

Non-Student Minors in University of North Carolina at Charlotte Programs Policy Training Workbook

Introduction

Fostering a safe and healthy environment for *Non-Student Minors* is necessary to the University's mission. The University must assure that *Non-Student Minors* are appropriately supervised by *Authorized Adults* at all times and that those *Authorized Adults* participating in *Programs* involving *Non-Student Minors* are reviewed, registered, and trained in accordance with the University Minors on Campus Policy (<http://legal.uncc.edu/policies/up-716>).

Definitions

- A. ***Authorized Adult***: An individual age eighteen (18) and older, paid or unpaid, who interacts with, supervises, chaperones, or otherwise oversees *Non-Student Minors* in *Program* activities or in *University Facilities*. The term "*Authorized Adult*" does not include individuals who provide volunteer services that are limited in nature (such as a lecture or presentation), or who have no direct individual contact with, or oversight of, *Non-Student Minors*.
- B. ***External Organization***: An organization or individual from outside of the University that uses *University Facilities* to conduct a *Program* pursuant to an approved contract or other use agreement with the University.
- C. ***Grooming***: The process of slowly introducing a child to sexual activity is called *grooming*. This is done by gaining trust, establishing secrecy, and testing the child's reactions to increasing physical contact.
- D. ***Non-Student Minor***: A person under the age of eighteen (18) who is not enrolled or accepted for enrollment at the University. The term "*Non-Student Minors*" does not include students who are "dually enrolled" in University programs while also enrolled in primary or secondary schools, including students enrolled in an early college high school affiliated with the University.
- E. ***One-On-One Contact***: Personal, unsupervised interaction between any *Authorized Adult* and a *Non-Student Minor* without at least one (1) other *Authorized Adult*, parent, or legal guardian being present.

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- F. **Program:** Any activity that is under the direction or control of the University, regardless of its location, or an activity under the direction or control of an *External Organization* using *University Facilities*.
- G. **Program Organizer:** The *External Organization*, recognized student organization, or University department, unit, or employee that organizes or is responsible for the overall administration of a *Program*.
- H. **University Facilities:** Facilities owned by or under the control of UNC Charlotte.
- I. **University-sponsored:** Under the direction and control of University employees acting under assigned job responsibilities.

Who must comply with University Policy?

The policy requires compliance by all *Authorized Adults* as defined by the policy. The Minors on Campus Policy applies to any program or activity offered by any academic or administrative unit of the University, or by non-University groups using *University Facilities*, properties, and any areas owned or controlled by the University. This Policy also applies to *Programs* under the control or direction of the University regardless of the location.

An *Authorized Adult* interacting with *Non-Student Minors* as part of an activity or program as defined by the policy or will be referred to as *Authorized Adult*. A *Program Organizer* is an external organization, recognized student organization, or University department, unit, or employee that organized or is responsible for the overall administration of a *Program* offered or organized by the University.

Who Is Exempted from This Policy?

- Enrolled UNC Charlotte students who are minors
- Adults engaged in patient care related activities pertaining to *Non-Student Minors* in the Charlotte University Health System where other policies apply

What Do I Have To Do?

To meet the requirements of the policy, the *Authorized Adult* must complete the Minors on Campus Workbook as your training and pass an annual assessment with at least seventy percent accuracy before working with *Non-Student Minors*.

Screening Program Organizers

The Policy for Minors on Campus requires a criminal background check on all *Authorized Adults* before the individual works with *Non-Student Minors*.

Background Checks

1. For University-sponsored *Programs*, the *Program Organizer* is responsible for ensuring that criminal background checks for *Authorized Adults* are conducted in accordance with University Policy 101.23, Employment-Related Criminal Background Checks and Criminal Activity Reporting.
2. For *Programs* sponsored by an *External Organization* or a recognized student organization, the *Program Organizer* must certify that all *Authorized Adults* affiliated with the *Program* have been subject to a criminal background check (including a sex offender registry check) within the previous twelve months.
3. The following types of convictions will normally render an individual ineligible to work or volunteer at a *Program*:
 - a. Drug distribution activity or felony drug possession
 - b. Sexual offenses
 - c. Crimes of violence involving physical injury to another person
 - d. Child abuse, molestation or other crimes involving child endangerment
 - e. Murder
 - f. Kidnapping
 - g. Any other crime involving moral turpitude

Additionally, no *Authorized Adult* may be listed on any sex offender registry.

The *Program Organizer* must utilize the University vendor to request criminal background checks for faculty, staff, students, and volunteers, who work with, instruct or otherwise come into contact with *Non-Student Minors*. If the check reveals a criminal record, the application will be referred to UNC Charlotte Human Resources for evaluation and decision-making.

Training Objectives

After completing this training, you will be able to:

- Know UNC Charlotte's expectation of behaviors in order to avoid child or sex abuse related crime and to protect yourself
- Protect *Non-Student Minors* who participate in activities and programs
- Act as a positive role model and avoid putting yourself in a risky situation
- Successfully pass the policy assessment

The Facts About Sexual Abuse

Most people consider child sexual abuse to be unacceptable behavior. At the same time, one in four girls and one in six boys experience sexual abuse before their eighteenth birthday. Therefore, we have to assume that child sexual abuse happens to boys and girls in our community today including higher education.

Sexual abuse thrives in an environment where adults are inattentive, in denial, or afraid to take action. We must actively work to prevent it. We must take steps to create a safe environment for *Non-Student Minors*. The earlier that abuse is caught, the better the chance of recovery.

What is Sexual Abuse?

Sexual abuse is any sexual act between an adult and a minor or between two minors when one exerts power over the other.

There can be no case of a consensual act between an adult and a minor due to the inherent power dynamic. Forcing, coercing, or persuading a child to engage in any type of sexual contact is sexual abuse. However, sexual abuse doesn't always involve bodily contact. If an adult engages in any sexual behavior with a child to meet the adult's sexual interest or needs, it is sexual abuse. Exhibitionism, exposure to pornography, voyeurism, sexting, and other communication in a sexual manner over the phone or internet is sexual abuse.

Sexual abuse can occur between members of the opposite sex or members of the same sex.

Sexual abuse is a **crime**. Aiding and abetting a sexual offender is also a crime.

What Is Sexual Harassment?

Sexual harassment is unwelcome verbal or physical sexual conduct which because of its severity and/or persistence interferes significantly with an individual's work or education,

or adversely affects an individual's living conditions. Harassment also occurs when a person uses a position of authority to engage in unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature.

Warning Signs

A warning sign is an opportunity for prevention and a chance for you to recognize a risk to a minor. Sexually abused children may display a wide range of physical or emotional symptoms. While these symptoms do not necessarily indicate that child sexual abuse has happened, they combine to raise your level of concern about the situation.

Sometimes there are no warning signs.

Warning signs differ by the age of the minor. You should be aware of the following possible warning signs.

Emotional or Behavioral Signs

- Sexual behavior that is not appropriate for the child's age
- Sexual language that is not appropriate for the child's age
- Overly compliant behavior
- Withdrawal
- Depression
- Unexplained anger
- Rebellion
- Refusal to be left alone
- Finding reasons not to go home
- Finding reasons to avoid being with a specific person that the minor used to spend time with
- Problems sleeping such as nightmares or sleepwalking
- Bed-wetting or bowel-movement accidents in children who have previously outgrown it
- Self-destructive behavior
- Suicidal gestures
- Self-mutilation
- Running away
- Making degrading comments about themselves and considering themselves as "damaged goods"
- Falling grades or a change in school behavior
- Using alcohol or drugs

Portrait of an Abuser

A myth of sexual abuse is that the abusers are usually strangers. On the contrary, most child sexual abusers are known to the victim. The abuser could be a family member,

friend of the family, teacher, older youth, or coach. In addition, one third of all child sexual abuse is committed by another child under the age of eighteen.

Some abusers are careful and calculated about the process they take to earn the victim's trust. This process of slowly introducing a child to sexual activity is called *grooming*.

These abusers set up the situation so that they can take advantage of the child. They become friends with potential victims and their families. They earn trust and seek time alone with the children.

Sometimes they spend time doing what the child wants. Sometimes, they give gifts. Their goal is to spend time with the child in one adult and one child situations. Then, they may threaten or force the child to participate in sexual contact and maintain secrecy.

Another kind of abuser is a situational offender. They take advantage of the situation and opportunity to find and abuse a victim. These abusers are impulsive and abuse children to meet their own sexual or control needs.

The Effects of Abuse

The most damaging effects of child abuse are the emotional effects. Abused children can blame themselves, lack trust, and have difficulties forming relationships into adulthood. Often, these children feel that they are worthless or damaged at their core.

As an adult, this may cause the victim to fall short of reaching his or her potential. Also, abused children have trouble regulating their emotions. As they grow into adults, they can struggle with emotions and turn to drugs or alcohol. While not every abused child repeats the cycle as an adult, these children are more at risk for abusing their own children as an adult. The effects of child sexual abuse affect not only the individual, but the community, and the future community.

UNC Charlotte Behavior Expectations

Overall Behaviors

UNC Charlotte expects adults to be positive role models for *Non-Student Minors*. As an *Authorized Adult*, you are the eyes and ears of the *Program* or activity. You can protect children by behaving appropriately and monitoring the behavior of other *Authorized Adults* and participants.

As an *Authorized Adult*, you should avoid behaviors that could cause harm or be misinterpreted.

- Do not engage in any sexual activity with *Non-Student Minors*.

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- Do not make sexual comments to *Non-Student Minors*.
- Do not tell sexual jokes to *Non-Student Minors*.
- Do not share sexually explicit material with *Non-Student Minors* (or assist in any way to provide access to such material).

Meetings

Most sexual abuse incidents happen in one adult and one child situations. If you eliminate one adult and one child situations, you reduce the risk of abuse.

- Do not be alone with a single *Non-Student Minor*.
- Do not meet with *Non-Student Minors* outside of established times for program activities.

If one-on-one interaction is required, meet in open, well illuminated spaces or rooms with windows observable by other adults from the *Program*, unless the one-on-one interaction is expressly authorized by the *Program Organizer*, Dean, Department Chairperson, or is being undertaken by a health care provider.

To meet with a *Non-Student Minor* outside of established a time for program activities, written parental authorization is required. This meeting must include a minimum of two adults from the *Program*.

Watch For

Watch for older children or adults who take younger children to secret places or hideaways. Watch for older children or adults who have younger favorites with whom they want to spend time exclusively.

Program Organizers should consider ensuring that adults supervise older children serving younger children. *Authorized Adults*, other trusted adults, or parents should be able to observe a program activity at any time.

Your Home

- Do not invite individual *Non-Student Minors* to your home.

Any exceptions require authorization by the *Program Organizer* and written authorization by a parent or guardian. You must notify Risk Management.

Communications

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- Do not engage or allow *Non-Student Minors* to engage you in romantic or sexual conversations or related matters, unless required in the role of resident advisors, counselors, or health care providers.
- Do not engage or communicate with *Non-Student Minors* through email, text messages, social networking websites, internet chat rooms, or other forms of social media at any time except and unless there is an educational or programmatic purpose and the content of the communication is consistent with the mission of the program and the University.

Touching

Touching should generally only be in the open and in response to the needs of the child, and only for a purpose that is consistent with the *Program's* mission and culture, and/or for a clear educational, developmental, or health related purpose such as the treatment of an injury.

If you must touch a child, ask if it is okay to touch first. Children have the permission and power to say “No” to any unwanted or uncomfortable touch. Any resistance from should be respected.

If restraint is necessary to protect a child from harm, all incidents must be documented and disclosed to the *Program Organizer* and the child's parent or guardian.

- Do not touch a child in a manner that a reasonable person could interpret as inappropriate.
- Do not engage in any abusive conduct of any kind toward, or in the presence of, a child including but not limited to verbal abuse, striking, hitting, punching, poking, spanking, or restraining.

Watch For

Watch for other individuals who make children uncomfortable by ignoring their personal space limits. Beware of adults who want to touch, tickle or wrestle with a child when the child does not want physical contact or attention.

Alcohol and Drugs

Do not possess or be under the influence of alcohol or illegal drugs while on duty or when responsible for the child's welfare.

Transportation

When transporting *Non-Student Minors*, more than one adult from the *Program* must be present in the vehicle, except when multiple *Non-Student Minors* will be in the vehicle at all times through the transportation.

Avoid using personal vehicles, if possible. More than one adult from the *Program* must be present.

Weapons

Do not possess or use of any type of weapon or explosive device.

Failure to Comply

Failure to comply with the UNC Charlotte Minors on Campus Policy may lead to disciplinary action and/or revocation of the opportunity to use *University Facilities* and land. Therefore, the entire *Program* or activity may be restricted based on the actions of a single *Authorized Adult*.

In addition, if you are accused of sexual abuse of a minor, you will be subject to the appropriate investigations and actions by the criminal justice and social services systems. These actions are separate and apart from the University policy and process.

Reporting Potential Abuse

Remember that child sexual abuse thrives in an environment where adults are inattentive, in denial, or afraid to take action. We must actively work to prevent it. We must actively work to create a safe environment for children. The earlier that abuse is caught, the better the chance of recovery for the child.

Your Responsibility

If you suspect abuse or you suspect someone is *grooming* a child for abuse, you must trust your instinct and report it. If you are correct, you have made a difference in a child's life.

“If you see something, say something.”

You may be concerned that you are making a mistake. However, you are protected for reporting a suspicion. *Program Organizers* making a report in good faith will be protected from criminal and civil liability for making the report.

You do not have to witness the abuse to report it. It is not your responsibility to verify whether a report or suspicion is truly abuse. You are simply responsible for reporting the situation.

Your Responsibility for Complying with the UNC Charlotte Policy

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It is the Policy of the University that no one making a good faith report of suspected abuse or neglect will be retaliated against in the terms and conditions of employment or educational program.

Every member of the University community (including an *Authorized Adult*) has an obligation to report instances or suspected instances of the abuse of or inappropriate interactions with *Non-Student Minors* to **UNC Charlotte Police at 704-687-2200** and to the *Program Organizer* immediately. This includes information about suspected abuse, neglect, or inadequate care provided by a parent, guardian, or custodian/caretaker.

Notice that the Policy for *Non-Student Minors* in UNC Charlotte *Programs* indicates that you are obligated to report any type of suspected abuse, neglect or inadequate care rather than just child sexual abuse.

You are obligated to report potential abuse or neglect, even if the parent or guardian is the suspected abuser.

You must report any suspected abuse to the **UNC Charlotte Police at 704-687-2200** and to the *Program Organizer* immediately.

Every *Program Organizer* has a further obligation under North Carolina law to make a report to the director of the Department of Social Services in the county where the Minor resides or is found. UNC Charlotte Police can help you notify the appropriate Department of Social Services.

Removing Access

Upon notification, the *Program Organizer* must **remove the accused person's access to potential victims**.

Failure to Comply

Failure to comply with the policy may lead to disciplinary action and/or revocation of the opportunity to use *University Facilities* and land.

PRACTICE SITUATIONS

Situation One

You walk up to a group of *Authorized Adults* who are talking about John, the new person at this year's soccer camp. He's 24, single, works at a good local company, and played soccer in college. *Program Organizers* are very impressed with him because he is really interested in helping some of the kids. He's offered to take one or two kids apart from the rest of the group for individual coaching on another practice field. What are your thoughts?

- A. We are so lucky to have such a high-quality *Authorized Adult* to help coach these children. This is a great opportunity for these kids to get the skills necessary for college recruitment.
- B. Although this action could create an opportunity for John to sexually abuse the children and the other *Authorized Adults*, have all seen John interact with the children and they think he is great with them. We know that he has a clean criminal record. You don't want to be viewed as an outcast by the group.
- C. Spending time in a one adult and one child situation could create an opportunity for John to sexually abuse the children. He could be a safe person, but he could be *grooming* children.

What actions would you take?

- A. No action is necessary.
- B. Unexpectedly drop in on John and the other children at the other practice field to ensure that nothing is wrong.
- C. Mention to the group how this may put John in a risky situation and ask that another *Authorized Adult* joins John and the children.

Responses to Situation One

A. No action is necessary.

This is not your best option.

After this training *Program*, you should have identified that no *Authorized Adult* should be in a one adult and one child situation. In addition, you may suspect that John is too good to be true and may be *grooming* children for future abuse.

B. Unexpectedly drop in on John and the other children at the other practice field to ensure that nothing is wrong.

This is a good step to take; however, it continues to place both the child and John at risk.

Ideally, you could avoid a one adult and one child situation. If this situation is absolutely necessary, then dropping in unexpectedly is a good way to prevent possible problems. In this case, the one adult and one child situation should be avoided.

C. Mention to the group how this may put John in a risky situation and ask that another *Authorized Adult* join John and the children.

This is a good step to take. Any time an adult is alone with children, there are risks.

By pointing out how this situation puts John at risk, you are working with your team to protect everyone rather than demonstrating your suspicion of John.

If John refuses to take another *Authorized Adult*, you should contact your *Program Organizer*. However, John is much more likely to accept your help and take another *Authorized Adult* with him. This protects both the child and John.

Situation Two

You work with high school children who have demonstrated a talent for science. During one of the programs, one of the children, Jane, expresses how she would like to stay at the program rather than go home because her step-father is having sex with her. The other children in the group are shocked by what Jane says and change the topic of discussion. Jane is well dressed and appears to come from a wealthy family. She wears diamond earrings and always seems to have cash in her pocket.

What are your thoughts?

- A. Jane is looking for attention from her peers. She is well cared-for and comes from a good family. She is just a dissatisfied teenager who is trying to cause trouble for a step parent.
- B. You're bothered by what Jane said and more bothered by the fact that the other children seemed to ignore Jane's statement. You are not sure if Jane was joking, trying to get attention from the other children, or just stating a fact.
- C. It really doesn't matter whether or not you think Jane is actually being abused, her statement is enough to take action.

What actions would you take?

- D. No action is necessary.
- E. Probe to ask Jane more about her home situation.
- F. Report what you've heard to the *Program Organizer* and UNC Charlotte Police.

Situation Two Feedback

D. No action is necessary.

This is not your best option.

After this training program, you should recognize that ignoring potential abuse allows it to continue in the community. You must have the courage to take action.

Remember that you are not responsible for validating the abuse, just reporting it.

E. Probe to ask Jane more about her home situation.

You could do this; however, the child may deny what she has previously said or decline to talk further about the situation with you.

Ask open-ended questions, such as “What happened next?” Don’t ask leading questions and don’t press for details. Regardless of the child’s response, you should report what you’ve heard to the *Program Organizer*, and UNC Charlotte Police.

F. Report what you've heard to the *Program Organizer*, and UNC Charlotte Police.

This is a good step to take. Remember that you do not have to witness the abuse to report it.

You are obligated to report any type of suspected abuse, even if the parent or guardian is the suspected abuser. Remember that if you make a report in good faith, you will be protected from criminal and civil liability for making the report. In addition, your employment in the program will not be used to retaliate against you.