

Programs Involving Children

PS-01



About This Policy

Effective Date:
04-30-2012

Last Updated:
08-14-2015

Responsible University Office:
Office of Public Safety & Institutional Assurance

Responsible University Administrator:
Executive Vice President for University Academic Affairs

Policy Contact:
IU Office of Public Safety
iupic@iu.edu

Related Information

- * [Programs Involving Children Additional Guidance](#)
- * [Child Abuse: Recognition and Reporting - Training Information](#)
- * [Sexual Abuse Prevention - Training Information](#)
- * [IC 31-33-5 Duty to Report Child Abuse or Neglect](#)
- * [IC 10-13-3 Criminal History Information](#)
- * [IC 11-8-8 Sex Offender Registration](#)
- * [IU Whistleblower Policy](#)
- * [IU Policy - Minors in Hazardous Work Areas](#)
- * [IU Policy - Background Checks for Employees](#)
- * [IU Policy - CDL Requirements](#)
- * [IU Policy - Driving Privileges](#)
- * [IU Policy - Operation of University Vehicles](#)
- * [IU Policy - Who Can Use University Vehicles](#)
- * [COPPA - Children's Online Privacy Protection Act](#)

Related Forms

- * [National Sex Offender Registry](#)
- * [Register Programs Involving Children](#)
- * [Consent for Background Check](#)
- * [Volunteer Form](#)

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Scope

All academic, including faculty; staff; hourly employees; students; and volunteers at Indiana University. All university units. External organizations using Indiana University facilities for programs that include children.

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Policy Statement

The following provision applies to all faculty and academic staff, staff, students and volunteers.

1. Notification:

- a. Indiana state law requires **any person** who has reason to believe that a child is a victim of child abuse or neglect has an affirmative duty to make an oral report to Department of Child Services (DPS) **1-800-800-5556** or to their local law enforcement or to the IU Police department. Failure to report may result in criminal charges.
- b. In addition to notifying DPS and/or local law enforcement, state law and the university also require that faculty, staff, students, volunteers, and other university personnel report any suspected abuse or neglect of minors on Indiana University property or as part of an Indiana University program, to the IU Superintendent of Public Safety.
- c. Indiana University law enforcement and the Superintendent of Public Safety have the obligation to report any suspected abuse or neglect to DPS, which will conduct an investigation.

The following provisions apply to all programs serving children.

2. Background checks:

Programs must ensure that all faculty and academic staff, staff, students, volunteers, or other personnel who will work with children have been subject to a criminal background check which includes a sex offender registry check within the last five years. The background and sex offender registry checks must be repeated at least every five years thereafter. Individual programs or units may require more frequent updates.

A program may not allow the participation in the program of any academic, faculty, staff, hourly employee, student, volunteer or other personnel whose criminal background check and/or sex offender registry check includes a record of sexually based offenses or crimes against children. If criminal background checks include a record of other offenses, programs should consult the appropriate office (campus Human Resources office, academic affairs, or the University Superintendent of Public Safety) to determine if those offenses should preclude participation.

Programs or individuals for whom complete background checks are infeasible (for example, host families in foreign countries) must perform checks to the fullest extent feasible and adopt other measures to prevent child abuse and facilitate the reporting of abuse.

Programs that are discrete, occasional events for which a large number of volunteers are essential, may elect to adopt measures and safeguards instead of background checks for the one-time volunteers (for example, Science Olympiads, children's reading/activity days). The measures adopted must include:

- a. requirement that the volunteers be working in public places, not alone with children and;
- b. be supervised by a background-checked person and;
- c. programs must compile the names and addresses of the volunteers prior to the event and check the names against the sex offender registry and;
- d. volunteers must then present photo identification to be checked at the event and;
- e. programs adopting this method must have the approval of the Superintendent of Public Safety.

When IU students are participating in an external program or organization that involves children as a service learning activity or as part of an IU club or unit, the IU unit shall ascertain whether the external entity has its own policy on background checks, and if so, follow that policy. If there is no policy in place at the external entity, the parties shall work cooperatively to decide if the IU policy should apply to the particular event.

External groups using IU facilities must complete required background checks with a national criminal database and sex offender registry check.

3. Program information:

Units sponsoring programs that include children, and units responsible for university facilities that are used by programs including children, must maintain an up-to-date list of those programs. Such list should include each program's dates, times, locations, attendance (age range and number of participants), and a program contact, so that in the event of an emergency, consideration may be given to the possible presence of minors, and the appropriate course of action to address their health and safety.

At least 14 days prior to the start of a new program, the responsible university unit must also register this information with the University Superintendent of Public Safety by filling out the online form located on [One.IU](#). For programs at IU run by external organizations, the IU unit responsible for the facility must ensure that the program information is submitted online. Research programs involving children that are approved through the Indiana University Institutional Review Board (IRB) process do not need to register on the Protect IU form. However, research involving children must still follow the other policy requirements regarding reporting, background checks, and program procedures.

4. Programs that include or serve children shall have in place, enforce, and make available rules and procedures that address the following areas, if they are applicable to the program:

- Transportation – including the transportation of children at the beginning and end of the program, to and from the program, and within the program, whether by parents, guardians, staff or others. University programs must also comply with IU policies regarding drivers and vehicles.
- Plans for weather emergencies, if the program is not inside a university facility where such plans are in place.
- Appropriate levels of access to and supervision of children.
- Appropriate physical contact and communication with children by personnel based on the age of children and the nature of the program activities.
- Appropriate forms including permission forms, medical contact information and liability waivers. Forms should be safeguarded and readily available.
- First aid and medical treatment as well as dispensing of medication. Program personnel must have appropriate training.

5. Programs including overnight stays or use of university residences by children shall have the following additional rules and procedures in place:

- Identification to be worn by staff members, and participants if appropriate.
 - Curfews.
 - Code of conduct for participants.
 - Substance-free housing and facilities.
 - Residential supervision.
6. Contractual agreements concerning personnel or facilities related to programs including children must include compliance with this policy as a term of the contract. When appropriate, such contracts shall also include an indemnification provision in which Indiana University is held harmless for the acts or omissions of other program participants or third party employees or agents.
 7. Academic and administrative supervisors are responsible for ensuring that programs are in compliance.
 8. This policy supplements and does not supersede any other legal requirements, for example, child care or teacher licensure.

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Reason For Policy

Indiana University, as part of its educational mission, has many university programs that include children. The university also allows external organizations to use university facilities for programs including children. This policy has three principles:

1. The protection and safety of children in these programs should be the highest priority of the university and of organizations administering these programs.
2. The university and members of the university community must comply with federal and state law requirements regarding reporting of abuse and neglect of children.
3. The policy must be flexible to accommodate the wide variety of programs involving children.

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Procedure

Reporting suspected abuse or neglect:

In an emergency or if you see a crime in progress, always call 911 immediately.

Anyone who has reason to believe that a child is a victim of abuse must report it immediately to Department of Child Services or local law enforcement ([Indiana Code § 31-33-5](#)). To comply with the state law, oral reports may be made to either:

- The anonymous Indiana Child Abuse and Neglect Hotline. **Dial 1-800-800-5556.**
- The IU Police Department on any campus, or the local community police. **Dial 911**, or dial the local IUPD campus number or local community police department number.

Internal procedures following report of abuse or neglect:

State law requires that suspected cases of abuse or neglect on Indiana University property or as part of an Indiana University program must also be reported to a designated agent at the institution (IC 31-33-5). The designated agent at Indiana University is the Superintendent of Public Safety.

When the University Superintendent of Public Safety receives a report and conveys that report to DPS the following people should be also notified of the report and involved, when appropriate, in the internal evaluation:

- Campus police department;
- Campus provost or chancellor;
- Office of the VP and General Counsel;

- If staff or hourly employees involved – University Human Resource Services;
- If students involved – Dean of Students or the campus VCAA, as well as the head of the student’s department or school;
- If academic – Vice provost or vice chancellor of academic affairs (VCAA) and dean;
- Parents or guardians of child, unless under the circumstances they are the alleged abuser.

If the situation warrants, the alleged abuser may be immediately suspended pursuant to the applicable procedures, pending an investigation.

The university shall cooperate with any external investigation conducted by Department of Child Services or local law enforcement. The University Superintendent of Public Safety, in consultation with the Office of the VP and General Counsel, UHRS (if staff or hourly employee), Dean of Students and/or VCAA (if student), and VCAA (if academic), will conduct its own internal evaluation to determine if sanctions are warranted, up to and including dismissal. Legal prohibitions regarding physical presence on campus/trespassing may also be pursued. University administrators shall follow the appropriate procedures in determining and issuing any sanction (IU Academic Handbook, campus based Academic Handbooks, UHRS employee policies, Code of Student Rights and Responsibilities). If alleged abuser is one of the university officials identified herein, the Superintendent of Public Safety shall report and consult with their superior, or in any instance, the Provost/Chancellor, or the President, or the Board of Trustees if necessary.

The IU Office of the Superintendent of Public Safety shall maintain a report of each allegation, together with a summary of the internal evaluation, the findings and sanctions, if any, that are imposed.

If the alleged abuser is not a member of the Indiana University community, but is present at IU through a third party vendor or other external entity authorized to be on campus, that external entity will also be notified that the alleged abuser will no longer be permitted on campus/facilities owned by IU.

For any questions about reporting suspected abuse or neglect as well as IU procedures, contact the Superintendent of Public Safety whose contact information is included below.

IU has partnered with Riley Hospital for Children at IU Health to provide training resources to help prevent sexual abuse and assist in recognizing the signs of child abuse and understanding your reporting obligations.

Background checks:

Indiana University programs must use GIS, the university-designated vendor to complete background checks for anyone in an employee relationship- staff, faculty, academic, or temporary (formerly known as hourly). IU programs that require background checks for students (that are not also employees) or volunteers may use GIS or require those students or volunteers to pay for their own check using the IU designated vendor, Backgroundchecks.com. More information about the background checks procedures is available [here](https://protect.iu.edu/police-safety/policies/programs-children/background-checks.html). <https://protect.iu.edu/police-safety/policies/programs-children/background-checks.html>

In determining whether a required check has been run within the last five years, a previous check that was run as Limited Check must be repeated as a Standard Check. The Limited Check is no longer available as an option.

Submitting program information:

Programs including children must complete an online information form at least 14 days prior to the start of the program. The form can be found on [One.IU](https://protect.iu.edu). A link to the form can also be found on protect.iu.edu.

Recurring programs must submit/update the form at least once each year.

Program information is submitted for registration purposes only, no approval will be received by the registering unit. Information on the programs may be used for audit purposes or by the school, campus or unit responsible for the program. Contact the IU Office of Public Safety for more information.

In addition to the other policy requirements, it is important for programs to thoroughly think through their program activities and ensure they are providing a safe environment for children and others with appropriate rules and procedures. Further guidance and examples in formulating rules and procedures for your program are available at: <https://protect.iu.edu/police-safety/policies/programs-children/policies.html>

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Definitions

Child/Minor – A child or minor for the purposes of these provisions shall be any person under the age of eighteen (18).

Programs – The term “program” includes ongoing or planned events that are designed to include children such as camps, lessons, workshops, clubs, teams, projects, practices, tours, or open-houses, research activities, recruiting activities, clinical settings.

The term “programs” does not include: 1) Single performances or events open to the general public that are not targeted toward children (such as varsity athletic competitions, plays, concerts). 2) Regularly scheduled classes or activities designed primarily for enrolled students who are age 17 and above.

NOTE: This definition may not capture certain circumstances in which minors are present on campus, and further consideration will be given as to whether they fall within the scope of the policy.

NOTE: This definition does not include the placement of students, for academic credit and/or clinical or student teaching requirements, with external entities. Rather, when schools and/or departments place students at external entities for such purposes, students must be informed of their obligation to comply with the external entity’s own policies and procedures, including those regarding background checks and working with minors.

Indiana University Property – Buildings, grounds, and land that are owned by Indiana University or controlled by Indiana University via leases or other formal contractual arrangements to house ongoing IU operations.

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Sanctions

Programs in violation of this policy may be denied permission to continue operation at Indiana University.


Any violations of university policies by an individual will be dealt with in accordance with applicable university policies and procedures, which may include disciplinary actions up to and including termination from the university. Legal prohibitions regarding physical presence on campus/trespassing may also be pursued.

Suspected violations of law will be referred to law enforcement and may result in criminal penalties.

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Additional Contacts

<i>Subject</i>	<i>Contact</i>	<i>Phone</i>	<i>Email</i>
Superintendent of Public Safety	Benjamin Hunter	317-274-4860	bdhunter@iu.edu
IU Office of Public Safety	Richard Erny	317-274-4230	iupic@iu.edu
Insurance, Loss Control & Claims	Larry Stephens, Director	812-855-9758	stephenl@iu.edu
Envir. Health & Safety	Mike Jenson, Director	812-855-3231	mjenson@indiana.edu
Emer. Management	Diane Mack, Director	317-274-8108	dimack@iu.edu
UHRS (GIS)	Scott Shimoda, HR Policy Consultant	812-855-2015	hr@iu.edu

UHRS	Rob Springston, Univ. Director of Employee Relations	812-855-1995	rsprings@iu.edu
IUB Police	Laury Flint, Chief of Police	812-855-4111	lbarthol@indiana.edu
IUPUI Police	Robert L. True, Chief of Police	317-274-7911	rtrue@iupui.edu
IUE Police	Scott Dunning, Chief of Police	765-973-8429	isdunning@iue.edu
IUK Police	Jerry Williams, Chief of Police	765-455-9432	jerlwill@iuk.edu
IUN Police	Wayne James, Chief of Police	219-980-6501	wjames@iun.edu
IUS Police	Charles Edelen, Chief of Police	812-941-2400	cedelen@ius.edu
IUSB Police	Kurt Matz, Chief of Police	574-520-4499	kumatz@iusb.edu
IU Child Protection Program	Roberta Hibbard, MD IU School of Medicine	317-944-5000	iucpp@iupui.edu
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History

This policy was established in 2012 as an interim policy, but in effect. A final and updated version was made effective in 2013. The policy was updated in April, 2014 with additional resources and changes to background check procedures and again in July, 2014 with minor revisions to the internal reporting procedures.

Policy was updated in August 2015 regarding research programs that are approved through the IU IRB process.