

**Policy 3118
Programs, Events, and Camps Involving Minors**

Date of Current Revision: October 2024

Primary Responsible Officer: Office of Youth Safety

Secondary Responsible Officers: Associate Vice President of Student Life and Involvement; Dean, School of Professional and Continuing Education

1. PURPOSE

The purpose of this policy is to ensure the safety of minors who participate in programs, events, and/or camps (PECs) supported by JMU or on university property or using university facilities.

2. AUTHORITY

The Board of Visitors has been authorized by the Commonwealth of Virginia to govern James Madison University. See Code of Virginia § 23.1-1600; § 23.1-1301. The board has delegated the authority to manage the university to the president.

Code of Virginia § 63.2-1509

Code of Virginia § 63.2-100

3. DEFINITIONS

Affiliate

An individual who has a formal affiliation with the university under the terms of Policy [1337](#) – Affiliates.

Authorized Adult

Program, event, and camp staff, paid or unpaid, 18 years or older, who interact with, supervise, chaperone, or otherwise oversee minors in a welfare-providing role during PECs or in recreational and/or residential facilities associated with the PECs. These individuals are accessible to participants during PECs. This includes, but is not limited to, JMU: faculty, staff, affiliates, volunteers, graduate and undergraduate students, interns, employees of temporary employment agencies, and independent contractors/consultants. The authorized adults' roles may include positions as teachers, counselors, chaperones, coaches, instructors, drivers, etc. Authorized adults are considered mandatory reporters of child abuse and neglect, as defined by Virginia law. Further guidance on mandatory reporters is provided in Policy [1406](#) – Reporting Suspected Child Abuse or Neglect.

PEC staff are categorized as Tier I, Tier II, or Tier III based on the individual's level of responsibility and the level of accountability associated with the role. Refer to the Office of Youth Safety Procedures Manual for further details regarding specific categorizations.

Authorized PECs

A Program, event, or camp that has received approval from the Office of Youth Safety to operate with minors on university property or using university facilities for that purpose.

Compliance Checklist

A document listing the requirements for a PEC to be authorized to operate on university property or to use university facilities.

Criminal Background Check

A review of the potential PEC staff's records of criminal convictions. (See JMU Policy [1321](#) – Criminal Background Checks.)

Guardian

A person who has been granted legal custody of a minor who is not their biological child.

Hosting Organization

The University or Non-University organization responsible for enrolling participants and supervising the daily operations of the PEC.

JMU Affiliated Program, Event, or Camp

An authorized PEC operated by a JMU or non-JMU entity that have an official association or connection to the University and/or utilize the University name or branding. See Section 9 - Exclusions for a list of JMU internal programs that are excluded from this policy.

Minor

Any person under the age of 18.

Non-residential Program, Event, or Camp

An authorized PEC that does not require participants to stay overnight on university property.

Non-JMU Affiliated Program, Event, or Camp

An authorized PEC operated by a non-JMU entity on JMU property.

Office of Youth Safety

The JMU department that oversees and authorizes all PECs. In addition, the Office of Youth Safety verifies that all programs involving minors adhere to this policy.

Program, Event, or Camp Day-of Contact (PEC Day-of Contact)

A designated individual who is responsible for being the primary point of contact during the operation of a PEC who can ensure issues are promptly addressed and the PEC proceeds as planned.

Program, Event, or Camp Director (PEC Director)

A designated person who is in a welfare-providing role; the oversight and management of a PEC; and, coordination of the registration, background check, and training process for the supervision and conduct of all PEC staff. While PECs may have various individuals who serve in a supervisory capacity, this individual has the authority to make the ultimate decisions concerning the PEC, including placement and removal of PEC staff.

Program, Event, or Camp Staff (PEC Staff)

PEC staff are authorized adults who interact with, supervise, chaperone, or otherwise oversee minors in JMU affiliated PECs and non-JMU affiliated PECs. This includes, but is not limited to, all university employees, student employees, graduate assistants, affiliates, and volunteers.

Program, Event, or Camp (PEC)

A camp, clinic, workshop, conference, or educational activity involving minors, during which PEC staff may be in the welfare-providing role of a minor.

Program: Structured ongoing activities to engage in a variety of educational, recreational, or developmental pursuits, covering topics such as academics, sports, arts, and STEM. Programs may meet regularly over weeks or months, and they generally focus on a specific area of interest or development.

Event: One-off occasions that may be recreational, educational, or celebratory in nature. They are designed to provide entertainment, celebration, or learning opportunities in a more condensed format, focusing on immediate enjoyment or engagement.

Camp: Short consecutive residential or day activities that provide immersive experiences in diverse settings such as outdoors, sports, visual or performing arts, and academic camps, primarily during school breaks. Camps offer adventure, skill development, and personal growth through activities like outdoor recreation and educational workshops.

Residential Program, Event, or Camp

An authorized PEC that requires participants to stay overnight on university owned or controlled property.

Supporting Unit

The academic or administrative unit of the University that hosts or endorses a JMU affiliated PEC. Supporting units must identify a hosting organization and PEC director.

Volunteers

Any unpaid PEC staff member.

Welfare-Providing Role

This person is dedicated to ensuring the safety, well-being, and development of children through various forms of support and intervention. They provide direct oversight of minors during activities, meals, free time, and if applicable, overnight. They ensure that minors are safe from both physical and emotional abuse and/or neglect.

4. APPLICABILITY

This policy applies to all individuals working with minors in PECs.

5. POLICY

5.1 JMU is committed to ensuring the safety, well-being, and supervision of minors who participate in JMU affiliated or non-JMU affiliated PECs.

5.2 Supporting units and/or hosting organizations must ensure, in collaboration with the Office of Youth Safety, that all PECs are in compliance with the requirements laid out in this policy and the Office of Youth Safety [Procedures Manual](#).

6. PROCEDURES

6.1 PEC Requirements

- a. Every JMU affiliated PEC must have a supporting unit, and all PECs must have a hosting organization and PEC director.
- b. All PECs must register with the Office of Youth Safety. The compliance checklist provided by Office of Youth Safety must be used as a tool to prepare for, ensure, and verify compliance with all requirements described in this policy. Authorization from Office of Youth Safety is necessary prior to PEC start date to indicate that background check and training standards have been met by the PEC staff who will be at the PEC.
- c. All PECs must provide required activity details via compliance checklist to the Office of Youth Safety who may make the details accessible to the pertinent university offices and/or emergency response entities in the event of an emergency.

All related data gathered shall be confidential, is subject to records retention guidelines as described in Policy [1109](#) – Records Management and shall not be disclosed, except as provided by law.

- d. The supporting unit and/or hosting organization must ensure that the PEC designates authorized adult(s) who are accessible to participants at all times. (See section 6.1.f.).
- e. All PECs must ensure adequate supervision of minors. Minors must be supervised by at least one or more authorized adults or by their parent(s) or legal guardian(s) at all times. Some of the factors to consider in determining “adequate supervision” are the number and age of participants, the activities involved, the type of housing, if applicable, and the age and experience of the PEC staff (see section 6.1.f.). At a minimum, all PECs must adhere to the American Camp Association staffing ratio recommendations as established in the Office of Youth Safety Procedures Manual.
- f. PECs must ensure that the guidelines established in the Office of Youth Safety Procedures Manual for training, conduct, and other program requirements are followed.

6.2 Training

All PEC staff are required to comply with applicable laws, university policies, and guidelines established in the Office of Youth Safety Procedures Manual. The supporting unit and/or hosting organization must ensure that all authorized adults have completed required annual training as listed in and accessible from the Office of Youth Safety Procedures Manual.

6.3 Criminal Background Checks

- a. Individuals in welfare-providing roles or as requested by the Office of Youth Safety are required to complete a criminal background check within the calendar year of PEC start date. For further information regarding individual classification, utilize Office of Youth Safety Procedures Manual.

- b. The Office of Youth Safety reserves the right to conduct criminal background investigations when an employee is charged with any crime that reflects on his/her suitability for continued employment, during the course of an administrative investigation, when the employee is transferred or hired into a new position, or when circumstances are identified that warrant further investigation.
- c. A criminal background check includes the following: A social security number and address trace; a search of the sex offender registry; searches for county criminal and other offenses; searches for federal criminal offenses; other offenses; and, a search of the national criminal database. Applicable PEC staff must adhere to the guidance outlined in JMU Policy [1321](#) – Criminal Background Checks.
- d. JMU affiliated PECs must conduct their background checks through the Office of Youth Safety vendor and process. The supporting unit or hosting organization must ensure payment for background checks for all applicable PEC staff. JMU employees who have received background checks through JMU Human Resources or JMU Student Employment within one calendar year of the PEC start date may be exempted upon consultation with Office of Youth Safety.
- e. Non-JMU affiliated PECs must ensure that their PEC staff have cleared criminal background checks that meet university standards described in 6.3.c., and must certify completion through the compliance checklist.
- f. Authorization will be denied for registered sex offenders. Other findings including felony convictions and misdemeanors must be submitted to the supporting unit for consideration on a case-by-case basis.

6.4 Program, Event, and Camp Staff Conduct with Minors

- a. PEC staff must not engage in any behavior that could cause harm or be misinterpreted as possibly causing harm, including but not limited to any verbal abuse, striking, hitting, punching, poking, spanking, or restraining a person.
- b. PEC staff working with minors are prohibited from any sexual behaviors as part of PEC operations. This includes seductive speech or gestures as well as physical contact that exploits, abuses, or harasses.
- c. PEC staff working with minors are prohibited at all times from physically disciplining a child.
- d. Minors may not share a room with an adult with the exception of an immediate family member or guardian.

6.5 Suspected Child Abuse

- a. All PEC staff must immediately report any suspected child abuse or neglect upon discovery to at least one of the following:
 - The PEC Director
 - The PEC Day-of Contact
 - JMU Police Department (JMUPD)

- b. Reports of child abuse or neglect must be made according to the procedures laid out in JMU Policy [1406](#) – Reporting Suspected Child Abuse and Neglect as soon as possible, but no later than 24 hours after having reason to suspect the abuse. If the suspected child abuse or neglect presents imminent or ongoing danger or emergency, the PEC Director or PEC Day-of Contact must contact JMUPD (540-568-6911) immediately.
- c. All reports of suspected child abuse or neglect must be reported to the Office of Youth Safety in writing no later than 24 hours after having reason to suspect the abuse by PEC Director, PEC Day-of Contact, and/or JMUPD.

7. RESPONSIBILITIES

Responsibilities are assigned throughout the policy and procedures.

All departments, offices, and employees that generate, receive, or maintain public records under the terms of this policy, are also responsible for compliance with Policy [1109](#) - Records Management.

8. SANCTIONS

Sanctions will be commensurate with the severity and/or frequency of the offense and may include termination of employment for employees, expulsion from the university for students, removal of affiliate status for affiliates, and loss of privileges and/or no trespass orders for any individual.

The university may terminate the contractual relationship with any PEC that is found to be noncompliant with this policy.

9. EXCLUSIONS

The following activities are excluded from this policy but must be in compliance with departmental policies.

- Activities involving admitted or matriculated students
- Activities in which a parent and/or legal guardian are required to be in attendance with the minor
- Activities that are open to the general public where minors may be present but not in the care or custody of the university
- Groups of non-residential minors visiting university premises as patrons of educational or entertainment events when they are in the care of visiting staff, chaperones, parents or legal guardians (e.g., field trips, school visits).
- Licensed child day care centers operated by the university
- Research programs that are subject to the Institutional Review Board guidelines, policies, and oversight for research involving human subjects

10. INTERPRETATION

The authority to interpret this policy rests with the president and is generally delegated to the Office of Youth Safety.

Previous version: N/A

Approved by the president: October 2024