

# Ivy Tech Community College of Indiana

## **POLICY TITLE**

Protection of Minors Policy

## **POLICY NUMBER**

ASOM 9.12

## **PRIMARY RESPONSIBILITY**

Systems Office Human Resources/Risk Management

## **CREATION / REVISION / EFFECTIVE DATES**

Draft Created February 2016/Draft Revised March 2018/Effective June 1, 2018

## **PURPOSE**

The purpose of this policy is to (1) clarify the expectations placed on administrators, faculty, staff, students, volunteers and others working with minor and adolescent children in an effort to promote their protection, and (2) to provide the safest possible experience for any child participating in a College-sponsored program or activity regardless of its location.

Programs or activities involving minors are encouraged to exceed the practices described in this policy whenever possible and to create internal policies and practices for their activities not specifically addressed here.

## **ORGANIZATIONAL SCOPE OR AUDIENCE**

This policy covers all programs and activities sponsored by the College and/or under the direct control and supervision of College faculty or staff, except for those programs excluded below. The policy applies to (1) all employees, students, and others who will have direct contact with Minors in any College program or activity regardless of its location, (2) employees whose Minor children accompany them to work or as part of a campus visit.

**EXCEPTIONS:** This policy does not apply to academic programs involving matriculated students, including dual credit and dual enrolled students. This policy does not apply to minors who are employed by the College. College or Third-Party run Early Childhood Education Centers on campus are subject to state regulations and have policies and procedures specific to their operations. Any state regulations which are stricter than this policy or in conflict with this policy or other College procedures will supersede this policy or other College procedures.

**There are no exceptions to Indiana law on Notification of Abuse, Neglect or Inadequate Care. This applies to ALL minors, regardless of their status with the College.**

## **DEFINITIONS**

*Minor:* A person under the age of eighteen (18). ([IC 1-1-4-5-\(8\)](#))

*Accompanied Minor:* Any minor participating in a covered Program that is accompanied by a parent, guardian, or adult chaperone for the duration of a Program.

*Unaccompanied Minor:* Any minor participating in a covered Program that is not accompanied by a parent, guardian, or adult chaperone for the duration of a Program. These minors are placed in the care of the College.

*Authorized Adult:* A person age eighteen (18) and older, paid or unpaid, who interacts with, supervises, chaperones, or otherwise oversees programs or activities involving minors and has been appropriately screened, trained, and approved by a Program Organizer. The term “Authorized Adult” does not include individuals who provide volunteer services that are limited in nature (such as a lecture or presentation), or who have no direct individual contact with, or oversight of, Minors. Should any Minors apply to volunteer at a Program, the same screening and training requirements shall apply.

*Program:* Any program or activity intended for Minors that is under the direction or control of the College, regardless of its location.

*Program Organizer:* College department, student organization, or employee that organizes, oversees or is responsible for the overall administration of a Program. A Program Organizer must be, or must include, an Authorized Adult.

*Third Party Provider:* An organization or individual who 1) jointly sponsors or operates a program or activity with the College, regardless of its location; or 2) operates their own program or activity on College property.

*One-On-One Contact:* Personal, unsupervised interaction between any Authorized Adult and a Minor without at least one (1) other Authorized Adult, parent, guardian, or other Minor(s) being present.

## **POLICY & PROCEDURES**

### **I. Notification of Abuse, Neglect, or Inadequate Care**

Indiana law (IC 31-33-5-1) requires *anyone* who suspects child abuse or neglect to immediately\* report it to the Department of Child Services (DCS). That means *every* member of the College community has an obligation to immediately report instances or suspected instances of the abuse of or inappropriate interactions with Minors, to DCS at 1-800-800-5556, the Police, Campus Security, General Counsel’s Office and, if applicable, to the respective Program Organizer unless they are the alleged abuser. This includes information about suspected abuse, neglect, or inadequate care provided by a parent, guardian, custodian/caretaker, or other individual. \*Immediately means in an immediate manner, specifically, a) without intervening agency or cause; directly; b) without delay; at once; instantly.

For purposes of this policy, abuse, neglect, or inadequate care includes any of the following:

1. **Physical Abuse:** Violent non-accidental contact which results in injury. This includes, but is not limited to, striking, biting, or shaking. Injuries include but are not limited to bruises, fractures, cuts, and burns. An injury that does not agree with the explanation of how it happened shall be reported.
2. **Sexual Abuse:** Any form of sexual activity with a Minor, whether on College premises, at home, or any other setting. The abuser may be an adult, an adolescent, or another Minor. Sexual abuse includes, without limitation, physical sexual contact of any kind, emotional or mental sexual harassment, rape, deviate conduct, seduction, and public indecency. Providing sexual materials in any form to Minors or assisting them in any way in gaining access to such materials.
3. **Emotional/Mental Abuse:** A pattern of intentional cruel or unusual treatment which results in physical and mental suffering of a Minor through rejection, threats, terrorizing, isolating, or belittling.
4. **Child Pornography:** Any possession or record of possession of child pornography on College property or on personal property, including the accessing of such materials through electronic or any other media that may exist.
5. **Neglect/Inadequate Care:** Failure or delay by a caretaker, either deliberately or through negligence or inability, to take those actions necessary to provide a Minor with minimally

adequate food, clothing, shelter, medical care, supervision, education, emotional stability and growth, or other essential care. Evidence of drug manufacturing occurring on the property where the child resides is also considered neglect and shall be reported.

In the event a Program Organizer suspects inappropriate conduct or receives an allegation of inappropriate conduct, the Program Organizer must immediately:

1. Ensure the safety of any Minors participating in the program, including removal of Minors from dangerous or potentially dangerous situations.
2. Notify DCS, Police, Campus Security, and the General Counsel's office.
3. If the suspected or alleged inappropriate conduct involves an Authorized Adult participating in a program, the Program Organizer must discontinue any further participation by that Authorized Adult in any activities covered by this policy until the situation has been satisfactorily resolved.
4. If the suspected or alleged inappropriate conduct involves an employee or student, see Section XI. for internal notification of abuse and corrective action procedures.

## **II. Program Registration**

All Programs must be registered with the following exceptions: unplanned or informal admissions, pre-enrollment or advising activities. The Program Organizer or Organizer's designee must register the Program with sufficient advance notice to meet the requirements and intentions of this policy. See [Appendix A](#) for more information.

## **III. Background Check Requirements for Authorized Adults**

Once registration is complete, confirmation is required for every employee, student, or other individual involved with the Program. Procedures and expectations for confirming Authorized Adults are as follows:

### **A. For Programs Involving Unaccompanied Minors**

1. A Program Organizer must compile the full name, address, date of birth, email, and phone number of each adult seeking Authorized Adult status prior to the event and check the names against the national sex offender registry, a free, public database.
2. A registry check is done online by searching for the individual's name. A date of birth and home address can be used to differentiate between duplicate names. A person cannot participate if listed on the registry.
3. A comprehensive criminal history and background check through a third party vendor must be completed by Human Resources before participation and then on an annual basis as necessary for the individual's continued participation in Programs Involving Unaccompanied Minors.
4. The following types of convictions will normally render an individual ineligible to become an Authorized Adult:
  - a. Drug distribution or felony drug possession
  - b. Sexual offences, including stalking
  - c. Crimes of violence involving physical injury to another person
  - d. Child abuse, molestation, child pornography or other crimes involving child endangerment, including neglect and abandonment
  - e. Murder
  - f. Kidnapping
  - g. Any other crime involving moral turpitude
5. It is the responsibility of the Program Organizer to ensure that each adult has received clearance to participate in a covered Program.
6. When in doubt of whether to background screen an individual, the default is "yes".

## **B. For Programs Involving Accompanied Minors**

1. A Program Organizer must compile the full name, address, date of birth, email, and phone number of each adult seeking Authorized Adult status prior to the event and check the names against the national sex offender registry, a free, public database.
2. A registry check is done online by searching for the individual's name. A date of birth and home address can be used to differentiate between duplicate names. A person cannot participate if listed on the registry.
3. A sex offender registry check must be completed on an annual basis as necessary for the individual's continued participation in any Program involving Minors.

## **IV. Training Requirements for all Authorized Adults**

All adults seeking Authorized Adult status must be trained annually. Training for faculty and staff consists of completion of an e-Learning within IvyLEAD: *Working With Minors: Important Information for Those Participating In Programs or Activities Involving Minors*. All other adults not IvyLEAD credentialed will be provided an alternative method as outlined under [Appendix B](#).

## **V. Third Party Providers**

### **A. Programs Operated Solely By Third Parties**

Any program involving Minors operated solely by outside parties on College property must be operated consistent with the guidelines of this policy and must secure a contract with Ivy Tech Community College agreeing to abide by the guidelines of this policy and to use College facilities.

### **B. Programs Jointly Sponsored or Operated By the College and Third Parties**

Any outside party that jointly, with the College, sponsors or operates any program involving Minors must sign an agreement with Ivy Tech Community College that they will abide by the guidelines of this policy.

### **C. Insurance Requirements for All Programs Involving Third Parties**

Third Party Provider must submit to the College a certificate of insurance for general liability including coverage for sexual molestation or abuse which identifies Ivy Tech Community College as an "Additional Insured" and provides minimum policy limits of one million dollars per occurrence and three million dollar aggregate. If you need assistance with contract or insurance language, please contact Legal or Risk Management in Systems Office.

## **VI. Requirements for Programs Involving Unaccompanied Minors**

### **A. Supervision of Minors**

Program Organizers should make every effort to ensure all activities and events involving unaccompanied Minors reflect the gender distribution of the Minors, and must, at a minimum, ensure that at least two Authorized Adults are present during activities where Minors are present in order to eliminate the opportunity for One-On-One contact. The following Authorized Adult-to-Minor ratio is recommended:

- One Authorized Adult for every 6 Minors ages 4 and 5
- One Authorized Adult for every 8 Minors ages 6 to 8
- One Authorized Adult for every 10 Minors ages 9 to 14
- One Authorized Adult for every 12 Minors ages 15 to 17

### **B. Emergency Response Planning**

Each Program shall establish an appropriate Emergency Response Plan. Regardless of location, at least one adult who is CPR and first aid certified must be present. If a child is injured or threatened, proper supervision of the injured child and the group must be maintained at all times. Children should never be left unattended under any circumstances. The ability to respond to emergencies must always be considered when staffing programs and activities.

### **C. Sign In / Sign Out Procedure**

Each Program where no parent or guardian is present shall establish an appropriate Sign In /Sign Out Procedure. Minors must only be released to an adult who has been approved by that Minor's parent or guardian. The adult must present photo identification before a Minor can be released.

### **D. Parental Notification Process**

Each Program where no parent or guardian is present shall have in place an appropriate procedure for the notification of the Minor's parent/legal guardian in case of a medical emergency or other significant program disruption. In addition, the parent/legal guardian must be informed as to how they may contact the Minor should the need arise.

### **E. Authorization for Medical Care**

Each Program where no parent or guardian is present shall have in place the [Health Information and Consent for Emergency Medical Treatment Form](#) for each Minor. The form includes the following:

- A list of any physical, mental or medical conditions the Minor may have, including any allergies that could impact his/her participation in the program; and
- All emergency contact information including name, address and phone number of the emergency contact.
- A statement informing the parent/legal guardian that the College does not provide medical insurance to cover medical care for the Minor;
- A statement authorizing medical treatment and the release of medical information in an emergency situation in case the parent/legal guardian cannot be reached for permission;

### **F. Administration of Medicine**

Each Program where no parent or guardian is present shall have in place procedures for the administration of prescribed and over-the-counter medications for each Minor. Distribution of Minors' medicines by an Authorized Adult should be handled under the following conditions:

- The Program Organizer shall be responsible for reviewing all forms and assessing needs of each program Minor;
- The Minor's family provides the medicine in its original pharmacy container labeled with the participant's name, medicine name, dosage and timing of consumption. Over-the-counter medications must be provided in their manufacturers' container;
- The Program Organizer shall keep the medicine in a secure location and at the appropriate time will distribute to the Minor;
- Before giving any medication to a Minor, an Authorized Adult must verify the identity of the Minor by having the Minor state their first name, last name, and date of birth as it is written on the medication label;
- An Authorized Adult shall allow the Minor to self-administer the appropriate dose as shown on the container;
- Parent(s) and/or guardian(s) are expected to make arrangements in collaboration with Ivy Tech staff for the administration of any medicine that the Minor cannot self-administer;
- Devices for the self-administration of medications which are prescribed by a physician may be carried by the Minor during program activities such as "EpiPens" and asthma inhalers; and
- Over-the-counter medications can only be administered with prior approval. Program Organizers should make reasonable efforts to have basic first-aid kits available if needed.

## **VII. Use of College Facilities**

All Minors participating in a program on campus are generally permitted supervised use of the College facilities identified for that program. The College reserves the right to restrict anyone, including Minors, from certain areas or facilities or from utilizing specified equipment.

## **VIII. Photo and Video Release**

Program Organizers shall obtain a [\*Release and Waiver of Liability Form\*](#) as part of the program registration process. A Photo Release has been embedded in the release and waiver of liability form. Refer to [\*Ivy Tech's Photography Guidelines and Best Practices\*](#). The Program Organizer will be responsible for obtaining and retaining the form for at least 3 years following the date the program or activity ends.

## **IX. Ad-hoc Child Care**

No Program or college department shall establish an ad-hoc child care program (e.g., for an adult conference, reception, or meeting) at any time.

## **X. General Requirements Regarding Minors on Campus**

### **A. Employees Bringing Minors on Campus**

1. The College does not provide medical insurance to cover medical care for Minors. Parents and guardians are responsible and liable for any and all injuries and damages sustained to or by their minor child unless caused by the sole negligence of the College, its officers, agents, or employees other than the child's parent or guardian.
2. Parents and guardians are responsible for ensuring that minor children behave appropriately if those children accompany a parent or guardian to work or as part of a campus visit. If, in view of the administrator responsible for the work setting, or event, a child is disruptive, the parent must remove the child from the situation.
3. Parents and guardians must escort their children aged 11 or younger to restrooms and breakrooms/lunchrooms to assist them with using facilities designed for use by adults with regard to the height of chairs, tables, sinks, toilets, paper towel dispensers, etc., and to ensure their safety and protection in an environment not designed for minor children.
4. Minors accompanying a parent or guardian to work, or as part of a campus visit shall not be allowed to wander around campus or away from their parent or guardian. Parents and guardians are completely and solely responsible for the supervision of their minor children in workplace settings.

### **B. Unsupervised Minors on Campus**

1. All Minors on the campus must be supervised at all times by an adult.
2. Unsupervised or unescorted Minors may be stopped and questioned by Campus Security as to the whereabouts of their parent or guardian. The Minor will be escorted back to their program or to the parent/guardian responsible for them being on campus.
3. Exception: High school-aged children are generally permitted at events and venues on campus that are open to the public. Examples of such events include intramural sport contests and campus tours. The College reserves the right to restrict anyone, including high school-aged children, from certain areas or facilities or from utilizing specified equipment.
4. High school-aged children not meeting College's conduct standards may be directed to leave the campus and/or trespassed from the campus by Campus Security or campus administrators.

## **XI. Internal Notification of Abuse and Corrective Action Procedures**

**NOTE: These procedures shall be followed AFTER a report has been filed with the Department of Child Services (DCS) at 1-800-800-5556. DCS shall be notified immediately, without delay!**

### **A. Reporting Procedures**

Misconduct by employees must be reported to the Human Resources Administrator after a report has been filed with DCS. If the administrator is unavailable, please report the incident as quickly as possible to any person in a managerial position. Persons making a report will be asked to provide as much detail as possible, including names of other witnesses, the name of the employee, location and other pertinent information that would be helpful in conducting a fair and accurate investigation.

### **B. Investigation**

All reported incidents will be investigated. Information about the allegation will be shared only with those who need to know about it. Complete confidentiality cannot be guaranteed since conducting an effective investigation would not be possible without revealing certain information to the alleged violator and potential witnesses. The Vice Chancellor for Student Success or his/her Designee will participate in the investigation of incidents involving students, and the Human Resources Administrator will participate in the investigation of incidents involving employees.

### **C. Determination**

After all of the evidence is in, interviews are final, and any credibility issues are resolved, a determination as to whether a violation of policy occurred will be made. The parties directly involved will be informed of the determination. If no determination can be made because the evidence is inconclusive, the parties will be informed of this result.

### **D. Corrective Action**

After the determination is made, the College will undertake prompt and appropriate action, including discipline up to and including dismissal (if a student) from the College or termination (if an employee) whenever it determines that a violation of this policy has occurred. The person(s) reporting the incident as well as the potential victim(s) will be informed of the outcome of the investigation and corrective action (if any).

## **XII. Periodic Review and Audit**

To ensure ongoing compliance with federal and state laws, these procedures will be reviewed periodically and updated to reflect any changes in the laws or College.

## **XIII. Compliance**

Violation of this policy can result in a disciplinary action up to and including dismissal from the College (if a student) or termination of employment (if an employee).

## **REFERENCES**

State of Indiana - [Definition of a Minor \(IC 1-1-4-5-\(8\)\)](#)

State of Indiana - [Duty to Report Child Abuse or Neglect](#)

Employee Personnel Policies and Procedures

## **APPENDICES**

[Appendix A: Program Registration Information](#)

[Appendix B: Background Check and Training Procedures](#)

[Appendix C: Frequently Asked Questions](#)

[Appendix D: Program Organizer Process Map](#)

[Appendix E: Third Party Provider Requirements](#)

**RESOURCE PERSON**

Campus Protection of Minors Committee Member

Director of Risk Management

Assistant Director of Risk Management



### **Protection of Minors Policy Program & Activity Registration Information**

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The College's Protection of Minors Policy requires registration of all Programs (please see the policy definition of Program). A Program Organizer is responsible for completing the [program registration form](#). One form covering the full date range may be completed for programs recurring multiple times throughout the year where the same Authorized Adult(s) are staffing the program. **Please Note: This is not an approval form. The purpose of completing this form is for College-wide data collection and audit purposes.**

First, you will be asked to provide activity-specific information, which will include:

- Program/Event/Activity Name
- Program/Event/Activity Description
- Program/Event/Activity Dates
- Specific Program Location
- Program Frequency
- Approximate age group and number of Minors participating in the program, event or activity
- Program Organizer Information

In addition, you will be asked to attach an Excel spreadsheet with contact information for all program staff. Your Excel file should include your Program Name in the filename, and include the following seven columns:

- Column A: First Name
- Column B: Middle Name
- Column C: Last Name
- Column D: DOB
- Column E: Address
- Column F: Phone Number
- Column G: Email Address

**Please do not deviate from this format as the information will be compiled into a system-wide database. All fields on the registration form are mandatory.**

Finally, you will be asked to certify that all program staff have been screened and trained and are eligible to participate.

[Click here to go to where this Appendix is referenced in the policy.](#)

[Click to go to the list of Appendices.](#)

### **Protection of Minors Policy: Background Check and Training Procedures**

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The College's Protection of Minors Policy stipulates that all employees, students, and volunteers who participate in Programs involving Minors in the course of their employment or service must become an Authorized Adult prior to commencing their participation in such Programs. There are two parts to confirming Authorized Adults: 1) background checks and 2) awareness training. Successful completion of these parts will convey Authorized Adult status to an individual for one (1) whole year and apply to all College programs and activities involving Minors within that one (1) year period.

It is the responsibility of the Program Organizer to ensure that an individual (whether employee, student or volunteer) who is required to have a background check in accordance with the Protection of Minors policy does not commence his/her duties in a Program until both the background check and training requirements have been completed. Background checks may take ten business days to complete.

### **Procedures for Background Checks**

In addition to its standard policy on background checks, the College requires that all employees (full and part-time), all student volunteers, and any other individual working in programs involving unaccompanied Minors, undergo a criminal history and background investigation, and be checked against a national sex offender registry on an annual basis in accordance with the Protection of Minors policy and as outlined below by Program type.

#### **I. For Programs Involving Unaccompanied Minors**

**Step 1:** Program Organizer shall check names of adult applicants against the national sex offender registry via the National Sex Offender Registry Public Website. [Click here](#) for steps on conducting a search on the website.

- An individual cannot become an Authorized Adult if listed on the registry.
- If an individual is listed on the registry, inform the individual that they cannot volunteer for this Program.

**Step 2:** Program Organizer shall verify that the individual has completed the appropriate training requirements.

**Step 3:** Program Organizer will route the list of program staff to HR for background checks.

**Step 4:** HR will log on to Hire Right and follow [these steps](#).

**Step 5:** The program staff will receive instructions from HireRight to log on and complete the background check authorization forms.

**Step 6:** HR evaluates background check results when they become available. See Background Check Evaluation for more information on evaluating the results.

**Step 7:** HR notifies Program Organizer of individuals eligible/ineligible to participate.

**Step 8:** Program Organizer will complete the program registration form, which will route to Systems Office to be filed for audit and data collection purposes.

#### **II. For Programs Involving Accompanied Minors**

Note: No background check via HireRight is required for these programs. Only a check against the sex offender registry is required.

**Step 1:** Program Organizer shall check names of adult applicants against the national sex offender registry via the National Sex Offender Registry Public Website. Click here for steps to conducting a search on the website.

- An individual cannot become an Authorized Adult if listed on the registry.
- If an individual is listed on the registry, inform the individual that they cannot volunteer for the Program.

**Step 2:** Program Organizer shall verify that the individual has completed the appropriate training requirements.

**Step 3:** Program Organizer will complete the program registration form which will route eligible individuals to systems office.

**Step 4:** Systems Office will file the data for periodic audits of Programs.

## Procedures for Training

Training consists of a review of *Working With Minors Guidelines* and a viewing of *Shine A Light*, an awareness video. The College is currently using two methods for training individuals seeking Authorized Adult status, one for faculty and staff and one for all other adults. Training should be completed in accordance with the Protection of Minors Policy and as outlined below.

### A. Procedures for College Faculty and Staff

**Step 1:** Access IvyLEAD through MyIvy using your network credentials. IvyLEAD can be found on the Employee Dashboard tab of MyIvy.

**Step 2:** Click on IvyLEAD and you should arrive on the screen that says “My Learning”.

**Step 3:** At the of the “My Learning” screen, click on Learning Library.

**Step 4:** Type “Working With Minors” in the search field of the Learning Library page.

**Step 5:** Locate the course and click “Start” to register for and begin the course.

**Step 6:** After you have successfully completed the course, click “Complete” to advance to the next screen.

**Step 7:** On the Completion screen, click “Back to My Learning”.

**Step 8:** Send the completion certificate to your program organizer per their instructions. Complete this step for each covered program you participate in until you are due for re-certification.

### B. Procedures for All Other Adults

**Step 1:** Program Organizer emails the Working With Minors guidelines via email link (<https://link.ivytech.edu/WorkingWithMinorsGuidelines>) to each participant **who is not a College employee**.


**Step 2:** Participant completes the training, electronically signs the form, and receives confirmation that the form is signed and filed.

**Step 3:** Participant sends the confirmation email to the Program Organizer by the date specified by the Program Organizer and per their instructions.

## Steps for Navigating the National Sex Offender Registry

1. Go to: <https://www.nsopw.gov/en>
2. In the right column under “National Sex Offender Quick Search” simply type the First and Last name of the individual in the appropriate box and click Search.
3. After you have authenticated your search, results will be displayed on the screen.
  - If the name you searched does not return any results, the screen will say “0” records were found.
4. Click on the name you searched to further authenticate that you have the correct record.
  - For common names, more than one record may appear. You may have to click on each record until you find the correct one.
  - If you still aren’t sure, contact Systems Office Risk Management for assistance.
5. You will be redirected to the local sex offender registry where the individual is required to register as a sex offender.
  - You may be required to agree to more terms and conditions before accessing the local website.
6. The individual’s record will now appear on your screen.
  - If you aren’t sure you have the correct record, contact Systems Office Risk Management for assistance.

## Steps for Conducting a Background Check via HireRight

1. Click “New Order”.
2. Select the *Criminal Based on Social* package from the dropdown box then click “Next”.
3. On the **Select Form Completion Options** screen, select the *Email applicant information to log on and complete background forms* option.
4. Enter the first name, last name, and email address of the applicant.
5. To add up to 4 more entries, click the  button for each new entry.
6. Under **Choose Message to Email Applicant** select the *Default Invitation Letter* option.
7. To have a copy sent to you, check the box at the bottom of the screen.
8. Click “Next” and an email invitation will be sent to the volunteer, which contains a link to the background check verification form.
9. You can track the status of this background request by going to your **Screening Manager** dashboard. The status is updated as the request form is completed and processed.

[Click here to go to where this Appendix is referenced in the policy.](#)

[Click to go to the list of Appendices.](#)

### Frequently Asked Questions (FAQ)

**1. Why doesn't this policy address students who bring their minor children to class?**

The Code of Student Rights & Responsibilities contains current policy.

**2. Are the policy requirements applicable to enrolled students (dual credit or dual enrolled)?**

No. However, there are no exceptions when complying with Indiana law on Notification of Abuse, Neglect or Inadequate Care. The law applies to all minors, regardless of their status with the College.

**3. What if a faculty or staff member is unaware that a student is a minor? How will they know to make a report to DCS?**

Faculty should complete an incident report for any misconduct or suspicious behavior, regardless of a student's age. When a campus official receives an incident report and becomes aware through investigation that the student is a minor, that official would be in the best position to make a first report.

**4. Will dual credit instructors be required to complete the annual training?**

We understand that our K-12 partners require anyone working at their school to undergo screening and training. If this is not happening, please let your Campus Protection of Minors Committee member know as that would be a gap we seek to fill.

**5. How does this apply to Unaccompanied Minors who are potential students visiting campus?**

The policy applies to formal programs and activities intended for minors. We have much less control over informal visits where our guests are unknown. That said, we encourage training of all admissions staff to bring awareness of notification requirements and behavioral dos and don'ts since these staff regularly interact with minors for purposes of enrollment.

**6. Is training mandated for all College employees?**

Not at this time, but we encourage all employees to take the training.

**7. How do I, as program organizer, confirm training for employees and for non-faculty and staff?**

Once the employee has completed the training, you should instruct the employee to forward the IvyLEAD certificate of completion to confirm the employee has been trained. For non-faculty and staff, email a link to the non-employee Guidelines and request that they forward you a copy of the signed document.

**8. I'm concerned that we will incur significant costs due to the background check requirement. Who will pay for this?**

There is no cost to make a check of the sex offender registry, a public database. This level of screening is required for all Programs. Only those Programs that involve Unaccompanied Minors, which involve a minority of programs, require a comprehensive criminal background check to be run by Human Resources. The campus will determine the appropriate budget from which to fund background checks.

**9. Does a background check include the national sex offender registry?**

No, these are two separate steps. The Program Organizer will do the check the national sex offender registry. Only those programs with Unaccompanied Minors will go to HR, who will conduct comprehensive background checks.

**10. What information is necessary for checking the sex offender registry?**

Only first name and last name is needed, but the address and DOB can help distinguish between individuals. Getting a middle name is recommended for the sex offender registry check.

**11. If you find someone on the sex offender registry, who do you notify?**

Tell the person, confirm their identity, and relay that they cannot participate. If you see one on the federal registry, you can go to the State registry and find a photo of the individual. This requirement is generally a deterrent to those already on the registry.

**12. Can we accept a background check from another employer or school?**

If we have an agreement with an individual to staff a Program, the College is responsible for conducting its own background check. If the College has contracted with a third party for its employee to staff a Program, the contract should require the third party employer to conduct appropriate background screening.

**13. We host events where vendors or other organizations will come to campus and setup a booth in a public area (i.e. Career Fair). Do they need to be screened and trained?**

Individual vendors participating in Career Fair type of events are not considered Third Party Providers under the Policy definition and therefore are not subject to the provisions of the policy.

**14. We host events and competitions where K-12 students attend with school representatives. Are these considered events with Accompanied or Unaccompanied Minors?**

These are considered events with Accompanied Minors. Ivy Tech Program staff would need to go through the first level of screening only. Similarly, school and tour groups where a chaperone from the school attends with the students are considered to be Accompanied Minors.

**15. As part of our Program, we have invited a local expert to give a presentation. Does that individual need to go through the training or be background checked?**

If the individual is only functioning as a presenter and will not be interacting with or overseeing children without someone from the program staff or the child's parent present, he/she is not considered part of the program staff and would not be required to undergo training or subjected to background screening. If the individual will be providing instruction to or interacting with minors on his/her own, he/she would be considered a member of the program staff, subject to all requirements of the policy.

**16. Do we have responsibility to do any screening of school group chaperones?**

No. This is the responsibility of the school providing that representative. Typically, K-12 institutions require a similar level of b/g check for their employees, chaperones and volunteers. We expect our K-12 institution partners to comply with their institution's policy as mandated by State law.

**17. Some programs are run by student groups and not necessarily faculty or staff. Will students in the student group need to be screened and trained?**

Yes. All requirements of the policy apply.

**18. Do those filling SGA leadership positions need to be screened before they can serve in that role?**

No. They do not to be screened in order to hold a position. However, if an SGA event involves minors, all participants would be expected to fully comply with the policy. If one is not eligible to participate in a specific event, he/she should abstain from that event.

**19. Do minor volunteers need to do background checks, screening, and training?**

Yes, training is necessary for all program staff, including those who are minors themselves. It is unclear whether a minor's public information would be fully available on the national sex offender registry and more comprehensive background check. Contact your Campus Protection of Minors Committee representative or Risk Management to evaluate how screening should be handled in these instances.

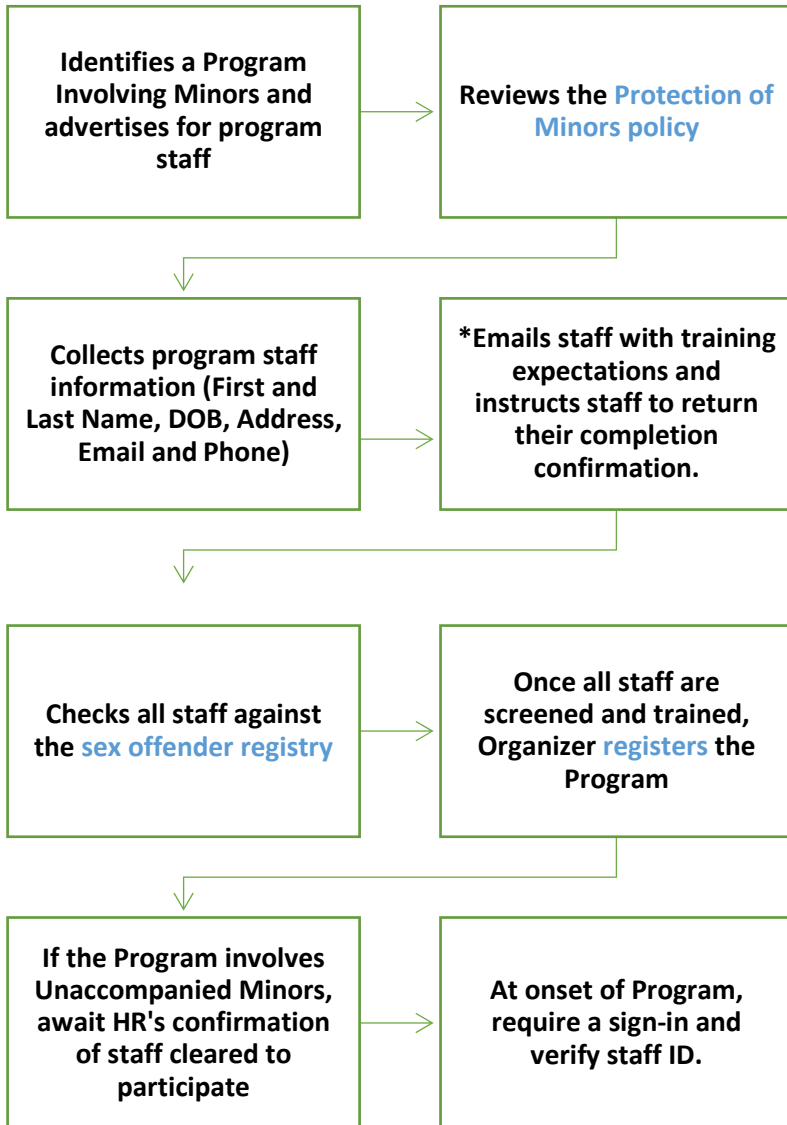
**20. Is presence of security guards who are trained first responders sufficient for Section VI. B. of the policy? Or, do first responders have to be in the same room with minors?**

If we have trained personnel on site and in the general area, that is sufficient. You do not need to have a CPR-certified individual in each classroom. You should evaluate proximity and whether a first responder would be in position to respond in a reasonable time frame. Building to building distance varies, and the roads or pathways that separate buildings may or may not make it feasible for a single individual to respond in a timely manner. Security guards should be informed and efforts coordinated.

**21. I'm not sure how the Policy pertains to my particular event. Who should I contact with questions?**

Please carefully review the Definitions section and contact your Campus Protection of Minors Committee representative or Systems Office Risk Management for further guidance. When in doubt, default to compliance with the provision in question.

## Appendix D: Program Organizer Process Map



### Training Expectations:

\*College employees are required to complete the e-Learning within IvyLEAD titled **Working With Minors: Important Information for Those Participating In Programs or Activities Involving Minors**. Employees must email a copy of the course completion certificate to the Program Organizer.

All others are required to review the **Working With Minors Guidelines** - <https://link.ivytech.edu/WorkingWithMinorsGuidelines>, view the awareness video as linked within the guidelines, and certify the form via Adobe Sign. The signer will receive email confirmation that the form has been filed and signed. The confirmation email must be forwarded to the Program Organizer.

### Sample Email to Program Staff:

Thank you for participating in the [ABC] Program, a program involving minors. The College is committed to ensuring the safety of all program participants. In accordance the **Protection of Minors policy**, all program staff are required to complete training annually. If you are a College employee, please complete the e-Learning, **Working With Minors: Important Information for Those Participating In Programs or Activities Involving Minors**. Forward to me a copy of the course completion certificate. Non-College employees must review the **Working With Minors** guidelines <https://link.ivytech.edu/WorkingWithMinorsGuidelines>, view the awareness video as linked within the guidelines, and certify the form via Adobe Sign. Once you receive email confirmation that the form has been filed and signed, forward the email to me.

If you have already completed training within the past year, please simply forward your confirmation of completion.

I will need to receive your confirmation of training no later than XX.

### Retention of Documents:

Retain electronic confirmation of program staff training, together with participant waivers, for an indefinite period of time.



### Protection of Minors - Third Party Provider Requirements

Ivy Tech Community College of Indiana has adopted a policy, [the Protection of Minors Policy](#), to establish safeguards for minors who participate in College programs and activities, including those programs and activities operated solely or jointly by third parties.

A “Third Party Provider” is defined as follows: An organization or individual who 1) jointly sponsors or operates a program or activity with the College, regardless of its location; or 2) operates their own program or activity on College property.

Below is a checklist to help Third Party Providers comply with requirements of the policy:

#### Notification of Abuse, Neglect or Inadequate Care

- All participants must be informed of their legal duty to report suspected or actual abuse, neglect, or inadequate care immediately to the Department of Child Services (DCS) at 1-800-800-5556.

#### Background Checks

- For Programs Involving Accompanied Minors, participants must be checked against the national sex offender registry; anyone listed on the registry may not participate.
- For Programs and Activities Involving Unaccompanied Minors, participants must be checked against the national sex offender registry and must also undergo a comprehensive background check. Anyone listed on the registry and/or whose background check reveals convictions disallowed in the policy, may not participate.

#### Awareness Training

- All participants must complete awareness training educating participants on the following: program and behavioral expectations; recognizing the signs of abuse; and notice of mandatory reporting requirements.
- If a Third Party Provider does not have an established training, the following [document](#) may be used to fulfill this requirement.

#### Requirements for Programs Involving Unaccompanied Minors (see the policy for full detail)

These requirements are specific to programs or activities where no parent or guardian comes with a Minor.

- Two Authorized Adults must be present during activities where minors are present in order to eliminate the opportunity for one-on-one contact. The following adult to minor ratios apply:
  - One Authorized Adult for every 6 Minors ages 4 and 5
  - One Authorized Adult for every 8 Minors ages 6 to 8
  - One Authorized Adult for every 10 Minors ages 9 to 14
  - One Authorized Adult for every 12 Minors ages 15 to 17

- Each Program shall establish an appropriate Emergency Response Plan with at least one Authorized Adult who is CPR and first aid certified.
- Each Program where no parent or guardian is present shall establish an appropriate Sign In /Sign Out Procedure.
- Each Program where no parent or guardian is present shall have in place an appropriate procedure for the notification of the Minor’s parent/legal guardian in case of a medical emergency or other significant program disruption.
- Each Program where no parent or guardian is present shall have in place a Health Information and Consent for Emergency Medical Treatment Form for each Minor.
- Each Program where no parent or guardian is present shall have in place procedures for the administration of prescribed and over-the-counter medications for each Minor with distribution of medicines to occur only under certain conditions.

**Certificate of Insurance**

Section V. of the policy outlines requirements specific to Third Party Providers. In summary, Third Party Providers must agree in writing to abide by the guidelines of the policy and must submit to the College evidence of sufficient general liability insurance (\$1M per occurrence / \$3M aggregate) including coverage for sexual abuse and molestation.

**\*On behalf of \_\_\_\_\_, a Third Party Provider, I have read, understand, and agree to abide by Ivy Tech Community College’s Protection of Minors Policy. I submit that our employees, volunteers, program staff, or others with permission to participate in our program or activity have been appropriately screened, trained, and have been notified of their duty to report abuse, neglect, or inadequate care. I agree to inform Ivy Tech Community College of Indiana of any instance of abuse, neglect, or inadequate care as soon as practicable and after a first report to DCS has been made.**

Printed Name: \_\_\_\_\_

Signed Name: \_\_\_\_\_

Third Party Provider Name: \_\_\_\_\_

Event Name: \_\_\_\_\_

Event Date(s): \_\_\_\_\_

Event Location: \_\_\_\_\_

\*If a separate agreement or contract exists, this wording may be added to such agreement or contract.