

# Programs Involving Children

PS-01

## About This Policy

**Effective Dates:**

04-30-2012

**Last Updated:**

08-04-2017

**Responsible University Administrator:**

Executive Vice President for University Academic Affairs

**Policy Contact:**

IU Office of Public Safety

[iupic@iu.edu](mailto:iupic@iu.edu)

## Scope

This policy applies to:

- All university employees, including faculty, academic appointees, student academic appointees, staff and temporary employees;
- Students;
- Volunteers at Indiana University;
- All university units; and
- External organizations using Indiana University facilities for programs that include children.

## Policy Statement

- 1. Notification: [The following provision applies to all faculty and academic staff, staff, students and volunteers]**
  - 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 the Department of Child Services (DCS) **1-800-800-5556** and/or to the Indiana University Police Department or local law enforcement. Failure to report may result in criminal charges.
  - b. In addition to notifying DCS 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 DCS, which will conduct an investigation.
  - d. All current university employees, students, and volunteers working with children are required to notify the university promptly of any criminal convictions, felony charges or substantiated reports of child abuse or neglect.
- 2. Background checks: [The following provision applies to all programs serving children and positions working with children (“PIC Position” as defined below)]**

- a. Programs must ensure that all university employees, students, volunteers, or other individuals 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 check 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 will not allow the participation in the program of any university employee, student, volunteer or other individual whose criminal background check and/or sex offender registry check includes sexually based crimes or crimes against children.

Substantiated reports of child abuse or neglect, or a record of other offenses, will be considered on a case by case basis by the program, in consultation with the appropriate offices (human resources, academic affairs, student affairs), and the Office of Public Safety and the Office of the VP and General Counsel as needed, to determine if the individual's record should preclude participation.

- b. When an employee who did not previously work with children moves into a PIC position, a background check must be completed if the prior check was more than one year ago.
- c. 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.
- d. Large, Occasional Events: Programs that are occasional events for which a large number of volunteers are essential, may request to adopt measures and safeguards other than background checks for the one-time volunteers (for example: Science Olympiad, children's reading/activity days, swim meets, etc.). Programs wishing to adopt alternative measures must make their request and obtain the approval of the Office of Public Safety through their online program registration. The measures adopted must at a minimum include:

1. volunteers must be supervised by a background-checked person;
2. volunteers must work in public places and must not be alone with children;
3. programs must compile the names and addresses of the volunteers prior to the event and check each volunteer's name against the sex offender registry and;
4. volunteers must present photo identification to be checked at the event.

### 3. Program Registration Information:

At least 14 days prior to the start of a program, the responsible university unit must register the program information with the Office 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, and/or coordinating with the external organization, must ensure that the program information is submitted online.

Departments that have daily involvement with children as part of their primary mission, such as pediatric medical departments or child care facilities, do not have to register their everyday activities as programs, however they must still follow the other policy requirements regarding reporting, background checks, and program specific guidelines, as well as any externally imposed requirements, such as applicable laws, government regulations, licensure, or accreditation.

### 4. Program-Specific Guidelines:

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.

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.

Programs must comply with any applicable laws, regulations, and policies, including Title IX, ADA, FERPA, and Clery Act. For questions regarding compliance, please contact the Office of Public Safety.

#### **5. Programs by External Organizations Not Organized by the University:**

- a. Contractual agreements concerning personnel or facilities related to programs including children must include compliance with this policy as a term of the contract. External organizations using university facilities should note that compliance with this policy includes notifying IU immediately in the event of any suspected child abuse or neglect, or other reports of crimes. 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.
- b. 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. For questions about the university's role with a particular external organization or program, please contact the Office of Public Safety.
- c. External groups using IU facilities must complete required background checks for anyone working with children that at least include: a minimum of 7 years of name and address history from a Social Security Number trace; county criminal history; a national criminal database; and checks of the Indiana state and national sex offender registries.

#### **6. Research Involving Children:**

Research programs involving children that are approved through the Indiana University Institutional Review Board (IRB) process do not need to register on the online form located on [One.IU](#). However, research involving children must still follow the other policy requirements regarding reporting, background checks, and program specific guidelines.

#### **7. Departmental/Unit Responsibility:**

- a. Academic and administrative supervisors (vice presidents, campus administrators, deans, directors, etc.) are responsible for ensuring that programs are in compliance with this policy.
- b. To facilitate compliance, units may select an employee to serve as a PIC liaison. The unit supervisor, or the selected PIC liaison, will receive training on PIC compliance, coordinate with the Office of Public Safety on policy requirements and work with administrative offices to ensure that university employees, students and volunteers working with children have received a background check within the last five years. Each unit should maintain a list of PIC programs in the unit that include children, and/or any university facilities for which they have responsibility and are used by programs involving children.

## 8. Other Requirements:

This policy supplements and does not supersede any other legal requirements, for example, child care or teacher licensure.

## 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.

## 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 or neglect must report it immediately to the Department of Child Services (DCS) 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 Superintendent of Public Safety receives a report and conveys that report to DCS 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 the Department of Child Services (DCS) or law enforcement. The Superintendent of Public Safety will assist responsible university offices with any investigation, including the Office of the VP and General Counsel, UHRS (if staff or temporary employee), Dean

of Students and/or VCAA (if student), and VCAA (if academic appointee), to determine if sanctions are warranted, up to and including dismissal. Legal prohibitions regarding physical presence on campus/trespassing may also be pursued. University and campus administrators shall follow the appropriate procedures in determining and issuing any sanction (university policies, campus based academic policies, UHRS employee policies, Code of Student Rights, Responsibilities & Conduct). 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.

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.

When current university employees, students, and volunteers who work with children are required to promptly notify the university of any criminal convictions, felony charges or substantiated reports of child abuse or neglect, they should do so by notifying a designated official at the campus human resources, campus academic affairs, campus student affairs, or through the Office of Public Safety. 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 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 pay for the background checks using the university-designated vendor or require those students or volunteers to pay for their own check via university designated vendor's self-pay portal. More information about the background checks procedures is available. <https://protect.iu.edu/police-safety/policies/programs-children/background-checks.html>

### **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](#). A link to the form can also be found on [protect.iu.edu](https://protect.iu.edu).

Recurring programs must submit a new form at least once each year.

Program information is submitted for registration purposes only, no approval will be received by the registering unit, except for requests for large, occasional event exemption. 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/index.html>

## **Definitions**

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

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

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.

**PIC Positions** – Positions that involve working with children. Human resources or individual units may consider additional job related aspects when designating a position as a PIC position such as, building/office location, access to private information regarding children, and access to other vulnerable populations.

**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.

## 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.

## Additional Contacts

<b>Subject</b>	<b>Contact</b>	<b>Phone</b>	<b>Email</b>
Superintendent of Public Safety	Benjamin Hunter	812-855-4296	<a href="mailto:bdhunter@iu.edu">bdhunter@iu.edu</a>
IU Office of Public Safety	Yvonna Daily		<a href="mailto:ydaily@iu.edu">ydaily@iu.edu</a>
IU Office of Public Safety	Rick Erny	317-274-4230	<a href="mailto:rcerny@iu.edu">rcerny@iu.edu</a>
Insurance, Loss Control & Claims	Larry Stephens, Director	812-855-9758	<a href="mailto:stephenl@iu.edu">stephenl@iu.edu</a>
Envir. Health & Safety	Beauregard Middaugh, Director	317-274-2832	<a href="mailto:bmmiddau@iu.edu">bmmiddau@iu.edu</a>
Emer. Management	Carlos Garcia, Interim Director	317-274-1802	<a href="mailto:garcia@iu.edu">garcia@iu.edu</a>
IU HR	Scott Shimoda, HR Policy Consultant	812-855-2015	<a href="mailto:sshimoda@iu.edu">sshimoda@iu.edu</a>
IU HR	Suzanne Ryan, Director, Employee and Labor Relations	812-856-5572	<a href="mailto:sryan@iu.edu">sryan@iu.edu</a>
IUB Police	Jill Lees, Chief of Police	812-855-7621	<a href="mailto:jmlees@iu.edu">jmlees@iu.edu</a>
IUPUI Police	Doug Johnson, Chief of Police	317-274-4860	<a href="mailto:johnsodo@iu.edu">johnsodo@iu.edu</a>

IUE Police	Scott Dunning, Chief of Police	765-973-8435	<a href="mailto:sdunning@iue.edu">sdunning@iue.edu</a>
IUK Police	Thomas Remender, Chief of Police	765-455-9432	<a href="mailto:tremende@iu.edu">tremende@iu.edu</a>
IUN Police	Wayne James, Chief of Police	219-980-7222	<a href="mailto:wjames@iun.edu">wjames@iun.edu</a>
IUS Police	Stephen Miller, Chief of Police	812-941-2403	<a href="mailto:sfmiller@ius.edu">sfmiller@ius.edu</a>
IUSB Police	Kurt Matz, Chief of Police	574-520-5522	<a href="mailto:kumatz@iusb.edu">kumatz@iusb.edu</a>
IPFW Police	Stephen Kimbrough, Chief of Police	260-481-0739	<a href="mailto:kimbrous@ipfw.edu">kimbrous@ipfw.edu</a>
<a href="#">IU Child Protection Program</a>	Roberta Hibbard, MD IU School of Medicine	317-944-5000	<a href="mailto:iucpp@iupui.edu">iucpp@iupui.edu</a>

## 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.

This policy was reviewed and revised in 2017.

Previous Versions:

[Effective Dates: 08/14/2015 - 08/04/2017](#)

[Effective Dates: 07/24/2014 - 08/14/2015](#)

## 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](#)  
[COPPA - Children's Online Privacy Protection Act](#)

## Related Forms

[National Sex Offender Registry](#)  
[Register Programs Involving Children](#)