



The University of Vermont

Policy V. 3.15.1

Responsible Official: Chief Safety and Compliance Officer

Effective Date: March 1, 2017

Protecting Minors

Policy Statement

The University seeks to maintain an environment that is safe for those who work, study or participate in programs at the University. The University is concerned with the safety and well-being of all campus visitors, especially those visitors who are minors. This policy is intended to set forth requirements for University officials responsible for programs involving minors so as to protect the safety of those minors.

Reason for Policy

The purpose for this policy is to enhance the safety of the campus and University programs for minors who are present on campus and/or participating in programs sponsored or supported by the University.

Applicability of Policy

While all members of the University community are responsible to report abuse and/or neglect of minors involved in University sponsored and hosted programs, those members of the University community who have direct contact with minors or who work in programs involving minors have additional responsibilities. The requirements of this policy also apply to non-UVM program sponsors whose programs are offered in association with, or hosted by, UVM.

This policy does not apply to general public events held on the University campus where minors may be in attendance with parents or other responsible adults. This policy does not apply where minors are enrolled in courses as students of the University, or where minors are present for general University events that are open to all members of the public. Additionally, this policy is not applicable to minors who may be involved in research projects; all such projects must be reviewed and approved through the appropriate University Institutional Review Board.

Policy Elaboration

Minors are involved in University activities for a variety of reasons. By way of example, minors may be on campus to participate in athletic, music or academic camps; to attend child care; to participate in other summer or break camps sponsored by, association with, or hosted by the University; and minors may be involved in academic or research programs of the University.

Requirements for Programs Involving Minors

Ensuring adherence to these Policy requirements is ultimately the responsibility of the senior-most University official whose unit sponsors an activity involving minors or associates with a non-UVM program sponsor whose activities will involve minors. This senior-most official may, however, delegate responsibility for the execution of these requirements to the dean or director of a unit that is sponsoring an activity involving minors or whose unit associates with a non-UVM program sponsor whose activities will involve minors. The latter individual will be referred to in the Policy as “the UVM program sponsor.”

1. UVM Sponsored Programs

The UVM program sponsor must take the following steps:

- a. **Required Notifications:** As soon as possible but no later than six (6) weeks prior to the start of the program, register the program through the UVM Department of Risk Management and Safety (DRMS). DRMS will work with the program sponsor to review safety controls, indemnification, participation agreements for minors and parents, appropriate insurance coverage, releases for medical treatment and other risk management issues that may apply.
- b. **Contract Review:** In consultation with the UVM Office of General Counsel, review all contracts for services and any agreements for housing related to the program to ensure that such contracts contain necessary provisions for the safety and well-being of minors involved in the program.
- c. **Written Notifications:** Establish appropriate procedures for advising parents/legal guardians in writing about the specific activities of the program, including risks associated with the program, emergency notification procedures and whom at UVM they may contact for information if they have questions or concerns. Parents/legal guardians must be advised of these procedures in writing before a minor participates in a program. The program sponsor is responsible for obtaining written permission and signed releases from parents/legal guardians before allowing a minor to participate in a program. A sample parent information and release form is provided in the Forms section of this policy. By way of example, a program brochure or similar document may be used to convey this information to parents/legal guardians.
- d. **Background Checks:** Ensure that all UVM employees, students and/or volunteers working in a UVM-sponsored program that involves minors have had a criminal

background check. Criminal background checks are required of any person who will have direct contact with minors in the course of the program (including but not limited to faculty, staff, students and volunteers). The UVM program sponsor must contact UVM Human Resource Services at least four (4) weeks before the program starts to coordinate the timely completion of the criminal background checks. The forms and instructions for obtaining a background check for UVM faculty, staff, students and volunteers can be found here: https://www.uvm.edu/sites/default/files/Human-Resource-Services-and-Operations/Forms/Background_Check_Forms_and_Information.pdf. Any criminal background check must include motor vehicle moving violations for individuals who will be transporting minors.

Timing of Background Checks: Criminal background checks must be completed prior to staff or volunteer being allowed to participate in the program which involves minors. Criminal background checks for those with continuous employment/involvement in the program must be repeated at least once every three years. If there has been a break in employment or the individual is not involved with the program for a period of 6 months or more, the background check must be repeated. In the event that the individual is transferring into a position that supervises minors or into a department that regularly interacts with minors and the last background check was performed more than 6 months ago, the criminal background check must also be repeated.

The program sponsor must also immediately advise the senior-most University official, Human Resource Services, and the Office of the General Counsel if it comes to the attention of the sponsor that any individual involved in the program has been arrested for a criminal offense (or convicted of such, if the program sponsor learns of a conviction after the commencement of a program).

The determination of whether a person with a criminal conviction history will be allowed to participate in a program involving minors will be evaluated by the senior-most official who supervises a University program sponsor, in consultation with UVM Human Resource Services and the UVM Office of General Counsel. Factors to be considered will include (but are not necessarily limited to) the nature and seriousness of the conduct, how recently the conviction occurred, and whether the conduct is related to the duties and responsibilities of the individual involved in the program.

Criminal background checks are not required for a person who will have very limited involvement in the program and will not spend any time alone with minors in the program, such as a guest speaker.

Records relating to background checks shall be maintained according to UVM's Record Retention Schedule.

- e. *Training:* The UVM program sponsor must provide, or arrange for the provision of, training for all individuals who will be involved in the program and who will have access to minors in the program. The training must include:
 1. Review of University policies applicable to the program

2. Appropriate behavioral expectations of employees, students and/or volunteers who will be working with minors, including but not limited to physical contact with minors, age-appropriate safety rules related to the activities of the program, rules regarding supervision of minors including supervision in restrooms and changing areas
3. Behavioral signs that a minor may be a victim of abuse or neglect
4. Reporting requirements for suspicion that a minor may be a victim of abuse or neglect
5. Consequences for failing to follow the requirements for appropriate interaction with minors and for reporting suspected abuse or neglect
6. Emergency response planning
7. Any other training required by the nature of the program

Training for UVM personnel is available through the University's liability insurance carrier. Instructions to access the training can be found here: <https://learn.ue.org/ZG2JU290081/UVMProtectingChildren>. Contact the Department of Risk Management and Safety for more information.

Records relating to training completion shall be maintained according to UVM's Record Retention Schedule.

2. UVM-Hosted Programs

Where the program is hosted at UVM, but administered by a non-UVM program sponsor, UVM Conference and Events Services must review the facilities use agreement for the program with the Office of General Counsel. Facilities use agreements must require that the non-UVM program sponsor provide appropriate staff-minor ratios for supervision of minors involved in the program. The facilities use agreements must also require that the non-UVM program sponsor conduct criminal background checks for all individuals who will have direct contact with or responsibility for minors involved in the program. These criminal background checks must be consistent with legal requirements and generally accepted practices. The facilities use agreement must require that the non-UVM program sponsor contact the UVM program sponsor (who will in turn contact the UVM officials and offices described in the preceding section) if a criminal background check yields a conviction for appropriate review and determination of whether the individual will be allowed to be involved in the program. The facilities use agreement must require that the non-UVM program sponsor provide training for all individuals who will be participating in the program. Lastly, the facilities use agreement must specify that records relating to background checks and training must be maintained in accordance with federal and state law and must be available for inspection by UVM upon written request.

Employees or Students Bringing Children to Campus

Generally, it is not acceptable for employees to bring their children to the worksite or for students to bring children to the classroom in lieu of childcare. If an emergency situation necessitates bringing a child to work or to a classroom or academic activity, the employee or

student must first obtain permission from the appropriate supervisor/faculty member and may not leave a child unsupervised while the employee or student is engaged in usual work or academic activity. Such situations must be urgent, compelling, not recurring and of short duration. The employee or student must find alternative child care as soon as possible. An exception to this general rule is a day recognized as “Bring Your Child to Work” day or a similar program. During such days, appropriate prior approval must be obtained and arrangements made for age-appropriate activity and supervision of the child. The University is not responsible for the safety or supervision of children in the workplace or in academic programs. Minors are allowed in University laboratories only in strict accordance with University Policy on Minors in Laboratories: <https://www.uvm.edu/sites/default/files/UVM-Policies/policies/minorslab.pdf>

Requirements for Reporting Suspected Abuse or Neglect

Under Vermont law, certain individuals are required to report suspected child abuse to the Vermont Department for Children and Families. In addition, the University of Vermont requires any employee or volunteer who has reasonable cause to believe that a minor involved in a program described by this Policy is the victim of child abuse to contact the Vermont Department for Children and Families and University Police Services.

The requirements and procedures are found in the University Operating Procedure Minors; Reporting Abuse or Neglect of and Crimes (https://www.uvm.edu/sites/default/files/UVM-Policies/policies/abuse_minors.pdf)

Requirements for Reporting of Crimes

University officials known as “Campus Security Authorities” are **required** by a federal law known as the Clery Act, to report to University Police Services any suspected sexual assault or other crime that occurs on campus, on property immediately adjacent to the University, or on non-campus property or buildings owned or controlled by the University. *See* University Operating Procedure for reporting obligations of Campus Security Authorities (under development).

Definitions

Direct Contact: the possibility of care, supervision, guidance or control of minors and/or routine interaction with minors.

Minor: a person under the age of 18 who is not enrolled or accepted for enrollment in credit-granting courses at the University and who participates in program sponsored by, or in association with, UVM. If a minor is both enrolled in a credit-granting course at the University and is also enrolled in a Program under this policy, the requirements of this Policy apply to the minor while engaged in the Program.

Non-UVM program sponsor: the entity that sponsors an activity involving minors at or in association with UVM.

Program: See *UVM Hosted Program* or *UVM Sponsored Program* for the appropriate definition. Types of programs can include, but not be limited to workshops, athletic/music/academic camps or lessons, conferences, 4H or other Extension programs, programs offered at or through a UVM Laboratory, Admissions and Enrollment Management programs involving minors and similar activities.

Senior-most University official: The University official (such as a Vice President or equivalent) whose unit sponsors an activity involving minors or associates with a non-UVM program sponsor whose activities will involve minors.

Sponsoring Unit: The academic or administrative unit of the University which offers a program, associates with a non-UVM program sponsor, or gives approval for facilities use and/or housing for programs.

UVM hosted program: Any program or activity offered by non-University groups/organizations either in association with the University or utilizing University facilities and/or personnel.

UVM program sponsor: the dean or director whose unit sponsors an activity involving minors or associates with a non-UVM program sponsor whose activities will involve minors.

UVM sponsored program: Programs that are directly managed by University faculty, staff, and Sponsored Student Organizations on behalf of the University. All University-Sponsored Programs must be registered through the Department of Risk Management and Safety as outlined herein.

Procedures

See Policy Elaboration

Forms

Background Check Forms and Information

[https://www.uvm.edu/sites/default/files/Human-Resource-Services-and-Operations/Forms/Background Check Forms and Information.pdf](https://www.uvm.edu/sites/default/files/Human-Resource-Services-and-Operations/Forms/Background%20Check%20Forms%20and%20Information.pdf)

Parent Information and Release of Liability Form

[https://www.uvm.edu/sites/default/files/UVM-Policies/policies/Related%20Documents/Parent Guardian Information and Release of Liability Fillable Form.pdf](https://www.uvm.edu/sites/default/files/UVM-Policies/policies/Related%20Documents/Parent_Guardian_Information_and_Release_of_Liability_Fillable_Form.pdf)

Contacts

Questions related to the daily operational interpretation of this policy should be directed to:

Department of Risk Management and Safety: (802) 656-3242

Office of General Counsel: (802) 656-8585

Office of Compliance Services: (802) 656-3086

Human Resource Services: (802) 656-3150
Police Services: for an emergency, call 911; or (802) 656-3473
University Event Services: (802) 656-5665

The Chief Safety and Compliance Officer is the official responsible for the interpretation and administration of this policy.

Related Documents

Campus Safety and Security Report (“Clery Report”)

<http://www.uvm.edu/police/reports/clery/public-safety-report.pdf>

Crime Reporting Flowchart

http://www.uvm.edu/sites/default/files/media/campussecurity_flowchart.pdf

Protecting Minors Flowchart

http://www.uvm.edu/sites/default/files/media/Protecting_Minors_Flowchart.pdf

Protecting Minors from Abuse Training Instructions

<http://www.uvm.edu/sites/default/files/media/protectminors.training.pdf>

Record Retention Schedule

http://www.uvm.edu/compliance/compliance/record_retention_schedule

Reporting Form for Campus Security Authorities

<https://www.uvm.edu/police/csa>

Related Policies or Procedures

Campus Safety and Security: Clery Act Policy

<https://www.uvm.edu/sites/default/files/UVM-Policies/policies/clery.pdf> Designation and Responsibilities of UVM Reporters Procedure

<https://www.uvm.edu/sites/default/files/UVM-Policies/policies/campussecurity.pdf>

Minors in Laboratories Policy

<https://www.uvm.edu/sites/default/files/UVM-Policies/policies/minorslab.pdf>

Minors; Reporting Abuse or Neglect of and Crimes

https://www.uvm.edu/sites/default/files/UVM-Policies/policies/abuse_minors.pdf

Effective Date

Prior version was 2.24.1

Approved by the President February 27, 2017