

## ***Policies and Procedures***

<b>SECTION:</b> <b>Administration</b>	<b>NO.</b> <b>2.1.27.</b>		
<b>CHAPTER:</b> <b>General</b>	<b>ISSUED:</b> 3/13/2013	<i>REV. A</i>	<i>REV. B</i>
<b>POLICY:</b> <b>Children and Vulnerable Adults Policy</b>	<i>PAGE 1 OF 6</i>		

### **PURPOSE**

Creighton University has an obligation to its students, staff, and visitors to conduct its operations and maintain its facilities in a manner consistent with its Catholic, Jesuit mission. The University recognizes that some University-sponsored programs and programs that involve children (Minors under the age of 19) and vulnerable adults (adults with a substantial functional or mental impairment). This policy provides for the appropriate supervision of children and vulnerable adults who are involved in University-sponsored programs and programs held at the University, including the housing of children and vulnerable adults in University residence halls. This policy does not apply to general public events where parents/guardians are invited and expected to provide supervision of their child or vulnerable adult. Any member of the faculty or staff who suspects that a child or vulnerable adult who is on University premises for any reason, or is participating in a University-sponsored activity at another location, has been the victim of abuse shall immediately report the suspected abuse in accordance with Nebraska state law.

### **POLICY**

In order to ensure that the appropriate supervision of children and vulnerable adults who are involved in University-sponsored programs and programs held at the University, including the housing of children and vulnerable adults in University residence halls, it is necessary to establish certain requirements governing the presence of children and vulnerable adults on the University's campus.

These requirements are as follows:

- A. All children and vulnerable adults not registered for classes who are otherwise participating in a University-sponsored program or a program taking place on University property must be supervised by an authorized adult(s) at all times while they are participating in that program.
- B. All supervised children and vulnerable adults participating in a University-sponsored program or a program taking place on University property are permitted in the general use facilities (Athletic Facilities, Public Spaces, Academic Buildings, Food Services Area etc.) but may be restricted from certain areas of the facilities or from utilizing certain equipment.

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- C. Children and vulnerable adults are permitted at events and venues open to the public. However, the University reserves the right to determine, in its sole discretion, whether selected events or venues are appropriate for children.

### **SCOPE/ELIGIBILITY**

This policy applies to activities and programs taking place on Creighton's campus, or under the authority and direction of the University at other locations, in which children and vulnerable adults will be physically present and participating, with the following exceptions: (1) undergraduate and graduate academic programs; (2) research programs subject to the review and approval of Creighton's Institutional Review Board (IRB); (3) children enrolled at the Russell Child Development Center; (4) on campus prospective student recruitment events; and (5) Family Weekend, Lil' Jays Weekend, and such other similar, ongoing programs as may be designated from time to time by the Senior Vice President, Provost or the appropriate Vice President/Provost in advance and in writing as exempted from this policy.

Athletic camps, academic camps, laboratories and workshops intended for elementary and high school students and similar activities are included within the scope of this policy. This policy applies to such programs and activities whether they are limited to daily activities or also involve the housing of children and vulnerable adults in residence halls.

Vendors, independent contractors, and other outside parties who conduct business with the University will be expected to comply with this policy as well, as specified by the terms of any contract between the University and such third party.

### **DEFINITIONS**

- **Child:** Any person under the age of 19, including, but not limited to, those persons who are also referred to herein as "children".
- **Vulnerable Adult:** Any adult with a substantial functional or mental impairment.
- **Authorized Adult:** A parent, legal guardian or adult who has complied with the requirements to be present with children or vulnerable adults under this policy and who is

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either escorting or supervising children or vulnerable adults while on campus or while participating in any activities identified in this policy.

- **Program:** An activity/event offered by an academic or administrative unit of the University, or by non-university groups using University facilities. This includes but is not limited to workshops, academic camps, sports camps, conferences, tournaments, and other similar activities.

### **PROCEDURES**

#### **A. Program Registration**

Departmental units shall, prior to the beginning of the University's fiscal year for ongoing programs and activities and at least sixty days prior to the first scheduled date of participation by children or vulnerable adults, submit the [Working with Children and Vulnerable Adults Notification Form](#) to the Office of Equity and Inclusion.

Any requests for clarification as to whether a particular program or activity is subject to this policy, or a request for a waiver to this policy, should also be sent to the Office of Equity and Inclusion.

#### **B. Background Checks**

A completed background check will be required of each individual prior to his or her direct participation with children or vulnerable adults in an activity covered by this policy no more than six months prior to the date of activity and at least once every four (4) years thereafter. Background checks will identify criminal convictions in the United States within the last seven years and include a search of the sex offender registry of the relevant jurisdiction for each individual.

It is the responsibility of the person in charge of the program or activity to assure that each participating adult has submitted the required background check request form and has subsequently received clearance to participate. The Department of Human Resources will maintain a roster of individuals who have been cleared to participate and the dates on which a new background check will be required.

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A decision not to permit an individual to participate in a program or activity covered by this Policy based on the results of a background check will be made by Human Resources after consultation with the Senior Vice President or the Provost and Office of the General Counsel. The results of background checks conducted under this policy will be used only for the purposes of this Policy, except that Creighton University reserves the right to take appropriate action with respect to employees who may have falsified or failed to disclose information on their employment applications.

### **C. Training**

Each individual who will be participating with children or vulnerable adults in a covered program or activity shall attend annual mandatory training on the conduct requirements of this Policy, on protecting children or vulnerable adults from abusive emotional and physical treatment, and on appropriate or required reporting of incidents of improper conduct (including, but not limited, to appropriate law enforcement authorities). Upon completion of the mandatory training and completion of The Working with Children or Vulnerable Adults Self-Disclosure Form, the individual will be an authorized adult. The appropriate Vice President/Provost, Senior Vice President, Provost, Dean or area Director in consultation with the Office of Equity and Inclusion and the Office of the General Counsel may enhance and/or modify the required training program to meet specific needs of the particular program or activity involved, but any such enhanced or modified program must include all the elements described in this section. In addition, the Vice President/Provost, Senior Vice President, Provost, Dean or area Director shall arrange for sufficiently frequent training sessions to permit covered programs and activities to continue to function on a regularly scheduled basis.

### **D. Conduct Requirements**

Authorized adults participating in programs and activities covered by this policy shall not:

1. Have one-on-one contact with children or vulnerable adults; in general, it is expected that activities where children or vulnerable adults are present will involve two or more adult participants.

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2. Participate in a sleepover under the auspices of the program or activity, unless (1) one of the child/vulnerable adult's parents or legal guardians is present or (2) one of the child/vulnerable adult's parents or legal guardians has given consent and there is at least one other adult, and the two adults remain in each other's presence at all times.
3. Engage in abusive conduct of any kind toward, or in the presence of, a child or vulnerable adults.
4. Strike, hit, administer corporal punishment to, or touch in an inappropriate or illegal manner any child or vulnerable adults.
5. Pick up children or vulnerable adults or drop off children or vulnerable adults from their homes, other than the driver's child or children or friends of the driver's child or children other than when such child or children are present, at their homes in the adult's personal vehicle, whether before, during, or after the program or activity.
6. Engage in the use of alcohol or illegal drugs, or be under the influence of alcohol or illegal drugs during such programs or activities.
7. Make pornography in any form available to children or vulnerable adults participating in programs and activities covered by this Policy or assist them in any way in gaining access to pornography.
8. Violate any local, state or federal laws.

### **E. Allegation of Inappropriate Conduct**

Adults participating in programs and activities covered by this policy shall:

1. Immediately report any violation of the Conduct Requirements of this policy to the person in charge of the program or activity and to the Department of Public Safety, and shall contact law enforcement and emergency responders as may be appropriate under the circumstances.

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2. Assure the safety of children and vulnerable adults participating in programs and activities covered by this Policy, irrespective of any other limitation or requirement, including removal of children and vulnerable adults from dangerous or potentially dangerous situations. In such case, the Department of Public Safety must be notified immediately.
3. Discontinue any further participation in programs and activities covered by this policy when an allegation of inappropriate conduct has been made against him or her, until such allegation has been satisfactorily resolved.

### **PROHIBITION AGAINST RETALIATION**

The University expressly prohibits any form of retaliatory action against any employee for filing a bona fide complaint under this policy or for assisting in a complaint investigation.

### **AMENDMENTS OR TERMINATION OF THIS POLICY**

Creighton University reserves the right to modify, amend, or terminate this policy at any time.