

24.01.06 Programs for Minors

Revised [July 30, 2019](#)

Next Scheduled Review: July 30, 2024

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Regulation Summary

Programs for minors sponsored and operated by members of The Texas A&M University System (system) **and** third-party programs using member facilities must follow this regulation. This regulation requires child abuse training for employees/volunteers of programs for minors and establishes systemwide standards for such programs.

Definitions

Click to view [Definitions](#).

Regulation

1. GENERAL

The purpose of system programs for minors is to provide minors recreational, athletic or enrichment/educational activities in a safe, nurturing environment.

2. REPORTING NEGLECT OR ABUSE

A person having cause to believe that a minor's physical or mental health or welfare has been adversely affected by abuse or neglect by any person **must immediately make a report to local law enforcement**. This legal requirement will be communicated by members to all individuals participating in the management/supervision of programs for minors and to all employees and volunteers of third-party programs utilizing member facilities.

3. MEMBER RULE FOR PROGRAMS FOR MINORS

Members must adopt a rule for programs for minors. The rule will address the requirements of this regulation to include:

- (a) A designee(s) who is authorized to review and approve programs for minors on behalf of the member;
- (b) Procedures on the processing of both criminal conviction and sex offender background checks and a designee who will review and approve/disapprove the employment or assignment of employees or volunteers to programs for minors based on findings.

Original hire background checks for current member employees do not meet this requirement;

- (c) Prohibition of communication, including by social media, between minors and counselors outside of official communications of the program for minors;
- (d) Procedures on reporting suspected abuse/molestation of minors;
- (e) Procedures on the distribution and security of medicine;
- (f) Procedures to ensure the security and confidentiality of medical information;
- (g) Procedures on the retention of medical information;
- (h) A risk assessment procedure to review and mitigate risks associated with the operation of programs for minors;
- (i) Job descriptions for each position involved in the operation of programs for minors;
- (j) A published minor/counselor ratio for day and overnight programs for minors;
- (k) Appointment of a dedicated program director for each program for minors, whether the program is sponsored by a member or third party using member facilities;
- (l) A set of standards for handling minors with special needs;
- (m) Completion of a Waiver, Indemnification and Medical Release Form for each program participant (see Appendix); and
- (n) A requirement to purchase general liability and accident medical coverage through the System Risk Management insurance program or validation that insurance provided by third-party programs is equivalent in limits and coverage to the program provided through System Risk Management.

4. TRAINING AND EXAMINATION PROGRAM ON WARNING SIGNS OF SEXUAL ABUSE AND CHILD MOLESTATION

4.1 Any individual who will have involvement with a program for minors (i.e., member employees, program counselors, or program volunteers) is required to successfully complete the system-approved Child Protection Training Course every two years with a score of 100%.

4.1.1 Training must be completed prior to the employees' or volunteers' interacting with minors; new employees hired specifically for a position involving contact with minors at programs for minors must complete the training within the employees' first five days of employment.

4.1.2 A certificate of completion must be kept on file for two years.

4.2 Employees or volunteers of programs for minors operated by a third party may substitute the system-approved training course with a Texas Department of State Health Services (DSHS) approved course (See Related Statutes).

4.3 Training will not be required for system employees or third-party personnel whose employment does not involve interaction with minors.

- 4.4 Programs for minors with over 20 participants and conducted over four days must submit the DSHS-approved training roster to the DSHS (See Appendix).

5. CRIMINAL CONVICTION AND SEX OFFENDER BACKGROUND CHECKS

- 5.1 Annually, **both** a criminal conviction **and** sex offender background check will be conducted on all individuals involved with a program for minors. The check must be performed on the individual's permanent address, utilizing a criminal history database and sex offender registration database (such as the TXDPS-Sex Offender Registry or other valid sex offender database). Documentation that a search was conducted must be maintained for a period of two years.
- 5.2 Members must designate a person and/or department who will be given the authority to review and approve/disapprove employee or volunteer involvement with a program for minors based on the results of the required criminal conviction and sex offender background check.
 - 5.2.1 A criminal conviction/deferred adjudication for any of the following offenses **automatically disqualifies** a person: Felony or misdemeanor under Texas Penal Code § 15.031 (Criminal Solicitation of a Minor); Title 5, Ch. 22 (Assaultive Offenses); Title 6, Ch. 25 (Offenses Against the Family); Title 7, Ch. 29 (Robbery); Title 8, § 38.17 (Failure to Stop or Report Aggravated Sexual Assault of a Child); Title 9, § 42.072 (Stalking) or Ch. 43 (Public Indecency); or any like offense under the law of another state or under federal law.
 - 5.2.2 A criminal conviction/deferred adjudication for any of the following offenses **may disqualify** a person: Misdemeanor or felony committed within the past 10 years under Texas Penal Code Title 10, § 46.13 (Making a Firearm Accessible to a Child) or Ch. 49 (Intoxication and Alcoholic Beverage Offenses); Texas Health and Safety Code, Ch. 481 (Texas Controlled Substances Act); or any like offense under the law of another state or under federal law.
- 5.3 If a criminal conviction and/or sex offender background check returns an offense potentially disqualifying a person, the member will refer the matter, along with its recommendation, to the Office of General Counsel (OGC) for legal review. OGC will review the recommendation for legal sufficiency and provide a written response.
- 5.4 A copy of the participant roster and employee/volunteer roster, including name and contact information, must be maintained for two years.

Related Statutes, Policies, or Requirements

[Tex. Edu. Code § 51.976](#)

[Tex. Fam. Code Ch. 261, Subchs. A and B](#)

[Texas Department of State Health Services Approved Training Programs](#)

Appendix

[Risk Assessment Matrix for Use with Programs for Minors](#)

[Waiver, Indemnification, and Medical Treatment Authorization Form](#)

[Third-Party Minor Camp or Program Contract Template](#)

[DSHS Training Roster Form](#)

[Minors Medical Information & Release Form](#)

Member Rule Requirements

A rule is required to supplement this regulation. See Section 3.

Contact Office

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