

	UNIVERSITY OF DENVER	UNIVERSITY OF DENVER POLICY MANUAL PROTECTION OF MINORS ON UNIVERSITY PREMISES AND IN UNIVERSITY PROGRAMS	
<p><u>Responsible Department:</u> Enterprise Risk Management</p> <p><u>Recommended By:</u> Provost, SVC Business and Financial Affairs, Director of Enterprise Risk Management, VC Human Resources and Inclusive Community, VC for Athletics and Recreation; AVC Equal Opportunity & Title IX, Conference and Event Services</p> <p><u>Approved By:</u> Chancellor</p>		<p><u>Policy Number</u> RISK 2.50.060</p>	<p><u>Effective Date</u> 6/6/2023</p>

I. INTRODUCTION

The University is committed to protecting the safety of individuals in the University community. The University has particular concern for those who are potentially vulnerable, including Minors, and may require special attention and protection. This Policy establishes requirements and processes for those in the University Community who may work or interact with Minors with the goal of promoting the safety and well-being of Minors.

II. POLICY OVERVIEW

- A.** This Policy applies broadly to interactions between members of the University Community and Minors in University Programs. All members of the University Community are expected to be familiar with and comply with the provisions of this Policy and any related University policies and/or procedures, as applicable. In addition, non-University organizations and entities that operate Third-Party Programs involving Minors on University Premises must comply with this Policy.
- B.** When participating in University Programs, members of the University Community must:
 - 1. be vigilant in protecting the well-being and safety of Minors with whom they interact on or off University Premises.
 - 2. watch for signs of Child Abuse and promptly report suspected instances of Child Abuse, or violations of this Policy or law.
 - 3. before engaging in any University Program:

- a. meet the requirements set forth in Section III.B of this Policy related to Criminal Background Checks;
 - b. meet the requirements set forth in Section III.C of this Policy relating to Training;
 - c. meet any additional requirements that relate to the specific program or activity; and
 - d. determine whether they are a Mandated Reporter under Colorado law as addressed in Section III. E of this Policy.
- C. Members of the University Community must cooperate with investigations of alleged Child Abuse, including those initiated by the University or by third parties such as the Colorado Department of Human Services (CDHS), or other local, state, or federal law enforcement agencies. All members of the University Community must also cooperate with investigations of alleged violations of this Policy and any applicable University procedures.
- D. Members of the University Community who coordinate, conduct, organize, host, sponsor, or otherwise participate in Campus Visits must comply with the applicable [Procedures for the Protection of Minors on Campus](#).
- E. Except with respect to reporting Child Abuse, this Policy does not apply to:
- 1. Minors who are participants in University-sponsored research studies that are subject to review and approval of an Institutional Review Board pursuant to applicable policies and procedures;
 - 2. Minors who either are University employees or are engaged in internships at the University, whether paid or unpaid;
 - 3. Minors admitted and enrolled on a full-time basis in undergraduate or graduate programs at the University; and
 - 4. single events on University Premises (such as festivals, convocations, or athletic events) that are generally open to the public and to people of all age groups at which Minors may be present.

III. PROCESS OVERVIEW

A. Procedures for the Protection of Minors on Campus

To promote the safety and well-being of Minors participating in University Programs, the University has developed [Procedures for the Protection of Minors on Campus](#).

B. Criminal Background Checks

- 1. Members of the University Community who participate in or who supervise a University Program must undergo a criminal background check prior to working with Minors in such University Program. Such screening will

include, at a minimum, criminal history and sex offender registry searches.

2. If an individual's criminal background check reveals adverse information or unfavorable results, the University will conduct an individualized assessment designed to identify potential risk(s) to Minors. The University shall not automatically disqualify an individual from participating in a University Program based on a prior conviction. Except when required by law, the University will use criminal background checks of members of the University Community conducted pursuant to this Policy only for purposes consistent with University policy. The University will maintain records of background checks separately from an individual's personnel file.
3. Non-University organizations and entities that operate Third Party Programs must conduct criminal background checks that satisfy the University standards pursuant to this Policy for their employees, volunteers, and representatives who participate in or supervise such Third Party Programs. The University may request any additional information from such organizations and entities as the University deems necessary to meet the requirements of this Policy.

C. Training

Members of the University Community who participate in or supervise University Programs must complete appropriate training, which at a minimum, must include:

1. Signs of Child Abuse;
2. Guidelines for protecting Minors from emotional and physical abuse and neglect; and
3. Requirements and procedures for reporting incidents of suspected Child Abuse or other improper conduct.

The University may require additional training based on the particular program or activity and/or the individual's role in the University Program.

Prior to the commencement of any Third-Party Programs on University Premises, non-University organizations and entities must provide the University sufficient documentation to demonstrate that all employees, volunteers, and representatives who participate in or supervise such Third Party Programs and who will be interacting with Minors (and anyone who supervises such individuals) have received training that meets or exceeds the minimum requirements of this Section III.C.

D. Reporting and Emergency Procedures

1. *Emergencies*: In case of an emergency, call the Division of [Campus Safety](#)

or the Denver Police Department at 911.

2. All Other Reports of Known or Suspected Child Abuse:

a. Anyone participating in or supervising a University Program involving Minors or a Third-Party Program on University Premises who knows, suspects, or receives information indicating that a Minor has been abused or neglected, or who has other concerns about the safety of Minors, must promptly report such concerns to one or more of the following, available 24 hours a day year-round:

- Division of Campus Safety at 303-871-3000
- DU Anonymous Hotline at 303-871-7439 (The University contracts with a confidential third-party provider, Lighthouse Services, for the intake of hotline reports.)
- Colorado Child Abuse and Neglect Hotline: 844-CO-4-Kids (844-264-5437)

b. In addition, individuals should promptly notify their supervisor, director, dean, associate vice chancellor, or vice chancellor.

E. Mandatory Reporters

Colorado law, [C.R.S. §19-3-304\(2\)](#), identifies an extensive list of individuals who are required by law to report child abuse and/or neglect to a local law enforcement or social service agency. This list includes school officials or employees, coaches, assistant coaches, athletic program personnel, psychologists, mental health professionals, physical therapists, licensed professional counselors, licensed marriage and family therapists.

F. University Policy AUDT 18.10.010 - *Retaliation and Whistleblower Protection* protects from retaliation members of the University Community who make good faith reports regarding possible non-compliance or violations of policies, laws, rules or regulations applicable to the University or participate in investigations regarding such matters.

G. Enforcement

Individuals who do not comply with this Policy will be referred to the applicable process for addressing such non-compliance. If an individual is found responsible for violating this Policy, the individual may be subject to outcomes or corrective action, which may include additional training, restriction from certain activities, verbal or written warnings, suspension, dismissal, or termination of employment, and, where appropriate, exclusion from University Programs and/or University Premises. The University may also take appropriate interim actions before determining whether the individual is responsible for a

violation of this Policy. The University may terminate agreements, discontinue relationships with, or take other appropriate actions against non-University organizations and entities that are found responsible for a violation of this Policy.

IV. DEFINITIONS

- A. **“Campus Visits”** means a Minor's temporary presence on University Premises as part of a University recruitment event or community outreach activity.
- B. **“Child Abuse”** In accordance with the Colorado Children’s Code, C.R.S. § 19-1-101, et seq., Child Abuse means an act or omission that threatens the health or welfare of a child, and “abuse” or “child abuse or neglect” includes cases in which a child shows evidence of physical injuries or malnutrition that is not justifiably explained; cases in which a child is subjected to sexual assault or molestation, sexual exploitation, or prostitution; cases in which a child is a child in need of services because the child's parents, legal guardians, or custodians fail to take the same actions to provide adequate food, clothing, shelter, medical care, or supervision that a prudent parent would take; and other specified acts and omissions.
- C. **“Minor”** means, for purposes of this Policy, a person under the age of 18 who is not emancipated.
- D. **“Third-Party Programs”** means events or activities that are designed to include Minors and that are conducted by non-University organizations and entities on University Premises, including, for example, workshops, sport camps, and conferences.
- E. **“University Programs”** means events or activities that are designed to include Minors and that are sponsored by or affiliated with the University (whether for academic, educational, pre-collegiate, experiential, athletic, artistic, recreational, or other purposes) that are operated either: (1) on University Premises, or (2) off University Premises under the direction and authority of the University.

For purposes of this Policy, University Programs do not include:

- single events on University Premises (such as festivals, convocations, recognized student organization events, or athletic events) that are generally open to the public and to people of all age groups at which Minors may be present;
- Campus Visits;
- University undergraduate or graduate programs to which students who are Minors are admitted and enrolled on a full-time basis;
- the employment of Minors by the University;

- internships at the University, whether paid or unpaid;
 - research studies subject to the review and approval of an Institutional Review Board (IRB) pursuant to the applicable policies and procedures; or
 - events on University Premises facilitated by students for groups of Minors chaperoned by a teacher or adult that is not a member of the University community (e.g. a school group).
- F. “University Premises”** includes all land, buildings, facilities, or other property in the possession of or owned, used, operated, or controlled by the University, including adjacent streets and sidewalks.
- G. “University Community”** means University trustees, officers, faculty, staff, students, and individuals providing services for the University as contractors or volunteers.

V. RESOURCES

- A.** Contact information for [Division of Campus Safety](#)
- B.** University of Denver Youth on Campus [website](#)
- C.** [Reporting and Resources](#) available on the Office of Equal Opportunity & Title IX website.
- D.** Colorado Department of Human Services [Mandatory Reporting Website](#)
- E.** Colorado Department of Human Services Office of Children, Youth & Families [Child Abuse & Neglect Website](#)
- F.** [CO4Kids.org](#) (for information regarding [signs of Child Abuse and Neglect](#))
- G.** Other Prevention Resources:
- [U.S. Department of Health and Human Services, Children’s Bureau, Factsheet: What is Child Abuse and Neglect? Recognizing the Signs and Symptoms](#)
 - [U.S. Department of Health and Human Services, Children’s Bureau, Factsheet: Preventing Child Abuse and Neglect](#)

VI. RELATED POLICIES

- A.** University Policy AUDT 18.10.010 – *Retaliation and Whistleblower Protection*
- B.** University Policy FINA 12.10.020 – *Background Checks*

C. University Policy EOIX 3.10.010 – *Discrimination and Harassment*

Revision Effective Date	Purpose
<i>1/11/2023</i>	<i>Update the Responsible Departments and align Policy with practice</i>
<i>2/9/2023</i>	<i>Minor revisions to clarify application of Procedures for the Protection of Minors and to add Youth on Campus website as a resource</i>
<i>6/6/2023</i>	<i>Minor revision to grammatically align statement with definition</i>