver exactly what the brochure promises. All brochures must have, at a minimum, a disclaimer and a clause authorizing the change or modification of the program with or without notice.
- 2) A signed [Waiver of Liability and Media Release](#) or its equivalent must be obtained from each participant. These records must be maintained for the duration of the program plus seven (7) years. Waivers must not be disclosed except as provided by law.

Supervision Requirements:

- 1) Supervision involves the following:
 - a) direct observation of minor participants;
 - b) warning or instructing the minor participants on the proper use of equipment and all safety precautions which must be observed;
 - c) establishing and enforcing rules and regulations for minor participant conduct;
 - d) developing and implementing supervision plans.
- 2) Adequate supervision of minors must be maintained during the program. All activities involving minor participants must be supervised by at least one or more trained and qualified program staff members or by their parent(s) or legal guardian(s). Some factors to consider in determining "adequate supervision" are the number and age of participants, the nature of the activities, the type of housing (if applicable), and the age and experience of the counselors. Trained staff must be provided in accordance with current South Carolina daycare laws and the American Camp Association guidelines as follows:
 - a) 5 years & younger: 1 staff for each 5 overnight participants and 1 staff for each 6 daytime participants
 - b) 6–8 years: 1:6 for overnight participants and 1:8 for daytime participants
 - c) 9–14 years: 1:8 for overnight participants and 1:10 for daytime participants
 - d) 15–18 years: 1:10 for overnight participants and 1:12 for daytime participants
 - e) 6-18 years special needs or adults under court-appointed guardianship: 1:3 for overnight participants and 1:5 for daytime participants
- 3) A trained and qualified program staff member who is at least 21 years of age must be accessible to minor participants by phone or in person during all program activities. The staff member must reside in the housing unit if applicable. Additional program staff must be assigned to limit one-on-one contact with minor participants and to

ensure that appropriate levels of supervision are maintained.

- 4) If applicable, rules and regulations for proper supervision of minor participants in overnight accommodations must be established. The following must be included:
 - a) Written permission signed by the parent/guardian for the minor to reside in University housing.
 - b) No more than one minor participant per bed.
 - c) A curfew time which is age-appropriate for the minor participants, allowing at least eight (8) hours of sleep for participants.
 - d) In-room visitation restricted to participants of the same gender.
 - e) Guests of minor participants (including parents, guardians, and family members) are restricted to visitation in the building lobby and only during approved hours specified by the program.
 - f) Program compliance with all security measures and procedures specified by University Housing Services and Law Enforcement.
- 5) No minor participant can be released to any party other than the individual(s) listed in the section pertaining to custodial information on the [Waiver of Liability and a Media Release](#) or its equivalent. Written procedures to address the release of minor participants from their program must be established. Program staff must verify the individual's identity, preferably through a valid driver's license.

Staffing and Program Requirements:

- 1) Program staff must:
 - a) Limit one-on-one contact with minor participants: there must be two or more staff members present during activities where minor participants are present.
 - b) Not have any inappropriate direct electronic (e.g. social networking websites, texting, email, etc.) contact with minor participants.
 - c) Not enter a minor's room, bathroom facility, or similar area without another staff member in attendance when providing overnight supervision of minor participants unless there is an emergency.
 - d) Stay in separate accommodations from minors and must not share bathroom accommodations with participants with exception made only for the minors' parents or guardians when serving as program staff.
 - e) Not engage in abusive conduct of any kind toward, or in the presence of, a minor participant.
 - f) Not strike, hit, or administer corporal punishment to, or touch in an inappropriate or illegal manner, any minor participant.
 - g) Not pick up minor participants from or drop off minors at their homes, other than the driver's child(ren).
 - h) Not provide alcohol, tobacco, or illegal drugs to any minor participant. Staff members must not provide prescription drugs or any medication to any minor participant unless specifically authorized in writing by the parent or legal

guardian as being required for the minor's care or the minor's emergency treatment.

- i) Not make sexual materials in any form available to minor participants or assist them in any way in gaining access to such materials.
- 2) Documented program staff training must be maintained for the duration of the program plus seven (7) years. Training for all program staff members must occur prior to the start of the program and include information about:
- a) Responsibilities and expectations; policies, procedures, and enforcement;
 - b) Minimizing one-on-one contact with minor participants and appropriate supervision techniques during one-on-one contact;
 - c) Appropriate crisis/emergency responses; safety and security precautions;
 - d) Confidentiality issues involving minor participants;
 - e) University responsibility/liability;
 - f) How to request local emergency services;
 - g) How to report suspected child abuse;
 - h) Safety and security procedures;
 - i) University rules, rules established by the program, behavioral expectations and how to enforce all rules;
 - j) Sexual abuse awareness;
 - k) Proper release of minor participants attending the program.
- 3) An orientation session must be conducted for the minor participants to explain the program, all the applicable rules and regulations, and the consequences for violation of the program's rules. Each program must make available to minor participants and parents/guardians the rules and discipline measures applicable to the program. Minor participants and staff must abide by all University regulations and must be removed from the program for non-compliance with rules. The following must be included in program rules:
- a) The possession or use of alcohol and other drugs, fireworks, guns and other weapons is prohibited.
 - b) The operation of a University or personal motor vehicle by minors is prohibited during program hours.
 - c) The parking of staff and participant vehicles must be in accordance with University parking regulations.
 - d) Rules and procedures must be specified governing when and under what circumstances minor participants may leave University facilities during the program.
 - e) No violence, including sexual abuse or harassment, will be tolerated.
 - f) Hazing of any kind is prohibited. Bullying including verbal, physical, and cyber bullying, is prohibited.
 - g) No theft of property, regardless of owner, will be tolerated.
 - h) No use of tobacco products will be tolerated.

- i) Misuse or damage of University facilities is prohibited. Charges will be assessed against those participants who are responsible for damaging or misusing University facilities.
- j) The inappropriate use of cameras, imaging, and digital devices is prohibited, including use of such devices in showers, restrooms, or other areas where privacy is expected by minor participants.

Emergencies and Medical Requirements:

- 1) Written procedures must be established for emergencies and in the event a minor participant becomes ill or injured. A written incident report must be completed for any situations requiring medical or police intervention.
- 2) Access to emergency medical services at all program locations must be arranged. Medical care appropriate for the nature of the events, expected attendance and other variables must be determined and implemented prior to the event.
- 3) A written procedure for the notification of the minor participant's parent/legal guardian in case of an emergency, including medical or behavioral problem, natural disasters, or other significant program disruptions, must be developed.
- 4) If applicable, each minor participant must sign and return a [Health and Emergency Information Form](#) or its equivalent. Program staff must always maintain possession of such documents in a confidential and protected manner complying with all HIPAA requirements.
- 5) If applicable, each minor participant or their parent/guardian must sign and return the [Consent and Declaration of Prescription Medication, Over-The-Counter Drugs, and Health and Medical Monitoring Devices Form](#) or its equivalent. Minor participants' medicines may be distributed by program staff under the following conditions:
 - a) The minor participant's family provides the medicine in its original pharmacy container labeled with the minor participant's name, medicine name, dosage and timing of consumption. Over-the-counter medications must be provided in their manufacturers' container.
 - b) Staff must keep the medicine in a secure location, and at the appropriate time for distribution, must meet with the participant.
 - c) The staff member must allow the minor participant to self-administer the appropriate dose as shown on the container.
 - d) Any medicine which the minor participant cannot self-administer must be stored and administered by a licensed healthcare professional associated with the campus, or if no one is available, arrangements must be made with another health care professional in advance of the minor participant's arrival. The Sponsoring unit must consult with the location's health service and the Office of Affirmative Action ADA Coordinator to discuss reasonable accommodations in the above situation.

- e) Personal EpiPens, over-the-counter medications, birth control, and inhalers may be carried by the participant during activities.

Travel Requirements:

- 1) A separate [Field Trip Consent and Release Form](#), or its equivalent form, must be obtained from a parent or guardian of each minor participant for all field trips
- 2) Regardless of distance, transportation must be by University-obtained vehicle, and each vehicle must have a mode of communication (e.g. cellular phone).
- 3) All drivers must be certified / trained and have proper clearance to operate a vehicle transporting minor participants through the Vehicle Management department (state vehicles).
- 4) Minor participants under the age of eighteen (18) must not be transported in a fifteen (15) passenger van.
- 5) Programs more than fifteen (15) miles from campus, or off-campus overnight events, must have one (1) staff member over the age of 21 for each thirty (30) minor participants and one (1) trained staff member for each ten (10) minor participants.
- 6) If applicable, a certificate of insurance must be obtained from the owner of the charter bus company evidencing coverage for general liability for no less than \$1M per occurrence; automobile comprehensive, collision and liability for no less than \$5M combined single limit; and workers' compensation insurance meeting state statutory limits. The University of South Carolina must be named as an additional insured on the certificate.