



PROTECTION OF CHILDREN

1. INTRODUCTION

The University is committed to promoting the safety and wellbeing of Children who visit our campus and who participate in University Programs. The purpose of this policy is to describe the University's expectations of University Associates when interacting with Children in connection with Programs, and to set forth criteria for Programs involving Children to help ensure their safety while in the University's care.

2. POLICY STATEMENT

While the University strives to provide a safe environment for all those participating in University Programs or who are otherwise present in University facilities, Children are a particularly vulnerable population requiring heightened vigilance. To that end, the University has established the following criteria.

2.1 General Expectations

A. Behavioral Expectations

The behavior of University Associates is expected to align, at all times, with the University's [core values](#) and the specific expectations for interacting with Children found in *Appendix A*.

B. Duty to Report Suspected Abuse and/or Inappropriate Behavior

Indiana law requires anyone who has reason to believe that a Child is a victim of child abuse or neglect to make an oral report immediately to the local child protection service or the local law enforcement agency. If the Child is on the Notre Dame campus, the appropriate law enforcement agency to contact is the Notre Dame Police Department ("NDPD") (574-631-5555). If the Child is not on the Notre Dame campus, the best way to contact the appropriate law enforcement agency is to call 911.

Separate from any legal duty, any member of the University community should contact NDPD (574-631-5555) or the Integrity Line (800-688-9918) to discuss any suspicious, inappropriate or unusual conduct involving a Child while the Child is on campus or is participating in a University-connected activity off campus that would lead a reasonable

person to have concern for the current or future well-being of that particular Child or other Children.

C. Duty to Register Presence of Children on Campus

When Children are on campus in connection with a University Program, the responsible University Associate must register their presence as described below. Registration is required to help the University in locating and assisting Children in the event of an emergency.

2.2 Programs Involving Children

The following requirements apply to all Programs involving Children:

A. Program Registration

All Programs or events involving Children must be registered with the Office of Risk Management at least 15 days prior to the Program or event's commencement.

Programs can be registered by [CLICKING HERE](#) and completing the online registration form.

B. Background Checks

The Responsible Party must ensure that all adults and all non-student volunteers that will be interacting with Children have been subject to a criminal background check and a check of the national sex offender registry. Additionally, the Responsible Party must ensure that any adults and non-student volunteers who will be present during an overnight stay must have undergone a criminal background check and a check of the national sex offender registry within the last three years. The Office of Human Resources, in consultation with the Office of General Counsel, will review any adverse findings revealed during a criminal background check or national sex offender registry check and make appropriate recommendations.

Background checks can be requested by [CLICKING HERE](#) and completing the online form.

C. Liability Waivers

The Responsible Party must provide Risk Management with participation and liability waivers signed by a parent or guardian for each Child participating in a Program.

D. Student Volunteers

The Responsible Party must ensure that each Student Volunteer affiliated with a Program or event involving Children has completed a sworn statement, included in Appendix C of this policy, concerning the student's criminal history. The Responsible Party shall review

each Student Volunteer's completed sworn statement and determine whether to disassociate the student from the Program on the basis of any responses contained in his or her completed statement. If a Responsible Party would like guidance on how to address any particular response contained in a completed sworn statement, the Responsible Party should contact the Office of General Counsel. The Responsible Party shall maintain a copy of each completed sworn statement for a period of 15 years after the date of signature.

E. Training

All adults working for or volunteering in a Program or event involving Children for the first time must review the [Resource Training Document](#). Returning adults working for or volunteering in a Program or event involving Children must have reviewed the [Resource Training Document](#) within the last three years.

F. Exemptions

The Program requirements laid out above do not apply to:

- Events open to the general public not targeted at Children
- Social functions that may be attended by Children who are accompanied by their parents/guardians
- Organized school field trips or tours where minors are under the supervision of an authorized adult
- Programs expressly granted an exemption by Risk Management

2.3 Third-Party Use of Facilities for Programs Involving Children

All Units permitting third-party use of University facilities for Programs involving Children must appoint a University Representative in the Unit to function as a liaison to the third-party entity. The University Representative shall ensure the execution of a facility use contract that has been reviewed and approved by the Office of General Counsel, verification of insurance and waiver compliance, and shall communicate with affected departments (e.g. NDPD) as needed.

3. SCOPE

This policy applies to all University faculty, staff, students, and volunteers working or interacting with Children.

4. DEFINITIONS

Abuse	
	Includes serious endangerment of a Child's physical or mental health due to injury or act of omission, including acts of sexual abuse. Sexual abuse includes contacts or interactions between a Child and an adult when the Child is being used as an object of

sexual gratification for the adult. A Child is abused under this definition whether or not this activity involves explicit force, whether or not it involves genital or physical contact, whether or not it is initiated by the Child, and whether or not there is discernible harmful outcome.

Children/Child	Anyone under the age of 18 who has not matriculated to the University.
Programs	Includes ongoing or planned University events or activities that are designed to include Children such as camps, lessons, workshops, clubs, teams, projects, or practices.
Responsible Party	The adult ultimately responsible for the Program.
Student Volunteer	Any fully matriculated University of Notre Dame undergraduate or graduate student.
Unit	Any individual, office, department, institute or college that is a part of the University's formal structure.
University Associate	University faculty, staff, and students who come into contact with Children through their involvement in Programs, and volunteers not otherwise associated with the University who come into contact with Children through their involvement in Programs.
University Representative	Anyone acting for or on behalf of the University, at the University's request or direction.

5. POLICY ENFORCEMENT

The Office of Risk Management, working with the Office of General Counsel, will administer this policy and manage suspected violations. University Associates who fail to comply with this policy are subject to disciplinary procedures.

The University reserves the right to immediately suspend or cancel any Programs involving Children that have not met the criteria set forth in this policy.

6. RELATED DOCUMENTS

Policy or Document	Web Address
Ethical Conduct Policy	http://policy.nd.edu/policy_files/EthicalConductPolicy.pdf

Non-Retaliation Policy http://policy.nd.edu/policy_files/NonRetaliationPolicy.pdf

Conducting Background Checks <http://hr.nd.edu/nd-faculty-staff/toolkits/hiring-manager-toolkit/>

Vehicle Use Policy	http://transportation.nd.edu/assets/12963/rental_faculty_and_staff_use_policy.pdf
Drug & Alcohol Policy	http://hr.nd.edu/nd-faculty-staff/forms-policies/drugs-and-alcohol/
Program Information Template	http://policy.nd.edu/policy_files/ProgramInformationTemplate.pdf
Waiver template	http://policy.nd.edu/policy_files/WaiverTemplate.pdf
Medical Release and Consent to Treat Template	http://policy.nd.edu/policy_files/MedicalReleaseTemplate.pdf
Training Resources	http://policy.nd.edu/policy_files/TrainingResources.pdf

7. CONTACTS

Office	Telephone Number	Office Email or URL
Risk Management	574-631-5037	http://riskmanagement.nd.edu/
Office of General Counsel	574-631-6411	gencoun@nd.edu http://generalcounsel.nd.edu/
Notre Dame Security Police	574-631-5555	police@nd.edu http://police.nd.edu/
This Policy located at: http://policyfiles_policy/ProtectionofChildrenPolicy.pdf		

APPENDIX A

Behavioral Expectations for Working with Children

Those associated with Programs involving Children shall observe the following “dos” and “don’ts” in order to maintain a safe and positive experience for Program participants, encourage parental confidence and avoid mistaken allegations.

DO:

- Report any instance or suspected instance of Abuse or neglect involving a Child to [Notre Dame Police Department](#) immediately (574-631-5555).
- Maintain the highest standards of personal behavior at all times when interacting with Children.
- Whenever possible, try to have another adult present when you are working with Children in an unsupervised setting. Conduct necessary one-on-one interactions with Children in a public environment where you can be observed.
- Treat all Children in a group consistently and fairly, and with respect and dignity.
- Be friendly with Children within the context of the formal Program while maintaining appropriate boundaries.
- Maintain discipline and discourage inappropriate behavior by Children, consulting with your supervisors if you need help with misbehaving youth.
- Be aware of how your actions and intention might be perceived and could be misinterpreted.
- Consult with other adult supervisors or colleagues when you feel uncertain about a situation.

DON'T:

- Don't spend significant time alone with one Child away from the group or conduct private interactions with Children in enclosed spaces or behind closed doors.
- Don't engage in inappropriate touching or have any physical contact with a Child in private locations.
- Don't use inappropriate language, tell inappropriate jokes, or make sexually suggestive comments around Children, even if Children themselves are doing so.
- Don't give personal gifts to, or do special favors for, a Child or do things that may be seen as favoring one Child over others.
- Don't share information with Children about your private life or have informal or purely social contact with Children who are Program participants outside of Program activities.
- Don't strike or hit a Child or use corporal punishment or other punishment involving physical pain or discomfort.
- Don't relate to Children as if they were your peers, conduct private correspondence or take on the role of “confidant” (outside of a professional counseling relationship).
- Don't date or become romantically or sexually involved with a Child. Don't show pornography to Children or involve Children in pornographic activities.
- Don't provide alcohol or drugs to Children or use them in the presence of Children.

APPENDIX B

Checklist for Programs involving Children

I. Contact the Office of Risk Management at least 15 days prior to the Program with the following information:

- a. Program's dates, times, locations, attendance (age range and number of participants).
- b. Responsible Party contact information along with list of adults who will work directly with Children.

II. Establish a registration process for the Program:

- a. System for capturing contact information of parents/guardians
- b. Process for pick-up and release of Children to parents/guardians
- c. Collection of waivers, medical information and other relevant documents
- d. Handling money
- e. On-campus housing access
- f. Transportation needs

III. Conduct Background Checks:

- a. Work with the Office of Human Resources to ensure that a criminal and sexual background check has been completed for adults and non-students who will be interacting with Children in the Program. Further, any adults or non-students staying overnight with Children as part of a Program must have had a criminal and sexual background check within the last three years.
- b. Establish a process to ensure that anyone affiliated with the Program who is not an employee of the University, including non-student volunteers, has been subject to a criminal and sexual background check.
- c. Student Volunteers will be required to sign a sworn statement revealing any criminal background.

IV. Communicate Behavioral Expectations

- a. Prior to the implementation of any Program involving Children, communicate the *Behavioral Expectations for Working with Children* found in **Appendix A** to all individuals involved in the Program.
- b. Identify any additional specific behavioral expectations related to the Program.

V. Training

- a. Each adult who will be working with Children in the Program must complete the online training provided by the Office of Risk Management at minimum every **three** years. The Unit may enhance or modify the required training to meet specific needs of the particular program involved in consultation with the Office of Risk Management to ensure all required elements are included.

VI. Waivers

- a. Provide liability waivers signed by parents or guardians to Risk Management

APPENDIX C

SWORN STATEMENT OR AFFIRMATION FOR UNIVERSITY OF NOTRE DAME
STUDENTS VOLUNTEERING TO WORK WITH CHILDREN

Please Print

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Last Name

First Middle

Student ID #

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Current Mailing Address

Street

Apt. #

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City

State

Zip Code

Have you ever been convicted of a crime classified as a felony or misdemeanor?

☐ Yes

☐ No

If yes, please list all felony and misdemeanor convictions, including convictions by court martial and driving under the influence. For each offense, state the nature, location, date, and penalty (you do not need to list parking or speeding tickets). A conviction record will not necessarily preclude you from volunteering to work with Children.

I hereby affirm that the information provided on this form is true and complete. I understand that the information is subject to verification and that making a materially false statement will preclude me from volunteering to work with Children.

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Signature

Date