

2015

Protection of Minors



Protection Of Minors – Responsibly

P Prevent opportunities for abuse to occur.

O Observe minors and adult interactions for red flag behavior.

M Manage a good program (in hiring, scheduling, training, and follow up).

And

R Report any red flag behavior or conduct code violations.

**Policy Implementation Guide
and Best Practices for
Programs and Operations**

Office of Risk and Insurance Management
Version 1.2 October 2015

TABLE OF CONTENTS

[Mandatory Reporting of Child Abuse](#)

[Code of Conduct for Interacting with Minors](#)

[Risk Assessment Matrix for Programs and Operations](#)

[Checklist for Programs](#)

Section I [Programs Serving Minors Objectives and Operations](#)

- 1.01 Staff Selection and Screening
- 1.02 Program Culture and Leadership
- 1.03 Reporting and open discussion
- 1.04 Minor Participant Orientation, Behavior, and Discipline
- 1.05 Program Personnel Behavior
- 1.06 Training beyond POM
- 1.07 Scheduling and Transitions
- 1.08 Supervision
- 1.09 Overnight Programs and Minors
- 1.10 Transportation
- 1.11 Facilities and Site Selection
- 1.12 Emergencies
- 1.13 Accidents and Injury
- 1.14 Occurrence Reporting to Risk Management
- 1.15 Federal Regulatory Compliance Related to Minors in Programs
- 1.16 Records and Document Storage and Retention

Section II [Policy Compliance](#)

- 2.01 The Registration Process
- 2.02 Personnel Compliance
- 2.03 Risk Assessment

Section III [University Participation Agreements \(Waiver and Release of Liability\)](#)

- 3.01 Contents of University Participation Agreements
- 3.02 Vanderbilt Protection of Minors Provision

Section IV [Third Party Activities and Events on Campus](#)

- 4.01 Registration with Risk Management
- 4.02 Contracts with Third Party Groups
- 4.03 Participation Agreements and Waiver Forms for Third Party Contracts
- 4.04 Protection of Minors Compliance of Third Party Personnel

Section V [Public Events](#)

- 5.01 Registration with Risk Management Not Required
- 5.02 Risk Mitigation at Public Events When Minors are Present

Section VI [Closing the Program/Event](#)

Section VII [Admissions, Campus Visits, Tours, Residence Hall Minor Overnight Guest Registration, and Registered Student Organizations](#)

- 7.01 Admissions Visits
- 7.02 Overnight stays of individual minor guests of VU students in VU Residence Halls
- 7.03 Registered Student Organizations – Anchor Link

By instituting the Protection of Minors (POM) Policy in the Spring of 2013, Vanderbilt University Administration placed emphasis and importance of safeguarding the youth who interact with Vanderbilt faculty, staff, students, and volunteers. This Policy Implementation and Best Practices Guide is intended to be a guide to implementing the Protection of Minors policy in VU programs and operations, and offers resources for program compliance with state and federal laws, as well as institutional requirements. If you have any questions about this guide, please contact the Office of Risk and Insurance Management, Protection of Minors, at 615-936-0660 or protectionofminors@vanderbilt.edu.

Mandatory Reporting of Child Abuse

Tennessee Code Annotated 37-1-403

By Tennessee law, it is the obligation of any person that suspects a child (defined as under 18 years of age) is being/has been abused to report it to a state law enforcement, juvenile court, or child protection agency. This can be a police agency, such as VUPD, Metro Nashville Police Department, another local law enforcement agency, or the State Child Abuse Reporting Hotline. Failure to report child abuse in Tennessee is a Class A misdemeanor crime.

In addition, it is the policy that Vanderbilt University Faculty, Staff, Students, and Volunteers report internally any suspicion of child abuse to a minor on campus or in a VU program to The Office of Risk and Insurance Management at 615-936-0660 or the VU Hotline at 866-783-2287. Personnel who report in good faith are protected from criminal/civil liability for making a report.

If you suspect a minor on campus or a VU program is being abused, here are contacts to make a report:

Dept. of Children's Service (DCS) Abuse Hotline 877-237-0004

OR VU Police Department 615-322-2745 (or ANY Law Enforcement Agency)

VU Office of Risk and Insurance Management 615-936-0660

OR VU Hotline 866-783-2287

Always in a life-threatening emergency, call 911 first.

If you make a report regarding suspected child abuse, you might be asked the following:

- Name, age, and gender of the child victim
- Details of the incident; nature and extent of injury or mistreatment; how the abuse became known
- Location where behavior or actions occurred and current location of the victim
- If known, date/time of incident
- If known, Perpetrator name, age, gender, and relationship to the victim
- Other related information known at this time

Code of Conduct (Appendix A: Vanderbilt Protection of Minors Policy)

Code of Conduct for Interacting with Minors

You are required by Tennessee law and Vanderbilt University policy to report actual or suspected abuse or other improper conduct involving a Minor. You also are also required to comply with the following code of conduct when interacting with Minors.

- Do not spend time alone, either on or off campus, with a Minor away from others. If one-on-one interaction is required, meet in open, well lit rooms or spaces with windows observable by other adults from the Program.
- Do not engage in any sexual actions, make sexual comments, tell sexual jokes, or share or view sexually explicit material with or within the vicinity of Minors.
- Do not touch Minors in a manner that a reasonable person could interpret as inappropriate.
- Do not shower, bathe, or undress with or in the presence of a Minor.
- Do not engage in any abusive conduct of any kind toward, or in the presence of, a Minor, including but not limited to verbal abuse, hitting, punching, poking, or restraining, except as required to protect a Minor or others from harm. All incidents involving such conduct, whether or not required to protect a Minor or others from harm, must be documented and disclosed promptly to the Program Director and the Minor's parent/guardian.
- Be aware of the impact of your words and language on Minors.
- Do not use, possess, or be under the influence of alcohol or illegal drugs while on duty or when responsible for a Minor's welfare.
- Do not meet with Minors outside of established times for Program activities. Any exceptions require parental authorization and must include more than one adult from the Program.
- Do not engage or converse with Minors through email, text messages, social networking websites, or other forms of social media at any time except and unless there is an educational or programmatic purpose and the content of the communications is consistent with the mission of the Program and the university.
- When transporting Minors in a Program, more than one adult from the Program must be present in the vehicle, except when multiple Minors will be in the vehicle at all times through the transportation. Avoid using personal vehicles if possible.
- Do not tell children "this is just between the two of us" or use similar language that encourages Minors to keep secrets from their parent/guardians.



Section I. VU Programs Serving Minors Objectives and Operations

1.01 Staff Selection and Screening

All employment documentation should be set up to recruit employees with healthy boundaries and a strong moral compass. This may be a challenging process, but these steps will increase your knowledge of a potentially dangerous person prior to allowing him/her to work with minors.

- (a) Prior to working with minors in a Vanderbilt Program, all candidates must agree to submit to a criminal background clearance check and be checked in the sexual offender registry. In addition, applicants should be asked on a written employment application if he/she has ever been accused of sexual misconduct or committed abuse to a child. Records checks should cover at least seven years.**
- (b) Candidate Application and Screening: Consider the Following for ALL Candidates when reviewing applications:**
 - Does the candidate only seek opportunities that would put him/her in a position to be alone with a minor?
 - Does the candidate have interests outside of working with children, and socialize with adults?
 - Are there any unexplained gaps in employment/volunteer service?
- (c) Interview**
 - Follow up on application questions about the candidate's interest in working with children.
 - Ask the candidate scenario questions that would speak to his/her ability to resolve conflict, address disclosure and the ability/willingness to report suspicious behavior to his/her supervisor.
 - Tell the candidate about the strong policy on campus to prevent harm to minors; ask if the candidate if he/she has any experience in reporting a case of abuse.
 - Ask the candidate to explain or respond in writing to any inconsistencies or potential red flag behavior that was identified in the screening phase.
- (d) References/Background Check**
 - Check a minimum of 2-3 references and ask if the reference would have any hesitation about this candidate working with children, and if the reference is aware of any past misconduct by the applicant.
 - Perform a full background check for at least the last 7 years on the candidate.
- (e) Re-screening of Personnel**
 - If you operate a program whose activities or events are seasonal or reoccurring on an un-specified basis, continue to screen and meet face to face with all who will be working with minors. Screening is NOT a one-time event prior to hire. Many perpetrators will use long time placement in a program to groom a child for future abuse and question supervision if he/she has "been here forever." Remember that most children are abused by someone they know.
 - The Minimum re-screening policy for background check clearance at Vanderbilt is every FOUR (4) years for those who work with minors in VU programs.



1.02 Program Culture and Leadership

- (a) Prioritize Safety:** Safety for minors should be a priority which is trained and reflected in program operations. Leaders who dismiss policy or minimize the importance of creating a safe environment for children and youth should be counseled, retrained, or transferred to another role.
- (b) Promote Discussion:** Personnel in the program should be encouraged to discuss the policy on the Protection of Minors and procedures that can be improved to strengthen that protection.

1.03 Reporting Obligations and Code of Conduct

- (a)** Personnel should have a clear understanding on the reporting policy, requirements, and Tennessee Law.
- (b)** The Incident reporting process should be clear and should include a process to report violations of the Code of Conduct, which may or may not rise to external reporting procedures. All Code of Conduct behavioral violations should be reported to the supervisor and to Risk and Insurance Management. Program personnel and supervisors may utilize the VERITAS occurrence reporting system to report these violations. [Please see section 1.14.](#)
- (c)** The behavior should be addressed with the personnel and should cease immediately. Documentation should be kept for a program personnel member who violates the Code of Conduct.
- (d)** Some Conduct Code violations will necessitate DCS/VUPD reporting as required by law; ensure all personnel are trained and follow the requirements for [mandatory reporting](#) of child abuse.
- (e)** In addition to the Protection of Minors policy, program personnel should be trained on reporting obligations as stated in the [Vanderbilt University Policy on Sexual Misconduct and Personal Violence](#) (Title IX).
- (f)** Discussion regarding code of conduct should be open, and personnel should be encouraged on how to abide by the Code of Conduct in situations specific to the program or activity (limited one-to-one opportunity, limits on social media communication with minors, open door policy, two adult minimum in group).

Any program that may conduct operations that conflict with the general recommendations within the POM Code of Conduct policy (such as one-on-one instruction or counseling) should communicate with Risk and Insurance Management for program assessment and risk mitigation.

1.04 Minor Participant Orientation, Behavior, and Discipline

- (a) Participant Expectations:** Program documents should state clearly what is expected of participants. Programs should take into consideration the age, ability, experiences, and capabilities of the students in programs.



- (b) Participant Orientation:** Participants should be oriented to the program through appropriate university requirements (this will depend on the location and nature of the program) and be informed of safety rules, appropriate conduct (theirs and the program personnel's), age appropriate discussion on boundaries, and what to do if the student is ever separated from the program or is made to feel uncomfortable by a faculty, staff, student, volunteer, or participant in the program. Student policies should include a no bullying component, as well as address policies on physical affection and contact between students (this may apply to older students), and between students and program personnel. Orientation should include social media rules and regulations, prohibition of cell phone use in restrooms and locker rooms, and a "no secrets" discussion.
- (c) Participant Discipline:** Discipline policy should never include any form of corporal punishment, demeaning, cursing, or belittling by program staff or students, or putting a minor in a location that would cause him/her potential harm. All student discipline policies should be published in program documents and be given to parents as part of the program materials. Program personnel that violate any condition of the discipline policy should be interviewed and, if appropriate, counseled or dismissed from the program.

1.05 Program Personnel Behavior

- (a) Code of Conduct Adherence:** All program personnel (faculty, staff, VU students, and volunteers) shall adhere to the Code of Conduct in the Protection of Minors Policy, and annually sign/indicate their agreement to follow its components.
- (b) Training for all Personnel:** Program personnel working with minors should be trained in the detection of abuse/sexual abuse/ and neglect of minors, reporting procedures, characteristics of abusers, boundary setting, and the VU policy on the Protection of Minors.
- (c) Social Media, Electronic Communication and Internet Use:**
- Programs must adhere to the Vanderbilt policies on social media and use of technology. Details can [be viewed here](#). In addition, program personnel should not be permitted to "friend" or "connect" or "follow" the personal pages of a minor participant in the program. This should also apply to a minor participant to the personal pages or accounts of program personnel. Social media pages that are public pages, created for the program or other VU programs, are the recommended sites for which any social media interaction with minors should occur.
 - Any communication with a minor in electronic format (via email or text) should be in a group mail/text format or include another program personnel or parent – this avoids any one-to-one communication.
 - Personnel and supervisors should monitor the internet use of minors in the program and assure filters or blocked content/security options are on in those programs which allow minors to use University PCs or other electronic devices. Personnel should not access any site not appropriate for minors while in a supervision or monitoring role.
- (d) Disciplinary Action of Personnel as a Result For Failing to Follow the Policy on the Protection of Minors:** Program personnel should understand that failure to follow the Conduct Code or the regulations of program personnel may result in discipline up to and including dismissal from the program.

- (e) Clear Identification of Program Personnel:** All Program personnel should be clearly identifiable by name badges, t-shirts, or identification that allows others to know of their association with the program. Though this may be easier in a camp situation, faculty or staff overseeing minor programs should also be able to be identified with Vanderbilt if he/she is working under a VU program with a minor.

1.06 Training beyond POM

- (a)** VU program operations and/or programs may have a need for training beyond what is required by the Protection of Minors policy. Providing program personnel with additional training is encouraged. Please contact the Office of Risk and Insurance Management if you need assistance in identifying additional training materials or resources.

1.07 Scheduling and Transitions

- (a) Limit Unscheduled Time for Participants:** Programs should strive to limit unscheduled time for participants and demonstrate a plan for supervision during all program activities and unscheduled time. For older adolescents (those that may drive to events/activities), program documentation should be clear if there is any time period during the operations of the program that the student will not be supervised by program staff. These occasions should thoroughly be assessed for risk and included in any parent liability waivers mandatory in the program documentation.
- (b) Program Schedule Availability:** The program schedule should be made available to parents and older students at the appropriate reading level.
- (c)** Any major adjustments made to the schedule should be communicated with the parents if appropriate, or communicated with the parents upon pick-up. This would include changes in start/end times, and location changes for activities.
- (d)** Program planning should be as such that schedule changes are limited.
- (e) Transitions:** Transitions of minors between scheduled activities, decisions on activity locations, and movement between activities should consider mobility (age and capabilities of children) and supervision requirements.

1.08 Supervision

- (a)** Personnel should have a clear understanding of their responsibilities regarding supervision of the participating minors.
- (b) Supervision During Program Activities:** While participating in a VU program, and during all hours of stated program events or activities, minors are to be appropriately supervised. Program documentation and notification to parents/guardians must clearly state the schedule and start and end times of program activity and requirements for sign-in /drop off and out/pick up procedures.



- (c) Minors 14 years and older (older youth):** If older youth are permitted to travel and arrive to a program without a parent, program documentation must include procedures to follow if the program activity begins and that minor is not present. Programs that permit older (14 and above) minors to sign out at the close of program activity must clearly include language in the participation agreement which acknowledges this permission from the parent/guardian. Minors in middle or elementary school are not permitted to self-sign out of Vanderbilt programs. Exceptions to this provision will be considered on a case by case basis..
- (d) Prohibition of One-on-One Interaction:** Program staff should not be permitted to be one-on-one with a student and should employ, at minimum, the principle of “two deep leadership” which includes the presence of a second adult at all times. If one-on-one is essential to the program, assure the meeting or activity is in public space, in a place containing windows with clear visibility into the room, or in a space where the door can be left open. In these situations, program communication with the parents should be clear on the abuse prevention methods the program is implementing to mitigate risk. In the cases of a private lesson or instruction where the only option is one-on-one, the parent can sign a specific waiver to the situation, acknowledging that there will be unsupervised contact and giving consent for the one-on-one lesson or session; in the case of a private lesson or activity, the parent will be offered the option to sit/drop in on the lesson at any time.
- (e) Ratios:** Programs should follow the American Camping Association (ACA) ratios for day and overnight camps; any exceptions must be approved by Risk and Insurance Management and documented in program materials:

Age	Day Camp Ratio	Overnight Ratio
5 years and younger	1:6	1:5
6-8 years	1:8	1:6
9-14 years	1:10	1:8
15-18 years	1:12	1:10

1.09 Overnight Programs and Minors

- (a) Overnight programs serving minors are considered high risk due to vulnerabilities in behind closed door activities, dressing/undressing situations, and limits on supervision. Any VU program that conducts overnight operations should include at minimum, the following:**
- Prohibition on program staff spending the night one on one with a minor.
 - Prohibition on program staff/students changing clothes while the other is present.
 - Smaller program personnel to staff ratios and scheduled and unscheduled bed checks on minors.
 - Strict curfews and procedures if a minor is not accounted for at curfew or at a bed check.
 - Orientation to students on where/how to locate staff and emergency exit plans.
 - Communication to students on reporting any activity that occurs on an overnight that is in violation of policy or makes him/her uncomfortable.
 - A facility check to include security, locks, and no access points for non-participants; limits and monitoring of restricted areas in the facility the overnight is being conducted.
 - If the overnight is in a publicly accessible area, procedures that address safety and risk must be in place.
 - For admissions or recruiting activities, signed behavior contract by the host and the guest should be completed.
 - Students who host overnight guests that are minors in their VU dorm or residence [should register that guest through the Dean of Students.](#)



- (b)** All VU Overnight programs with minor participants should employ a Risk Assessment including review of procedures, forms, operations, and communications.

1.10 Transportation

- (a)** Program personnel should not be permitted to transport minors in their personal vehicle. If any exception is made, personnel should not be one-on-one with a minor in any vehicle.
- (b)** Program personnel who perform transportation activities as a part of a VU program or operation must complete training and a DMV background check prior to operating a VU vehicle.
- (c)** Any program that includes any transportation of minors should include the activity in the waiver of liability to parents.
- (d)** All drivers and passengers must adhere to state safety and passenger laws and regulations on driver behavior and insurance.

1.11 Facilities and Site Selection

- (a) Access**
 - **Facility Safety Check:** Complete a safety check of the facility you are using, including access and exit points for participants and non-participants. Is your program the only one in the building/on the site? What other programs are operating? Two youth programs side by side may be a benefit or a management challenge. Also check for obstruction of windows, doors or anything that limits visibility into the activity space.
 - **Limited Access:** Limit access to program facilities to only those who are staffing the operation.
 - **Delineate Spaces/Areas to be Used for Program Activities:** If access cannot be limited, have specific instruction on what space is to be utilized by the program and identify restricted space.
- (b) Transition Between Activities**
 - Transitions can include time that students are moving from one activity to another within a shared space, or from building to building, or during scheduled breaks in programmatic activities. Plan for age-appropriate supervision during transition times.
- (c) Drop Off/Pick Up**
 - **Consistent Method:** Institute a prescribed method to drop off/pick up that is appropriate for the age group. Most minors in programs should be required to be accompanied to a check in/drop off area by a parent or guardian, and be picked up in the same manner.
 - **Minor Driver Procedures:** If a minor is permitted to drive him/herself to or from a program, include the program times in the liability waiver for parents that is clear when the program is to start and end, and the procedure if the minor is absent for the program activity.
 - Have clear guidelines for minors who will have access to a vehicle, such as parking and rules on transporting other students in the program.
- (d) Older Youth**
 - **Educate on Behavior Expectations:** Older youth (generally 14 and above) should be advised of all the program rules and expectations with regard to behavior and peer contact. This includes prohibition of any alcohol use and inappropriate sexual behavior.



- **Prevention Program for Youth:** A sexual abuse prevention education module can be put in to place for older youth, assure a model that is appropriate for each age range. The USA Swimming website is a great model for education of youth ages 12-17 at www.usaswimming.org.
- **Empower Youth to Report Red Flag Behavior:** Make sure older youth know how to report red flag behavior if needed, and what behavior constitutes a red flag from both adults and other youth.

(e) Meals and Snacks (if included in the program schedule)

- **Diets:** Programs should be cognizant of special diets, allergies, or needs of minors in their programs and plan accordingly.
- **Allergies:** All food and other allergies should be included on the medical release. Instructions for treatment/response in case of accidental exposure should be documented and kept with the program personnel.
- **Notification of VU Dining Services:** Facilities and services should be alerted if dining on campus, and appropriate notifications of ingredients should be posted/shared with program personnel and the students.

1.12 Emergencies

(a) Vanderbilt Emergency Preparedness

- All coordinators should include training and documentation for all program personnel on Vanderbilt's emergency preparedness policies and procedures (<http://emergency.vanderbilt.edu/>)
- Life threatening emergencies should be handled by calling 911.

(b) Evacuation

- Personnel should be trained on an evacuation plan for all indoor and outdoor facilities.
- The evacuation plan should be practiced regularly.
- Utilization of resources from the Office of Environmental Health and Safety and VUPD is recommended.

(c) Protocol for Contacting Parents/Parent Pick Up Considerations in Emergencies

- Programs should consider an emergency pick up plan for parents. This would include any situation which would require early release of participants, or scenarios where there is an active threat and parents might arrive on campus searching for their child.
- Establish an internal plan that includes an off- site or safe site pick up if evacuation of the program facilities were required.
- Establish a communication plan for a situation that would require an evacuation or lock-in type emergency (weather, threat, other), and discuss dismissal procedures. Communicate with parents regarding these procedures.

1.13 Accidents and Injury

- (a) Injury of a Participant:** Establish a process for reporting any injury to a participant in the program. Clearly document the nature, cause, and treatment administered for any injury.
- (b) Reporting Accidental and Other Injury:** Program forms should document all accidents and injuries. Parents should also be made aware of any injury to their child in a program, or if their child caused intentional injury to another. All participation agreements should include an Emergency Permission to Treat.

1.14 Occurrence Reporting to Risk Management

- (a)** The Office of Risk and Insurance Management maintains and monitors daily the [VERITAS](#) (IE browser only) occurrence reporting system. This system is available to all University users with a VUNET ID. Occurrences can be reported even in the absence of obvious harm. Reportable events can be any of the following:
 - Harm (intentional/unintentional) to a minor participant;
 - Perceived harm based on red flag behavior or Code of Conduct violations;
 - Unanticipated outcome at an event or activity involving personnel, participant, or neither of these, but occurring at the location of or in the context of program activities;
 - Instances of disruptive or unprofessional behavior or conduct of personnel with or without adverse effect.
- (b)** When a serious event is reported through VERITAS, the RIM Office will coordinate with the program manager and department leadership to notify necessary parties and conduct an assessment of the incident. In the case of an allegation of child abuse, VUPD and/or the Department of Children's Service will be notified, as per the POM policy and state mandatory reporting requirements.
- (c)** A risk manager is available in office Monday- Friday from 8:00am- 5:00 pm (615/936-0660) and on 24 hour call in emergency after hours situations (615/878-0705).

1.15 Federal Regulatory Compliance Related to Minors in Programs

There are a number of applicable federal compliances programs serving minors should be familiar with; this includes the following:

- Federal Education Rights Privacy Act (FERPA) (Managed by the Vanderbilt Registrar)
- Title IX (Managed by EAD)
- Child Online Privacy Protection Act (COPPA)
- Clery Act (managed by VUPD)
- HIPAA (Medical records, notification, and patient care)

1.16 Records and Document Storage and Retention

Programs should consult with the Office of General Counsel for guidance on storage, retention, and destruction of documentation for programs serving minors. Various policies may apply depending on the data that is collected at the onset of the program. It is not recommended that documents be discarded until at minimum ten years past the participant's age of majority, though some programs will be advised to maintain records past that time. Electronic storage of records may be permitted in some cases.

Section II. Policy Compliance and Risk Management

2.01 The Registration Process (the Protection of Minors Web Application – POM Web App)

(a) WHO?

1. If a minor is participating in a Vanderbilt program, event, activity or care setting and there is an expectation that VU personnel (including staff, faculty, students, and/or volunteers) will provide supervision for that child (or children), the program and activity must be registered with the Office of Risk and Insurance Management. Supervision by Vanderbilt is expected if there is no parent and/or third party chaperone present during the activity.
2. If a third party group is bringing minors to campus to participate in a Vanderbilt hosted program and the activity is not a public event, the program and activity must be registered with the Office of Risk and Insurance Management.
3. If a third party is using facilities and space on the Vanderbilt campus to provide a program for minors, the program and activity must be registered with the Office of Risk and Insurance Management.

(b) HOW? The [Protection of Minors Web Application](#) is the online management tool to document programs for minors and subsequent event and personnel information. All programs (including operational elements) are registered through this Application. The Application will show the compliance status to permissioned users in a registered and approved program. A User Guide will be provided for any newly registered program.

(c) Exceptions to Registration:

- **VU enrolled students who are minors (under 18 years of age at the time of enrollment) are not considered a program by the definitions of the policy.** Interactions of an academic, housing, recreational, service, or social nature through VU programs where minor enrolled undergraduates participate will not require registration. VU enrolled students who are minors are entitled to the same protections as enrolled adult students. However, minor students may be required to complete training as a part of an academic course or service project which interacts with minors.
- **Non-Vanderbilt Programs off campus:** If Vanderbilt Personnel are participating in a non-VU outside third party hosted or operated event or program with minors, and they are not representing Vanderbilt or doing so on behalf of the University, the program does NOT require registration. If there is a question regarding whether the program you are participating in is a VU program, ask the coordinator or contact protectionofminors@vanderbilt.edu.
- **VU Public Events** that minors attend with their parents/guardian/outside chaperone will NOT require



registration, but coordinators may contact Risk and Insurance Management for operational assessments and recommendations.

2.02 Personnel Compliance and Department Responsibilities

(a) Criminal Background Clearance Process and Frequency

- Unless noted in the Exceptions to background clearance below, criminal background check clearance is required for all personnel who interact with minors in Vanderbilt programs; this includes staff, faculty, students, and volunteers.
- HR Background clearance is a requirement of all new faculty and staff employees to Vanderbilt.
- **Personnel actively working with minors must have a background check completed at least every (4) four years.**
- The background check for employees (staff, faculty, VU volunteers, contractors) should be performed by the Office of Human Resources by emailing the request to PEBC@vanderbilt.edu. Include the name, VUNET ID, Employee ID (if known) and email of the person to be checked. The individual will be sent instructions via an email link. The requestor will be notified when the clearance is complete and the clearance will be reflected in the POM Web Application.
- Criminal background clearances must include checks of the National, State, and Local criminal records databases, and the Sexual Offender Registry.
- The following department's and School's affirmative clearance dates of VU students are acceptable to the University for the purposes of compliance with the Protection of Minors policy. Clearance must be confirmed by an administrator of the background records. These dates of clearance are being provided to the POM Web Application and are reflected in compliance records.
 - Office of Human Resources
 - Office of the Dean of Students
 - Peabody College
 - School of Medicine
 - School of Nursing
 - Kennedy Center
 - Divinity School
- Verification of current clearances are a tool in the POM Web App. Once a program has been approved, the permissioned roles allow addition of any VU personnel and the current compliance will be available.
- If there are any findings as a result of the background check analysis, a small, specialized review committee will verify the record and details of the offense(s).
- All records that indicate findings will be reviewed.
- If the background review committee is considering a clearance, but would not approve the person to meet standards for work with minors or there are certain type-identified offenses in the record and the review committee is considering moving forward, prior to final decision-making, a representative of the committee will contact and consult with the Protection of Minors Director or the Assistant Vice Chancellor in the Office of Risk and Insurance Management. The committee and the Protection of Minors Director will carefully consider the protection of minors elements, including the known and possible interactions of the individual with and access to minors in University programs and settings.
- Individuals who are arrested while actively associated as working in a VU program with minors must disclose



- to the program supervisor/coordinator immediately. VU Staff/Faculty are required to report any criminal proceedings on the Conflict of Interest Disclosure.
- Some programs may require a fingerprint background check. Verify what type of clearance is required for your program.
 - The most recent acceptable background clearance date will be used to determine compliance.
 - Background clearance exceptions and clarifications:
 1. Current Vanderbilt students who host overnight prospective high school students in formal admissions/athletics office programs will complete training, a behavior contract, and the guest will be registered with OHARE; the student will not be required to complete a background clearance.
 2. Faculty, staff, and students currently working in a research lab where a minor is present as part of a program or activity unaffiliated with their research and there is no likelihood of interaction beyond shared space.
 3. Current Vanderbilt students hosting prospective campus visits for minors in a 1:1 or group setting will complete training but not be required to complete background clearance.
 4. Vanderbilt departmental personnel hosting a third party group and the third party group will remain supervised by parents/chaperones through the duration of the visit. A third party compliance agreement will be completed and the event will be registered.
 5. One time uncontracted guest speakers or presenters in a registered program (Speaker must be accompanied by compliant program adult through the duration of the activity). Contracted guest speakers should have the background clearance attestation as part of the speaker agreement (see Section II (2.03)).
 6. Visiting college interns working with minors in a VU program: formal affiliation agreements should include attestation that the home institution completed a background clearance. Interns without affiliation agreements who interact with minors as part of the placement should complete a VU background clearance. Departments have the discrepancy to require a higher level of compliance than the non-VU attestation of clearance.

(b) Training

- All personnel interacting in Vanderbilt programs involving minors are required to complete training. This training should include but is not limited to the following:
 - Vanderbilt University's policies regarding interactions with minors,
 - Behavioral signs that minor victims may exhibit
 - Sexual abuse and sexual harassment
 - Inappropriate behavior with Minors
 - Reporting requirements and procedures.
- **Training is an annual requirement for personnel working with minors.** This includes staff, faculty, students, contractors working in VU programs, volunteers, and other groups.
- Members of registered student groups hosting or volunteering with minors in conjunction with a third party will be required to complete training.
- All VU NET holders with access to the Learning Exchange may complete "[Protection of Minors 101](#)" for initial training and policy agreement compliances.
- "Protection of Minors Annual Renewal" training is the subsequent compliance module to meet annual compliance. POM Annual Renewal's pre-requisite is the POM 101 module..
- If personnel are third party non-employees without Learning Exchange Access, contact protectionofminors@vanderbilt.edu for an alternate training option.



- Please note if VUNET access is available and the UE training is completed, the individual will be contacted to complete the Learning Exchange module.
- Additional approved training may be offered in a group setting or be approved on a case by case basis by the Protection of Minors Director in the Office of Risk and Insurance Management.
- To request approval for alternate training to meet this requirement, email protectionofminors@vanderbilt.edu.

(c) Policy compliance

- Protection of Minors Policy agreement is built into the online training module provided by the Learning Exchange.
- **Policy agreement is an annual requirement.**

2.03 Compliance Requirements for Program Invited Guests/Visitors

(a) If a program plans to utilize one-time guest speakers and/or presenters during the course of the registered event the following steps should be taken:

- If the guest is under a contract for the one-time event, the contracted party must attest to having a criminal background clearance and a compliant adult must remain with the minors during the event in which the guest participates.
- If it is an uncontracted one-time engagement for a short duration (generally less than two hours), a compliant adult in the program shall remain with the minors for the duration of the activity in which the guest is engaged.
- If the guest/visitor will, at any time, be with the minor participants without a supervising compliant adult, the guest will require a background clearance check and training.
- Adults with more frequent interaction with a program will not be considered “guests” and will require full compliance.
- Contact the Office of Risk Management if your situation is not described in the scenarios above or if you have a question.

2.04 Risk Assessment

- (a)** The Office of Risk Management has created a Checklist for Best Practices to accompany this document and to assist Program Directors in evaluation of operations. Copies are on the [website](#).
- (b)** Program Directors are encouraged to review the [Risk Assessment Matrix](#) document (Appendix A) for Programs and Operations serving minors and complete a self-evaluation. Any high/extreme risk identified in this assessment should be discussed with the Protection of Minors Director or a Risk Manager.

Section III. University Participation Agreement (Waivers and Release of Liability); Inclusion of a Protection of Minors Provision

3.01 Contents of University Participation Agreements

- (a)** All programs that register or enroll minor participants must have parents/guardians complete a University Participation Agreement. The Office of General Counsel at Vanderbilt can assist in drafting specific language tailored to your program. Sample forms are available by emailing protectionofminors@vanderbilt.edu. At minimum, the agreement should include the following:
- Liability and waiver to hold Vanderbilt and its affiliates harmless.
 - Medical release and permission to treat in the case of an emergency.
 - Photo release – permission to photograph child for Vanderbilt media postings and releases.
 - Affirmation of sound medical health, and explanations otherwise (where applicable).
 - Listing of allergy conditions directly related to the program activities (where applicable).
 - Statement on dispensing medication if participant requires prescribed or OTC medicine (where applicable).

(b) Protection of Minors Reporting Provisions to be included in University Participation Agreements

- University Participation Agreements (and other appropriate document, such as a handbook or program information page) for programs serving minors should include information for parents on Vanderbilt personnel's requirement to report suspicion of abuse.
- Documentation for programs serving minors should include information for parents on how an individual can report concerns regarding abuse of a minor in a Vanderbilt program.
- The following language (3.02) is recommended and has been approved by the Office of General Counsel:

3.02 Vanderbilt Protection of Minors Provision

Vanderbilt University personnel adhere to Tennessee state law on mandatory child abuse reporting to either the appropriate law enforcement agency or the state hotline operated by the Department of Children's Service. In addition to external reporting, Vanderbilt has a mandatory internal child abuse reporting procedure. If you have reason to believe abuse or inappropriate behavior has occurred concerning a minor participating in a Vanderbilt University program, please consult the program director, or Risk and Insurance Management (615-936-0660), or report via the Vanderbilt hotline at 866-783-2287. The Tennessee Child Abuse reporting hotline number is 877-237-0004.

- Programs should supply and/or post this reporting information to parents/guardians on websites and in program material.

Section IV. Third Party Activities and Events on Campus

4.01 Registration with Risk and Insurance Management

Third party organizations conducting programs involving minors at Vanderbilt must be registered with the Office of Risk and Insurance Management through the Protection of Minors Web Application. This registration will be managed by the VU Office/Department hosting the event.

4.02 Contracts with Third Party Groups

All Contracts should include the appropriate amounts of required liability insurance. Consult with the Director of Risk Financing (615/936-1078) for more information on appropriate amounts. This may include:

- Naming Vanderbilt as additional insured
- Verification of molestation coverage as a separate policy or included in the terms of General Liability.

4.03 Participation Agreements and Waiver Forms for Third Party Contracts

- (a)** Third party organizations hosting events with minors on Vanderbilt property or in facilities programs serving minors should employ the use of Participation Agreements/Liability Waiver and note the location as Vanderbilt University (and can include more specific location detail).
- (b)** [Third Party Protection of Minors Compliance Agreement](#) ([form on linked page](#)): Third Party programs (bringing minors to campus locations) that are neither affiliated with, nor operated by Vanderbilt entities are required to demonstrate evidence through attestation that personnel have cleared a background check, received training on Child Abuse, and must be provided with a copy of the VU Protection of Minors Policy and ratio requirements.

4.04 Protection of Minors Compliance of Third Party Personnel

- (a)** Third party groups applying for or reserving VU facilities and space must agree to the following:
 1. All personnel in the program have completed a cleared criminal background check in the prior 4 years which included national, state and local criminal records checks, the sexual offender database and resulted in no adverse findings of violence, abuse or exploitation. In addition, verification of the vendor, practices of clearance, and clearance dates may be requested on a case by case basis and are subject to compliance audit. Any exceptions to the four year requirement should be approved by the Protection of Minors Director.
 2. All personnel have received training on prevention, identification, and reporting of abuse.
 3. All personnel have been provided access to the Vanderbilt Protection of Minors policy, have received a copy of the Code of Conduct and Reporting Procedures, and agree to abide by the policy including all mandatory reporting procedures and the VU Codes of Conduct for interacting with minors.
 4. The organization will provide appropriate supervision to the participating minors of the event, including the minimum adult to minor ratios and adoption of VU's Code of Conduct when interacting with minors.
 5. The organization will comply with any curfew requirements and emergency or incident response requirements.
 6. The organization will report incidents of abuse, sexual assault, sexual harassment, stalking, bullying, and violence to the VU host agency and/or the Vanderbilt University Police Department.



- (b)** Contractual agreements may include the Protection of Minors agreement language.
- (c)** If there is no contract in place for the third party, contact Risk and Insurance Management for a copy of the "Protection of Minors Compliance Agreement for Third Party Groups". Or navigate to this [link](#) and select the appropriate item.
- (d)** Compliance by third parties must be achieved prior to the start of any activity on campus.
- (e)** Failure to comply or falsifying information in the compliance or contract agreement may result in cancellation of the event and/or future reservation denial.

Section V. Public Events

5.01 Registration with Risk and Insurance Management Not Required

Vanderbilt sponsored public events (such as athletic events, hosted shows, speakers, etc.) that are open to the public and where there is no expectation of supervision of minors by Vanderbilt personnel, will not require registration with Risk and Insurance Management.

5.02 Risk Mitigation at Public Events When Minors are Present

- Include marketing that reminds parents to "keep an eye" on children.
- Notify VUPD of the event and coordinate accordingly if security or other enforcement services are needed.
- Include a safety plan or process for a lost or missing child.
- If injury to a minor occurs, have a first aid location or plan to assist.
- Complete an event "pre-scan;" walk through the area/facilities to see if vulnerabilities or risks to minors may be present.
- Complete a post-event discussion on any incidents with minors that may require program/event changes.
- Contact Risk and Insurance Management for assessment assistance.

Section VI. Closing the Program/Event

At the close of the event or program, it is recommended a summary meeting be held with all personnel to address any incidents or events that occurred that impacted the safety of minors. Any adverse or risk related situations should be discussed and addressed for future planning.

The closing meeting should address the following:

- Check in/out procedures
- Transitions
- Activities
- Identified risks, mitigated risks
- Rules and Policies in the program
- Safety in the program
- Suggestions for improvement



Section VII. Admissions, Campus Visits, Tours, Residence Hall Minor Overnight Guest Registration, and Registered Student Organizations

7.01 Admissions Visits

- (a)** Operational admissions and recruiting personnel (VU staff and faculty) for VU will have full compliance with the Protection of Minors policy.
- (b)** Student hosts of minor visiting students as part of an organized visit such as MOSAIC, Ingram Scholars, and Athletics Recruiting (and others) will have completed appropriate training as a part of their host responsibilities and have awareness of reporting procedures prior to hosting high school admitted and prospective visitors and groups (see 2.02(b)).
- (c)** The coordinator of the organized admissions visit will collect emergency contact and permission to treat information from the parent/guardian of the minor visitor if not accompanied by parents/guardian.
- (d)** If the visit includes overnight accommodations for minors in any VU residential housing, the coordinator of the organized admissions or recruiting visit will communicate with the office of Residential Housing of the dates of the visit, guest and host names and locations of overnight stays.

7.02 Overnight stays of individual minor guests of VU students in VU Residence Halls

- (a)** The Guest Registration process through OHARE should be used for all overnight stays of minors in VU housing; this includes prospective non-admitted or non-enrolled students and student athletes.
- (b)** Complete the Guest Registration form on Anchor Link. The registration will not be approved until the parental/legal guardian consent is obtained.
- (c) Parental Consent**
 - If a student wishes to have an overnight guest in the residence halls who is younger than 18 years old, they must obtain the express consent of that person's parent(s)/legal guardian(s).
 - The parent(s)/legal guardian(s) must email the Area Coordinator for the residence hall that the guest intends to stay in for their visit. A/C contacts are listed through this [link](#).
 - In the email to the Area Coordinator, the following information should be included.
 - Name of parent(s) or legal guardian(s)
 - Phone number of parent or legal guardian
 - Dates the guest has consent to visit (May not exceed 3 nights)
 - Once the email is sent giving parent/guardian permission, the Area Coordinator will then be able to approve the guest registration request and the requesting student will be notified through Anchor Link.

7.03 Registered Student Organizations – Anchor Link

- (a)** Members of Registered Student Organizations who conduct or participate in activities and events with minors will complete either Protection of Minors training (level 1) or training and criminal background clearances (level 2), depending on type of service and the presence of third party supervision.
- (b)** Student leaders and members on the organization roster will be notified of their compliance requirements and should promptly complete.

- (c) Student Organization rosters and events should be managed and updated through Anchor Link.
- (d) The Office of the Dean of Students has a process in place to monitor compliance of student groups to the Protection of Minors policy. For information, please email doscomplinace@vanderbilt.edu.

Appendix A: Risk Assessment Matrix for Programs and Operations

Risk Threat/Hazard Examples

Vanderbilt University Risk Assessment for Programs and Operations Serving Minors

Injury
<ul style="list-style-type: none"> Falls Use or Proximity of Objects that could injure Sports activities Water Activities
Transportation
<ul style="list-style-type: none"> Drop/Off/Pick Up Group Travel Night or road hazards Field Trip/Off Site/International Travel
Medical
<ul style="list-style-type: none"> Pre-Existing Conditions Allergy Unknown Conditions Medication Administration Suicidal/At Risk Drug/Alcohol Use Mental Illness
Custody/Parent
<ul style="list-style-type: none"> Custody Dispute Restraining or Protective Orders Access Violence/Substance Abuse
Sexual Molestation
<ul style="list-style-type: none"> Undetected Offender Opportunity for Grooming Selection/Screening Lacking Unclear Reporting of Red Flag Behavior Non-Verbal Minors
Supervision
<ul style="list-style-type: none"> Transition between activities Transition between buildings Unsupervised time Overnight High Ratios Teens and Sexual Activity or Assault
Premise
<ul style="list-style-type: none"> Accessible to Outside Access by non-program participants or personnel Structural risks/exposure One-to-one behind closed doors Locker Room or Changing Facilities

Program Name or Operation:					
Using the risk threat examples at the left, list specific risks inherent in your program. Using the rank indicators, determine the following:					
<u>Seriousness/Impact</u> of the risk: 4= May Result in Death or Severe Harm, Catastrophic, 3=Critical, 2= Medium/Marginal Impact, 1= Minimal					
Threat/negligible impact to safety and well-being and the <u>Likelihood</u> (probability) of it occurring: A= Almost certain to occur immediately or expected to occur frequently, B= has occurred Before and is possible, C= Could occur but unlikely, D= Doubtful or Unlikely to occur at any point during the activities.					
4A= Highest Risk in Seriousness and Likelihood= EXTREME RISK					
1D= Lowest Risk in Seriousness and Likelihood= LOWEST RISK					
Program Risks Identified (15)	Seriousness/Impact (1-4)				
Seriousness/Impact of Risk					
Likelihood to happen	1	2	3	4	
	Almost Certain	Low	Medium	High	Extreme
	Happened Before/Possible	Low	Medium	Medium	High
	Could But Unlikely	Low	Low	Medium	High
	Doubtful/Rare	Low	Low	Medium	Medium

Risk Response: Green/Low – Monitor and Manage; Yellow/Medium – Control and Mitigate; Red/High- Immediately Address and Lower Risk level with Strict Controls Prior to Proceeding; Dark Red/Extreme– Unacceptable Risk Do Not Proceed

Contact Risk Management for Assistance or to Discuss Mitigation and Any High/Extreme

