



**VILLANOVA UNIVERSITY GUIDELINES FOR CONDUCTING
VIRTUAL MINORS PROGRAMS AND ACTIVITIES DURING THE COVID-19 HEALTH
EMERGENCY
JULY 9, 2020; FINAL APPROVAL AUGUST 6, 2020**

These guidelines are designed to assist Program Directors who wish to move existing programs to a virtual format or develop new virtual programs which involve the participation of minors. The guidelines address legal requirements and are consistent with the University's Minors in Villanova University Programs Policy. The guidelines cover:

I. Program Assessment

Per VU policy, program assessments are **required** for all new programs which would include all virtual minors and youth programs.

II. Program Registration

All virtual minors programs must be registered in the online registration system available through the University Compliance Office with specific information including name of camp, program type, virtual platform, date/time of program, age of participants and requirements for rosters.

III. Background Checks

Addresses requirements for criminal background checks.

IV. Education and Training

Consists of completion of EduRisk, Youth Protection Training, and program specific education and training.

V. Waivers and Third-Party Contracts

Includes risk management protocols, liability clauses, virtual platform waivers, electronic signatures, and Children's Online Privacy Protection Act (COPPA) requirements.

VI. Ratios

Ratio requirements consider the level of risk associated with the online activity. For example, a program involving physical activities would require more supervision than a program based on listening to speakers.

VII. Emergency and Safety Protocols

The procedure/policy for reporting suspected abuse remains the same for online programs. Guidelines raise awareness regarding other emergency and safety protocols that may need to be addressed.

VIII. Privacy Policy

Includes information on the Children's Online Privacy Protection Act (COPPA), and the need for a privacy waiver and parental consent.



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This document has been prepared and received input from the University Compliance Office, the Office of Insurance and Risk Management, the Office of the General Counsel, and the Chief Information Security Office. The guidelines were distributed for review and consideration by the Minors on Campus Committee during its meeting of June 2, 2020.

Given the rapidly evolving environment for virtual learning, community outreach, and service opportunities, these guidelines will be reviewed and revised as necessary, and each version will be dated to reflect original and revised content.

I. Program Assessment

- a. Per VU policy, program assessments are **required** for all new programs, which would include all virtual minors and youth programs, and existing programs that have been significantly revised, which would include those programs that have occurred in-person and are now being delivered virtually.
- b. The Minors in Villanova University Programs Policy defines relevant programs as any activity or program designed primarily to serve Minors that is: (1) sponsored by Villanova University or any of its departments or units, regardless of where it is held; (2) sponsored by a third party in Villanova Facilities; or (3) sponsored by a party at an off-campus location where Villanova employees and students engage through their University roles.

II. Program Registration

- a. All virtual minors programs must be registered in online registration system available through the University Compliance Office.
 - i. Include “Virtual” in the name of the camp/program (i.e. Virtual Minors Program Summer 2020).
 - ii. Program Type will be “Day Off Campus” for all camps/programs.
 - iii. Description should include specifics about how the program will be conducted, date/time of the program, and means of communication with parents.
- b. Online Platforms:
 - i. University programs should utilize platforms vetted through its risk management process. At present, these platforms consist of Zoom, Skype, and Microsoft Teams. Program directors who plan to rely on other platforms



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should indicate so during the program assessment process so that the platform may be vetted from an information security standpoint.

- ii. Safeguard Recommendations: Each online platform shall provide safeguards to ensure that only those individuals who have registered to attend the event, receive the link, and are able to sign on. The platform should provide tools to protect the privacy of participants. These safeguards and tools should be enabled for the platform in use for the virtual program. For example, these safeguards may include:
 1. A unique password
 2. A “waiting room” for participants to wait, sequestered, before each session begins
 3. A sign-in displaying only the participant’s first name and last initial to protect the participant’s identity
 4. Virtual backgrounds, to allow for more privacy for counselors and participants
 5. Limits on screen captures and screen sharing
 6. A disabled chat feature, or limited chatting between the participant and the counselors/moderators only
 7. A default setting all participants on “mute,” with participants un-muted individually by the counselor when there are questions or discussion comments
 8. Ability for multiple counselors to close the session in the event of inappropriate participant behavior or so-called “Zoom bombing” (Infiltration by an unauthorized outsider).
 9. Prohibit sharing of meeting links and passwords with those not enrolled in a program session
 10. Compliance with government accessibility requirements
- c. Off-campus facilities should be documented in the registration as the physical location of the Program Director or instructor.
- d. Roster of Participants:
 - i. Include specific ages of participants:
 1. Please know that the Children’s Online Privacy Protection Act (COPPA) imposes certain requirements on operators of commercial websites and online services that collect personal information from



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- children under 13 years of age. It also applies to operators of other websites or online services that have actual knowledge that they are collecting personal information online from children under 13.
2. For Sports Camps Only: The NCAA imposes limitations on virtual sports camps depending on the sport. Basketball and softball can only hold virtual camps for sixth grade and below and all other sports can hold virtual camps for eighth grade and below. These restrictions follow the VU coaches but may not be applicable to third-party (non-VU coach owned) virtual camps. Villanova coaches will report on these activities to the Office of Athletics Compliance, in the required format.
- e. Parent/Legal Guardian contact information:
 - i. Parent/Legal Guardian phone numbers
 - ii. Parent/Legal Guardian emails
 - f. Add all program employees and volunteers who will be “working” the program.
 - g. Background checks and education and training must be current and complete.
 - h. Participant waivers need to be uploaded to registration page.
 - i. Waiver to be signed by parents/legal guardians (and age-appropriate participants) that includes acknowledgment of behavioral expectations in the virtual platform and program. The language will clearly state that failure to meet these behavioral expectations will result in termination of program participation. In such event, no fees collected will be refunded to the participant.
 - ii. Waiver language will also acknowledge that the University does not exercise control over the third-party online platform, and that the third-party platform’s terms and conditions of use and privacy policies apply.

III. Background Checks

- a. Criminal background checks (CBCs) must be completed by all program employees and volunteers as determined in the Program Assessment. Individuals working the program (other than the Program Director) would not have to complete CBCs if they do not have “direct contact with minors.” The program structure will be considered during the assessment to determine whether individuals other than the Program Director are in the



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position to be in direct contact with minors. Specifically, any written communication to the participants should be sent directly by the Program Director and should always copy the parent or legal guardian.

- b. Public Safety can facilitate completion of the FBI clearance. Currently, however, Public Safety is only providing fingerprinting services via appointments.

IV. Education and Training

- a. Required to complete EduRisk and Youth Protection Training.
- b. Program Director should develop participant behavior guidelines to address cyber harassment and online bullying and other inappropriate behavior. If an incident of cyber harassment or online bullying takes place, the Program Director should communicate this incident to the University Compliance Officer without delay, for a determination regarding next steps.
- c. Program Director is required to provide program-specific education and training as specified in the Minors in Villanova University Programs Policy:
 - i. Rules of the road (behavioral expectations) when participating in a youth program (e.g., be vigilant regarding the minors' well-being, no one-on-one interaction or social contact beyond program hours, safeguards for when communicating online, etc.)
 - ii. Signs of child abuse and neglect and mandatory reporting obligations
 - iii. How to report known or suspected child abuse or neglect
 - iv. Emergency and Safety Protocols as further detailed in **Section VII** below
 - v. Specific to the virtual environment, program-specific education and training must include:
 - 1. The rule against one-on-one contact with minors at any time includes electronic communications. If an individual employee or volunteer must have e-mail or other virtual contact with a minor, the communication must include a parent or legal guardian.
 - 2. Program Directors should provide detailed information to the individuals working on the virtual program regarding their obligation to notify the Program Director immediately in the event a report is made regarding after-hours contact (by anyone involved in the



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program), or any event or conduct deemed to be harassment or cyberbullying.

3. Include what to do if a minor participant tries to contact a Program Director or Coach outside the program via email or social media.
4. The general rule is that virtual sessions will not be recorded (audio and/or video) by the Program Director or others. It is recognized, however, that certain programs or sessions may require an exception to this rule on the basis that recording is an integral component of the program to provide feedback to the minor/participant. In such cases, the description of the program, the consent to participate, and the waiver should prominently address this recording feature. In addition, parental and minor consent, as appropriate, must be obtained and the waiver must specifically release VU from recording liability. Systems used for recording and preservation of images must utilize a secure platform for transmission and preservation of images.

V. Waivers and Third-Party Contracts

The following should be considered:

- a. Discuss risk management protocols in place for virtual programs, and safeguards that are in place for the virtual platform.
- b. Since the Program Director is not physically located with participants for fitness presentations, a provision should be included in the waiver that relieves VU of liability for the participant's environment. This provision should also be included in third-party contracts.
- c. Add to third-party contracts: Participants can never have one-on-one contact with the Program Director or any staff member including via electronic communication.
- d. Consider intellectual property rights regarding media that may be subject to copyright laws.
- e. For programs involving children under age 13, waivers, third-party contracts, and any agreements must comply with the Children's Online Privacy Protection Act (COPPA). See **Section VIII** below.
- f. Electronic signatures may be deemed acceptable for programs taking place virtually during this time. Specific protocols must be followed for electronic signatures to be



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valid. The specifics for the waiver are discussed during the program assessment or with the Office of Insurance and Risk Management directly.

- g. The general rule is that virtual sessions will not be recorded (audio and/or video) by the Program Director or others. It is recognized, however, that certain programs or sessions may require an exception to this rule on the basis that recording is an integral component of the program to provide feedback to the minor/participant. In such cases, the description of the program, the consent to participate, and the waiver should prominently address this recording feature. In addition, parental and minor consent, as appropriate, must be obtained and the waiver must specifically release VU from recording liability. Systems used for recording and preservation of images must utilize a secure platform for transmission and preservation of images.

VI. Ratios

- a. United Educators recommends keeping the counselor-to-participant ratios for virtual programs the same or similar to those for in-person programs, and to designate at least one staff member to look for participant questions and monitor participation for inappropriate behavior.
- b. Ensure parents are informed of the dates/times of programs.
 - i. Need to be clear to parents that supervision in a virtual environment will not be the same as for an in-person program. If someone is doing something inappropriate online, there is no way to stop the action.
 - ii. Parents should supervise and manage their child's behavior online.
 - iii. There is no way for VU to supervise or manage children online.
 - iv. Language that addresses parental supervision should be specifically included in the waiver.
- c. The program assessment will include discussion of the ratio requirements considering the level of risk associated with the online activity on the receiving end. At a minimum, there should be at least two supervising Villanova faculty members, staff, or student volunteers, one of whom must have completed the three background clearances. Ratios will depend on the nature of the activity; for example, a program involving physical activities would require more supervision than a program which is based on listening to speakers.



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VII. Emergency and Safety Protocols

- a. The procedure/policy for reporting suspected abuse remains the same for online programs.
- b. Online training and information can be provided to adult employees via email or virtual meeting. This training should include safe online interactions, boundary setting, IT safety, platform security features, and all emergency and safety protocols.
- c. Need to be clear to parents that you are hosting the program, however, supervision will not be the same as for an in-person program. Parent/legal guardian is responsible for managing the child's behavior during that time.
- d. Need to ensure that parents have contact information for Program Director during and outside of program hours.
- e. If Program Directors will be sending out supplies, they need to inform parents what is coming and when to expect it to arrive. Also, if there are allergies, ask parent/legal guardian to notify the Program Director. Label content age appropriate. If the supplies pose an environmental risk, the Department of Environmental Health & Safety may be consulted.
- f. Parent/legal guardian should be advised to have a plain background in their home with no verifiable information on walls such as trophies, plaques, pictures, etc. Program Directors should consider providing a virtual background if this is easily available to them to increase the sense of community by way of virtual interaction and participation.
- g. The general rule is that virtual sessions will not be recorded (audio and/or video) by the Program Director or others. Exceptions may be granted in limited circumstances and only when specific safeguards are in place. Please see **Sections IV and V** above.
- h. All the information in this section should be a part of the program-specific education and training detailed in **Section IV** above.

VIII. Privacy Policy

- a. As stated above, the participant waiver to be signed by parent/legal guardian should add COPPA language, if applicable.
- b. COPPA, The Children's Online Privacy Protection Act, protects the privacy and safety of children (under the age of 13) online. If your website or online service involves collecting personal information (which includes names, addresses, online usernames,



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email addresses, etc.) of children under age 13, it is subject to COPPA, and there are several major steps that you must take to comply which include:

- i. Have a privacy policy on your website describing what personal information you are collecting and how you are using or disclosing it.
- ii. If you are using an online platform, make sure it is secure.
- iii. Give parents direct notice before collecting their child's personal information.
- iv. Give parents the option of consenting to the collection, use, and/or disclosure of the child's personal information, without requiring parents to consent to the disclosure of that personal information to third parties.
- v. Allow parents to review any personal information collected about their child.
- vi. Allow parents, at any time, to revoke their consent and/or request deletion of the information collected from their child.
- vii. Notify parents and get consent again if you materially change the kind of information you collect, change how you use the information, or offer the information to new and different third parties.
- viii. No recording of a session is permitted unless the recording has been clearly communicated and the Program Director has obtained the prior consent of the parent/legal guardian. For additional required procedural safeguards, see **Sections IV and V** above.