

## 24.01.06.K1 Programs for Minors



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Revised: July 2, 2015  
Revised: November 22, 2019  
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### Rule Summary

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Programs for minors sponsored and operated by Texas A&M University-Kingsville (TAMUK) **and** third-party programs using TAMUK facilities must follow this rule. This rule establishes criteria to provide minors recreational, athletic or enrichment/educational activities in a safe, nurturing environment and complies with System Regulation 24.01.06, *Programs for Minors*.

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### Definitions

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### Rule

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#### 1. GENERAL

- 1.1 All campus programs for minors (CPM) and outreach programs held on TAMUK property or utilizing the university's name or resources in any way must operate under the administrative purview of a university administrative unit, college, or recognized university organization.
- 1.2 For the purpose of this rule "university sponsored" shall be understood to mean the operation of a CPM using the name, staff, affiliation, facilities, or other resources of TAMUK.
- 1.3 All CPMs must be reviewed annually for compliance with the current laws and regulations. The following designees are authorized to review and approve CPM on behalf of TAMUK:
  - 1.3.1 CPM sponsored through a university academic college/department shall be approved by the college Dean.
  - 1.3.2 CPM sponsored through the University Intercollegiate Athletics and Campus Recreation Division shall be approved by the Executive Director of Intercollegiate Athletics and Campus Recreation.

- 1.3.3 CPM sponsored through a unit under the division of Academic Affairs which does not report through a college Dean shall be approved by the Associate Vice President for Academic Affairs.
- 1.3.4 CPM sponsored through a unit under the division of Student Affairs shall be approved by the Dean of Students Office.
- 1.3.5 CPM sponsored for the purpose of recruitment and/or admission shall be approved by the Executive Director of Admission.

Information about the application process may be obtained from the Enterprise Risk Management Office, Lewis Hall; Room 154. CPM applications must be submitted at least two weeks prior to the start date of the program. Applications shall be submitted electronically to the [Enterprise Risk Management](#) Office for processing. If you have any questions or concerns or become aware of concerns with your camp, please contact Enterprise Risk Management.

1.4 Approval of a CPM does not guarantee facility availability or usage. It is the responsibility of the program sponsor to arrange for the booking of meeting rooms, housing accommodations, food service, etc. for desired dates.

## 2. DEFINITION OF A CAMPUS PROGRAM FOR MINORS AND OUTREACH PROGRAMS

Activities described in Sections 2.1 through 2.4 are governed by this rule regardless of whether or not the program is a day camp/outreach program, one that includes an overnight stay, or whether the overnight stay is on or off campus.

### 2.1 Camps:

- (a) A university-sponsored activity that has a participant group made up in whole or part, of individuals under the age of eighteen (**K through 12th-grade groups visiting the campus for the purpose of conducting tours or solely as patrons of educational or entertainment events are generally not considered to be camps or youth outreach programs.**);
- (b) Collects fees from participants; and
- (c) Serves some aspect of the university's educational mission.

### 2.2 Academic Youth Outreach Programs:

A university-sponsored activity that has a participant group made up in whole or part, of individuals under the age of eighteen and is operated by a department or college for the primary purpose of academic enhancement or recruitment. (**K through 12th-grade groups visiting the campus for the purpose of conducting tours or solely as patrons of educational or entertainment events are generally not considered to be camps or enrichment programs.**)

2.2.1 Youth outreach programs should charge only a nominal fee or no fee to participants.

### 2.3 Student Affairs Youth Outreach Programs

In addition to the criteria established in section 2.1(a) of this rule, programs operated through the Division of Student Affairs shall be sponsored by a department within Student Affairs or by a recognized student organization.

### 2.4 Third Party Camps

Third Party Camps are covered under this rule if they meet the provisions stated in 2.1.(a). Except for the use of the university's facilities, a Third Party Camp is not otherwise affiliated with TAMUK. They must operate under the administrative purview of a university department and are subject to the same approval and insurance coverage and training criteria as University camps.

2.4.1 The university department may receive a portion of the net proceeds generated from the operation of the Third Party Camp.

2.4.2 For purposes of this rule, subsequent references to "camp(s)" shall be construed to include Third Party Camps.

### 2.5 Satellite Camps/Clinics

Satellite camps/clinics, generally defined, are camps/clinics that not hosted on TAMUK property but utilize the university's name or resources in any way and thereby must operate under the administrative purview of a university department, college, or recognized university organization.

## 3. STAFFING

3.1 Each CPM shall have at least one adult supervisor who is responsible for the supervision of no more than ten (10) children in the program. An "all program" sedentary activity, not requiring physical activity, may require less supervision, and each program shall establish its own guidelines, but not less than one adult supervisor to every twenty-five (25) minors. The program director shall not be included in the supervisor to minor ratio in programs serving over fifty (50) minors at one time. For any hazardous activity such as working with tools, the use of firearms or weapons, the use of chemicals or gases, and swimming and water sports, as identified in the CAF6 Risk Assessment Form that is reviewed and approved by Enterprise Risk Management, the supervisor(s) shall be in the immediate vicinity (within sight and/or hearing) of the minors. Based on the Camp Itinerary, CAF4 Form, Enterprise Risk Management will conduct random spot checks during activities considered hazardous to ensure compliance. If non-compliance is observed, the activity will be halted until compliance can be achieved.

3.2 A job duty description for each role (e.g. Program Director, Counselor) involved in the operation of a CPM shall be developed and approved by Enterprise Risk Management no later than 30 days prior to the start of the program.

3.3 Each CPM must appoint a dedicated director, whether the program is sponsored by TAMUK or a third party using university facilities.

- 3.4 All communication, including social media, between minors and counselors outside of official communications of the CPM is **strictly prohibited**. The Program Director is responsible for enforcing this communication restriction and if a violation is discovered, the Program Director must report the occurrence to UPD or a Campus Security Authority.
- 3.5 CPM sponsors shall conduct annual background checks on all active staff or volunteers, for new hires, volunteers, and employees with a break in service the background check must be completed 30-days prior to the date of employment if any program participants are under the age of eighteen. Original hire background checks for current member employees do not meet this requirement. Background checks will include criminal history checks and sex offender database checks. The University Police Department (“UPD”) will conduct background checks upon request for a nominal fee of \$5.00 per person. The CPM shall bear this expense.
- 3.6 The program sponsors will be responsible for obtaining an executed authorization from all staff or volunteers to conduct a criminal background check. Individuals with program approval authority identified in Section 1.3 above, in consultation with TAMUK Human Resources and Enterprise Risk Management, are responsible for determining if any criminal history will disqualify the staff or volunteer following System Regulation 24.01.06, Sections 5.2 and 5.3.
- 3.7 CPM sponsors are responsible for ensuring that **both** background screenings are conducted prior to the start of employment or volunteer service and that appropriate documentation is maintained for a period of two (2) years.
- 3.8 Contracts with Third Party Programs shall comply with all identified stipulations contained within the TAMUK Third Party Camp agreement, CAF 8, addressing staffing, insurance requirements, background checks, and training requirements.
- 3.9 Each CPM sponsor must complete the Risk Assessment Form, CAF 6, as part of the Camp Application.

#### 4. OTHER APPROVAL PROVISIONS

- 4.1 The sponsor of the CPM must have established a process for the proper receipting, depositing and handling of special activity fees and other funds collected pursuant to System Regulation 21.01.02 and university procedures. This must be done in consultation with the University Business Office.
- 4.2 The sponsoring department, college, or unit of the university must have in place, or must establish, an account(s), in accordance with System Regulation 21.01.02 and university procedures, with the Business Office for the deposit of special activity fees or other funds collected. All invoices associated with the CPM, such as food services, transportation, insurance, housing, etc., will be paid from this account.
- 4.3 Copies of invoices generated by the CPM to collect funds must also be provided to the Business Office for close coordination of receivables which are outstanding or due.

#### 4.4 Insurance Requirements

- 4.4.1 As a condition of approval, each CPM is required to purchase general liability and accident medical insurance coverage, or purchase coverage through the System Risk Management insurance program. The cost of the required insurance coverage will be the responsibility of the CPM sponsor.
- 4.4.2 Third Party Camps must procure their own insurance coverage and coverage must be validated by Enterprise Risk Management as equivalent limits to the the System Risk Management insurance program. They are subject to the same approval and insurance coverage criteria as other university CPMs. Third Party Camps must provide evidence of a general liability insurance policy under which TAMUK is listed as “additional insured”.
- 4.4.3 All insurance coverage shall be approved by System Risk Management in accordance with System Regulation 24.01.06. System Risk Management will grant approval after the risk assessment form, CAF 6, has been completed to determine the necessity and type of coverage best suited to mitigate target risk.

#### 4.5 Safety and Medical Care Provisions

- 4.5.1 Training and Examination Program on warning signs of sexual abuse and child molestation must be completed by all employees’ and volunteers, interacting with minors in compliance with System Regulation 24.01.06. The training must be completed within the employees’/volunteers’ first five (5) days of employment, prior to interaction with minors with the certificate of completion maintained on file, by the sponsoring department, for two (2) years and the training is valid for two (2) years. Additional safety awareness information, specific to CPM activities identified in the CAF-6 planning and risk assessment form, shall be provided to all staff or volunteers where appropriate, by the CPM, and may include training on First Aid and CPR.
- 4.5.2 Each CPM participant (or a parent/guardian if underage) shall complete the Waiver, Indemnification and Medical Release form, CAF 7. The completed forms are to be retained by the sponsoring department as required by the TAMUS Records Retention Schedule.
- 4.5.3 CPMs with over 20 participants and conducted over four days must submit the DSHS-approved training roster to the DSHS.
- 4.5.4 Except for orientation programs where participants are also enrolled at the university, healthcare services from Student Health and Wellness are not available to participants covered under this procedure. CPM sponsors should formally arrange for referral for emergency medical services prior to the start of the program. Documentation, CAF 2, to confirm this arrangement must be provided as part of the application process.

- 4.5.5 All CPMs must obtain authorization to administer any medication to a child from the child's parent or guardian in a written, signed and dated format using a completed Authorization for Dispensing Medical Information Form. All medications must be maintained in a secure manner by the program director unless the participants are authorized to maintain the medications such as an inhaler or an auto-injector i.e., EpiPen. All medical information must be safeguarded against unauthorized disclosure through the use of controlled access.
  - 4.5.6 When notified that a minor with special needs will attend a CPM, the special needs will be accommodated whenever possible and in accordance with applicable federal and state laws, system regulations, and university rules and procedures.
- 4.6 University Branding
- 4.6.1 The university's licensing program sets standards for the commercial use of its logos, names, trademarks, slogans, and symbols. These are registered with the Secretary of State, and unauthorized use is prohibited. For more information on the registration and/or trademarking of the logo and other university icons, please contact the Office of Strategic Sourcing and General Services at (361) 593-3814 as well as reference <https://www.tamuk.edu/marcomm/branding.html> for additional information.

## 5. REPORTING OF INCIDENTS OR ACCIDENTS

- 5.1 CPM sponsors are responsible for submitting an incident report, CAF 10, in any case where a participant is involved in a physical altercation, when a minor is injured (whether taken for medical care or not), or where it is necessary to summon police officials because of health and safety concerns. Incident Reports shall be submitted to Enterprise Risk Management within 12-hours following the incident. A copy of the incident report shall also be sent to the university administrator who approved the program application and the Environmental Health and Safety Office. To report an incident or accident, the Campus Program for Minors Incident Report Form shall be used.
- 5.2 Anyone suspecting or having a cause to believe that a minor has been subjected to abuse, molestation, or neglect will immediately make a report to the University Police with notification to the Executive Director, Enterprise Risk Management. All participating employees, volunteers, and third-party personnel will be informed of this requirement prior to the start of the CPM.

## 6. SPECIAL ISSUE COMMUNICATION

- 6.1. Camp/Program director should contact the Executive Director of Enterprise Risk Management (in his absence, the Director of Compliance and Risk Management) when they become aware of concerns with their respective camps, and notify their respective Vice President or designee.

- 6.2. Risk Management will research the concern to discuss with UPD and Director of Compliance and Risk Management (who will consult General Counsel, as necessary). If a decision recommendation can be made after these discussions, the appropriate Vice President or designee will be provided the recommendation and she/he will inform the camp/program director of the decision. The Chief of Staff and Marketing and Communication will be informed of the situation.
- 6.3. If a decision recommendation consensus cannot be achieved and further input/advise is required, ERM will contact System Risk Management. Based on this discussion the decision recommendation may need to be elevated to the Chief of Staff and President.
- 6.4. During emergencies and active police investigations, the University Police Department will have ultimate decision making authority in keeping with applicable state laws.
- 6.5. In all instances, the Chief of Staff and President will be informed of the concern, with assurances that the appropriate division senior administrator will also be informed.

## 7. MONITORING OF CAMPUS PROGRAMS FOR MINORS

Enterprise Risk Management shall monitor that the administration of these CPMs is in compliance with System policy and regulations and university rules and procedures.

- 7.1. Program sponsors will be expected to make available documentation required to support the application process.
- 7.2. Program registration, promotional materials and web site information will be reviewed for compliance with System policy and regulations and university rules and procedures.
- 7.3. Staff training and orientation materials will be available for review.
- 7.4. A program risk assessment report will be prepared annually by Enterprise Risk Management and the results reported to upper management.

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## **Related Statutes, Policies, or Requirements**

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[System Regulation 21.01.01, Receipt, Custody and Deposit of Revenues](#)

[System Regulation 24.01.06, Programs for Minors](#)

[Texas Education Code § 51.976](#)

[Texas Family Code Chapter 261, Subchapters. A and B](#)

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

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## Contact Office

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Enterprise Risk Management  
(361) 593-2237