



Minors on Campus Policy Frequently Asked Questions

Q. Why has Wilkes University adopted this policy?

The University has adopted the Minors on Campus Policy to provide guidance for those in the University community who participate in programs or activities that involve minors. The primary goal of the policy is to promote the well-being and safety of minors who participate in programs run by or associated with Wilkes University. The policy also clarifies responsibilities and provides guidance and support to help those who work with minors manage problems and avoid mistaken allegations.

Q. Who is considered a Minor?

In Pennsylvania, a minor is an individual under the age of eighteen (18) years.

Q. Am I required to register programs and activities involving minors?

Yes. The Program Director must complete a Program Registration/Approval Form, have it signed by the appropriate VP or Dean, and submit to the Office of Risk & Compliance Management no less than forty five (45) days prior to the start date of the Program. Failure to register will result in denial of the Program.

Q. I'm not involved in any programs involving minors at Wilkes. Does the policy apply to me?

If you are not involved in any programs or activities involving minors, most of the provisions of the policy will not apply to you. The Minors on Campus Policy applies to all programs, camps and activities that involve the participation of minors fall under the scope of this Policy, including: programs operated by the university or third-party entities, programs taking place on campus and programs under the direction and authority of the university at locations off campus. This policy applies to programs whether they are limited to daily activities or involve overnight accommodations of minors in University residence halls.

Q. Are there any exceptions to the policy?

Exceptions to this policy include:

1. events on campus which are open to the general public and which minors attend at the sole discretion of their parents or guardians;
2. campus tours, orientations or visits by minors considered to be prospective students; and
3. other programs as may be designated from time to time by the appropriate university official in advance and in writing as exempted from this policy.

Q. My Program already collects the information required on these forms. Do I still need to complete the policy forms?

Every program must be registered with a Program Registration/Approval Form. Programs that have an established process in place for collecting required information do not need to complete the policy forms. Alternate forms should be sent to the Chief Risk & Compliance Officer for approval! The program forms should be submitted in place of the policy forms when required.

Q. What is the definition of a minor (child)?

A minor is anyone under age 18. This includes high school students who are taking courses at Wilkes while enrolled in a high school. The law excludes an “employee of an institution of higher education whose direct contact with children, in the course of employment, is limited to children 16 years of age or older who are either: prospective students visiting a campus operated by the institution of higher education; or matriculated students who are enrolled with the institution.”

Q. I would like to host a non-university program involving children on campus. What do I need to do in order to do so?

Non-University organizations that wish to operate programs or activities involving minors on campus must comply with the university’s Policy on Minors, including requirements relating to reporting suspected abuse or neglect of minors, completing all relevant training, and background checks.

Prior to the start of any program or activity involving minors, Non-university organizations must certify that they have conducted criminal background checks of their employees, volunteers, and representatives that meet or exceed Wilkes University’s standards and notified the Program Director of any background check that returned a conviction or other adverse information.

Q. Do annual events need to be approved every year?

Yes. All events must be registered and approved each year to ensure the requirements of the Minors on Campus policy are being followed and implemented.

Q. I’m a student 18 years or older participating in a program involving minors. Does the policy apply to me?

Yes. All faculty, staff, students and volunteers who are involved in a university-run or university-affiliated program or activity involving minors must comply with this policy.

Q. What training is in order to participate in a program involving minors?

All Program Staff are required to attend annual training (online or in-person) on the practices and conduct requirements of this policy, on protecting minors from abusive emotional and physical treatment, and on appropriate or required reporting of incidents of improper conduct (including, but not limited to, appropriate law enforcement authorities).

Here’s how to login and take the course:

1. Click the link: <https://www.edurisklearning.org/pe/register/include/processlogin.jsp>
2. Click “Register Now”
3. Enter all the appropriate information to create an account
4. Select your “Role”. (Volunteers should select “Staff”)
5. Wilkes University’s Institution Code is: 0649-SE37-XY12
6. After completing the registration, your username and password will be emailed to you
7. Login to the Learning Portal and select **Protecting Children from Sexual Misconduct**
8. Select course SM-101-H (**Sexual Misconduct: How Teachers and Other Educators Can Protect Our Children**)
9. After successfully completing the course, print your certificate of completion and submit to the Program Director.

Q. Why is the university requiring criminal background checks prior to participating in activities involving minors?

The university is committed to promoting the well-being and safety of children who participate in university programs or activities and in programs that outside organizations deliver on campus. Criminal background checks may reveal prior convictions that would make it inappropriate for someone to participate in a program or activity with minors.

Additionally, On October 22, 2014 House Bill 435 (PN 4225) was signed into law becoming Act 153 of 2014. Act 153 of 2014 requires comprehensive criminal and child abuse background checks to all employees “responsible for the welfare of a child or having direct contact with children.” This new PA law extends beyond paid employees so that it is applicable to those unpaid volunteers as well.

Q. What background checks are required for individuals who are responsible for the care, supervision, guidance, and control of children or have routine interaction with children?

In addition to any of the background checks required based upon position, job responsibilities or services, individuals responsible for the care, supervision, guidance or control of children or routine interaction with children are subject to provide three (3) comprehensive background check certifications. The required certifications include:

- Pennsylvania State Police Criminal Record Check (PATCH);
- Pennsylvania Dept. of Human Services Child Abuse History Clearance; and
- FBI Federal Criminal History Record Information (Fingerprinting)

Q. Who is required to have a criminal background check?

Effective December 31, 2014, all NEW employees are required to obtain three Pennsylvania clearances. All Program Staff (including volunteers) are required to submit to a background investigation every three (3) years. Additionally, all Program Staff who will stay overnight with minors must have a background investigation prior to the event. It is the responsibility of the Program Director to ensure these investigations are completed prior to the start of the program.

Temporary guest speakers, presenters and other individuals who have no direct contact with program participants other than short term activities supervised by program staff are not required to have a criminal background check.

Q. Will volunteers be required to get background check certifications?

Yes. Any school, college, division, department or individual who engages volunteers for a program or project must contact the office of Risk & Compliance Management to discuss the necessary certifications. of Risk & Compliance Management will coordinate with volunteer applicants to obtain the required certifications.

Q. How often do I need to have a criminal background check?

Act 153 of 2014 requires comprehensive criminal and child abuse background check completed every 36 months.

Q. How do I arrange for background checks for staff and volunteers for university-sponsored programs?

Background checks are conducted by a third party vendor. The Human Resources Office will arrange for University faculty and staff member background checks. Volunteer background checks will be arranged by the office of Risk & Compliance Management. Background checks for outside agencies using University facilities must coordinate their own background check process.

Q. I am operating a program involving minors. How do I arrange for background checks for my staff?

The Human Resources Department oversees the processing of criminal background checks for university programs and activities. More information concerning how to request background checks and their cost can be found at their website.

Q. What is a “Required Reporter”?

Required Reporters, as defined in 23 Pa. Cons. Stat. § 6303, are considered persons who, in the course of their employment, occupation, or practice of their profession, come into contact with children, including all Program Staff. Required reporters are required by law to make a report of suspected child abuse. Additionally, any person may make such a report if that person has reasonable cause to suspect that a child is an abused child.

Q. When might I need to make a report of child abuse, molestation or neglect under this policy?

All Wilkes University employees, students, independent contractors and volunteers (collectively “Required Reporters”) have a personal responsibility to report any instances of known or suspected abuse, molestation or neglect relating to children. If a minor is in imminent danger, the discoverer must:

- Make all reasonable efforts to remove the minor from dangerous or potentially dangerous situations, irrespective of any other limitation or requirement
- Contact the police at 911 to obtain immediate protection for the child.
- Contact the Commonwealth of Pennsylvania’s ChildLine (800-932-0313)

Q. What if I’m not sure whether a minor I’m working with has been abused or neglected?

If you encounter a situation in which you are uncertain or feel uncomfortable, contact the Office of Risk & Compliance Management, which can assist you and your supervisor or program director in determining what to do. If you have any suspicion that a child has been abused or neglected, report it---even when you have doubts, it is better to report your suspicions than to ignore them.