

Effective Date: 6-1-2012

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I. POLICY STATEMENT AND PURPOSE

As an institution of higher education, McMurry University recognizes and advocates for the rights of all individuals. The University is especially concerned about ensuring the protection and welfare of children. To fulfill this commitment, the University desires to not only comply with rules legislated by the State of Texas Department of State Health Services* regarding training on sexual abuse and child molestation for staff who work in a campus program with minors, but to exceed the standards by implementing the certification requirement as a policy for all employees and volunteers who interact with minors in seminars, classes or activities.

** Senate Bill (SB) 1414, 82nd Legislature, Regular Session, 2011, which amended the Texas Education Code, Section 51.976*

II. SCOPE

This policy applies to all staff, faculty (including adjunct faculty), key students, student teachers, resident assistants, and volunteers who work with minors.

III. DEFINITIONS

Campus Program for Minors means a program that:

- Is operated by the University or is on the institution's campus;
- Offers recreational, athletic, religious, or educational activities for at least twenty (20) campers who are not enrolled at the institution and attend or temporarily reside at the camp for all or part of at least four (4) days; and
- Is not a day camp or youth camp as defined by Health and Safety Code (HSC), section 141.002, or a facility or program required to be licensed by the Department of Family and Protective Services.

Key Students are defined as students enrolled in a McMurry University practicum or other McMurry University programs.

Minor is defined as an individual under the age of 18.

IV. CERTIFICATION REQUIREMENTS

Any course, presentation, workshop, academic or athletic event/camp organized by McMurry personnel (part-time, full-time, contract labor) that has one minor (under age 18) present for instruction or in residence on McMurry University's campus, will **require any McMurry employee or volunteer 18 years and older, working or volunteering with such event or program, to be certified (with proper documentation of such on file) as having successfully completed a training and examination program on sexual abuse and child molestation.**

A. Training certification documentation needs to be completed and on file with both the Program Director/Coordinator and the Human Resources Office at McMurry University at least five days prior to the employee (or volunteer)'s participation in any event or program with minors. An employee must successfully complete the requirement within the first five days of employment.

B. The Program Director/Coordinator is responsible for submitting to the Texas State Health Services Department (and/or any other Texas state department as required in the program licensing agreement) the list of McMurry employees who have been successfully certified by an approved training and examination program on sexual abuse and child molestation.

C. Certification is for two years from the date of the certification examination for the required training.

V. MCMURRY UNIVERSITY PROCEDURES

A. McMurry University will provide training for employees, key students (as defined above), and volunteers who are required to have documentation for successful completion of a training and examination program on sexual abuse and child molestation.

1. The Human Resources office will provide funds to plan and implement a training program that meets the Texas State Department of Health Services requirement for providing a training course for its employees.

2. The Program Director in conjunction with the Human Resources office will complete and submit documentation and application fees to the State of Texas to have an approved training and examination program on sexual abuse and child molestation.

3. The University's approved training program will offer training sessions at least quarterly at no cost to current or potential McMurry employees.

B. Training documentation must be submitted to the Program Director and the Human Resources office.

C. Employment by the University to work with minors will be approved by Human Resources after determination that all employment requirements have been fulfilled (I-9, W-2; background checks, sexual abuse and child molestation training).

VI. REPORTING

According to the Texas Attorney General's Office, anyone "having cause to believe that a child's physical or mental health or welfare has been or may be adversely affected by abuse or neglect" must report the case immediately to a law enforcement agency or to the Texas Department of Family and Protective Services, under Chapter 261 of the Texas Family Code. Failure to report suspected child abuse or neglect is a class B misdemeanor punishable by imprisonment for up to

180 days and/or a fine of up to \$2000. Indicators listed in Part One of this handbook are examples of adequate cause to believe a child is at risk.

The law does not require the person reporting to be certain that a child is being abused or neglected before reporting, only to have reason for believing it. It is a good idea to talk to the child to see if there is a simple or plausible explanation for the appearance of injury or neglect. But a concerned adult should stop well short of trying to investigate or intervene in the suspected abuse. Reasonable suspicions of abuse must be reported to the appropriate authorities. And any time a child discloses abuse to an adult, the adult has reason to make a report. This is true even if the adult feels skeptical about what the child has said: the disclosure should be reported, so that appropriate authorities can judge the need for investigation.

VII. HOW TO REPORT CHILD ABUSE

A person wishing to report suspected child abuse or neglect can call any state or local law enforcement Agency, or Child Protective Services (CPS), a department of the Texas Department of Family and Protective Services (TDFPS). TDFPS has a toll-free 24-hour Abuse Hotline: 1-800-252-5400. TDFPS also has an on-line form at: www.txabusehotline.org. In an acute case, when a child appears to be in immediate danger of serious harm, it is best to call 911 (where that service is available) or the nearest police or sheriff's department, to ensure the fastest possible response time to protect the child.

The person reporting should provide, whenever possible, the child's name, description, age, address, license plates, make of car, or other information that might help authorities locate the child. It is critical that the report be made as soon as possible. The more time that elapses between the incident and the report, the more difficult it is to investigate.

In addition to reporting to any state or local law enforcement agency, he or she is urged to make an official report directly to the **Director of Campus Security, 325-793-4666** or by contacting the **Campus Conduct Hotline at 1-866-943-5787**.

VIII. POLICY ENFORCEMENT

A. Disciplinary Action

All reported incidents of sexual assault will be investigated and the appropriate judicial procedures will be initiated if the evidence supports the allegation. For proved violations, possible sanctions may include, but are not limited to, expulsion, suspension, and/or termination. The University prohibits retaliation against any individual who, in good faith, reports an incident of sexual abuse or child molestation.

B. Legal Options/Other Resources

In addition to University disciplinary action, a person who engages in a sexual abuse or child molestation may be subject to a criminal prosecution and/or civil litigation. A person who wishes specific information or assistance may contact the local District Attorney's Office, a private

attorney, and/or Crime Victims Crisis. The Abilene Regional Crime Victim Crisis Center has a 24/7 Victim Crisis Hotline at 325-677-7895.

IX. INSTITUTIONAL RESPONSES

A. Public Information

Requests for information concerning an incident of sexual abuse or child molestation may be directed to the University Relations Department, 325-793-4610.

B. Public Notification of Incidents

As required by law, the University collects and reports annually statistical information concerning sexual abuse or child molestation occurring in its jurisdiction. To promote public safety, the University also alerts the campus community to incidents and trends of immediate concern.