

## **PROTECTION OF MINORS ON CAMPUS**

### **I. PURPOSE**

ONU is committed to the safety of all individuals in its community. This Policy establishes guidelines for those in the University community who may work or interact with individuals under 18 years of age, with the goal of promoting the safety and well-being of minors.

This Policy is applicable to faculty, staff, students, volunteers, and third-party contractors who may work or interact with minors in the course of their University duties. This Policy is also applicable to medical personnel working at any dispensary, clinic, infirmary, student health center, athletic facility, or similar facility operated by the University and primarily used by students. This Policy is also applicable to University- affiliated programs or activities operating on the ONU Campus. Non-University-affiliated program requirements will be outlined in a facility use agreement (contract) with each respective program.

In addition to the requirements of this Policy, individuals subject to this Policy must adhere to obligations that may be imposed by applicable law, including but not limited to Ohio Revised Code Sections 2151.421 and 2921.22.

Finally, in addition to the requirements of this Policy, members of the ONU community must comply with the University's Sex Discrimination & Sexual Harassment Policy, which addresses all forms of sex discrimination prohibited under Title IX. Title IX is a federal law which provides that no person, on the basis of sex, shall be "excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance."

### **II. SCOPE**

Faculty, staff, students, volunteers and third-party contractors who may work or interact with minors in the course of their University duties are expected to comply with this Policy. This Policy provides guidelines that apply to interactions between minors and University faculty, staff, students and volunteers, including interactions occurring through University-affiliated programs or activities operating on the ONU Campus.

University-affiliated programs or activities include those programs and activities sponsored and approved for operation by the University. Often, such programs have contracts with the University permitting use of campus facilities for a small or nominal fee, and the directors responsible for operating such programs or activities are employed by ONU in such capacity.

All ONU faculty, staff, students and volunteers are responsible for understanding and complying with this Policy. This Policy and related procedures may be revised and/or updated from time to time.

### III. DEFINITIONS

*Minors* is defined under state law as any person less than 18 years of age.

*Abuse of minors* for purposes of this Policy means physical, emotional or mental injury or death, inflicted other than by accidental means, the creation of a substantial risk to the health or safety by negligent treatment or maltreatment, or sexual abuse or exploitation of a person under age 18.

*Sexual abuse* includes engaging in or attempting to engage in a sexual act or sexual contact with a minor, causing or attempting to cause a minor to engage in sexually explicit conduct or exposing the minor to sexually explicit conduct.

*Neglect* includes the failure to act to meet basic requirements for health and safety of, or to prevent the infliction of abuse upon, a person under age 18.

*Campus* for purposes of this policy means all buildings, facilities and properties that are owned, operated, managed or controlled by the University.

### IV. GUIDELINES AND RESPONSIBILITIES

All faculty, staff, students, volunteers, and third-party contractors who may work or interact with minors in the course of their University duties or in the course of a University-affiliated program or activity are required to:

- Be vigilant in protecting the well-being and safety of minors with whom they work or interact on campus or elsewhere.
- Watch for signs of minor abuse or neglect and promptly report reasonably suspected instances of abuse or neglect, or violations of this policy or law, as provided in Section VIII and Section IX.

In addition, all faculty, staff, students, volunteers and third-party contractors who may work or interact with minors in the course of a University-affiliated program or activity are required to:

- Ensure that the program or activity provides appropriate supervision for minors at all times. Supervision is to be provided by program-affiliated students, faculty and/or staff, and appropriate supervision includes compliance with the guidelines established by the American Camp Association.
- Before engaging in any University-affiliated program or activity involving contact with minors:
  - Review the “Working with Minors: Information for Those Participating in University-Affiliated Programs Involving Minors” and sign the certification with that document. That certification must be submitted to the program activity

director or supervisor at least seven (7) days prior to the start date of any program or activity when feasibly possible. The program or activity director or supervisor is responsible for collecting the certifications from the adult participants and

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promptly forwarding them to the University's representative overseeing the program or activity.

- Meet the requirements of this Policy relating to training (Section VI) and criminal background checks (Section VII).
- Meet any additional requirements that relate to the specific program or activity.

University faculty and staff who interact with ONU students under the age of 18 only in classes or other traditional academic settings or with individuals under the age of 18 working for ONU as employees are not required to undergo background checks required by this Policy, (other than their initial hire check), but are required to undergo training (Section VI). Anyone covered by this Policy who knows or reasonably suspects that a student or individual working as an employee under the age of 18 has been abused or neglected must make reports as required by Section VIII and Section IX.

## **V. MANDATED REPORTERS**

Any person who is defined as a mandated reporter pursuant to Ohio Revised Code 2151.421(A)(1)(b) who is acting in an official or professional capacity and knows, or has reasonable cause to suspect based on facts that would cause a reasonable person in a similar position to suspect, that a child under eighteen years of age, or a person under twenty-one years of age with a developmental disability or physical impairment, has suffered or faces a threat of suffering any physical or mental wound, injury, disability, or condition of a nature that reasonably indicates abuse or neglect of the child shall immediately report that knowledge or reasonable cause to the public children services agency or a peace officer in the county in which the child resides or in which the abuse or neglect is occurring or has occurred.

ONU will comply with all state mandated reporting laws relating to minors.

## **VI. TRAINING FOR FACULTY, STAFF, AND THOSE PARTICIPATING IN PROGRAMS AND ACTIVITIES**

All University faculty and staff must complete appropriate training. In addition, University students volunteers, and third-party contractors who participate in University-affiliated programs or activities involving minors must complete appropriate training. At a minimum, training must include:

- Basic warning signs of abuse or neglect of minors.
- Guidelines for protecting minors from mental, emotional, physical and sexual abuse and neglect.
- Requirements and procedures for reporting incidents of reasonably suspected abuse or

neglect or improper conduct.

Training may be expanded depending upon the program or activity and the person's role in the program or activity.

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Training for new staff and faculty must be completed within six months of hire. All students, staff and faculty must complete additional training within two years of their prior training. Key Students (defined in Section VII) and camp counselors must complete training prior to starting, and renew their training every two years. Training will be offered by ONU online.

## **VII. CRIMINAL BACKGROUND CHECKS**

Certain categories of individuals will be required to clear a criminal background check at the time of hire or commitment or prior to participation in University-affiliated programs and activities involving minors. The categories of individuals who must undergo background checks are:

- All staff;
- All faculty (including adjunct faculty);
- Key student positions

The focus on background checks will include, but not limited to: student positions that are defined as in practicum, student teachers, students working with minors and in residential halls; directors and supervisors of programs involving minors, including those who are responsible for supervising those who interact with minors; those who stay overnight with minors as part of their job responsibilities in a program or activity involving minors; and those who regularly spend time with minors as part of their job responsibilities or role in a program involving minors, including summer camp counselors and employees.

The Human Resource office will oversee the processing of criminal background checks for all affiliated programs and activities involving minors. A background check will be completed upon hire to the University AND at the time in which anyone begins to work with minors and every other year thereafter. The Human Resource office may designate certain colleges or departments to process criminal background checks, but oversight will remain with the Human Resource office. The cost of the background check will be borne by program or activity involving minors on campus and may be charged to the individual for whom the background check is conducted.

Note that some students who are placed in positions in which they are working with minors off campus are required to complete background checks as part of that placement. The department overseeing the placement of the student will retain responsibility for ensuring that any required criminal background check is complete.

If a criminal background check reveals adverse information or unfavorable results, the

University will conduct an individualized assessment using criteria designed to identify potential risk to minors. A prior conviction shall not automatically disqualify a person from participating in a program or activity.

Any faculty, staff, student or volunteer who is required by this Policy to have a background check is under a continuing obligation, for the duration of participation in programs or activities involving minors, to disclose immediately any new felony or misdemeanor conviction to the Human Resource office.

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Except where required by law, criminal background checks of University faculty, staff, students and volunteers that are conducted pursuant to this Policy will be used only for purposes consistent with this Policy and will otherwise be kept confidential. Records of background checks will be maintained separately from an individual's personnel or student file.

## **VIII. REPORTING POTENTIAL HARM TO MINORS**

### **1. Emergencies**

In case of an emergency, one should immediately call the Hardin County Sheriff at 911 and then ONU's Department of Public Safety at 419-772-2222.

### **2. External Reports of Known or Reasonably Suspected Abuse or Neglect of Minors**

**ANY** person participating in a University-affiliated program or activity operating on the ONU Campus involving minors, who knows, reasonably suspects, or receives information indicating that a minor has been abused or neglected, **MUST** within one business day notify the Hardin County Sheriff at 419-673-1268 and/or the Hardin County Public Children Services Agency at 419-675-1130 or after hours at 419-673-1268.

### **3. Internal Reports of Known or Reasonably Suspected Abuse or Neglect of Minors**

Additionally, **ANY** person participating in a University- affiliated program or activity operating on the ONU Campus involving minors or **ANY** person who in the course of their University duties knows, reasonably suspects, or receives information indicating that a minor has been abused or neglected **MUST** inform the Department of Public Safety, as well as the University's Title IX Coordinator, of their concern.

- Public Safety may be reached by calling 419-772-2222.
- The University's Title IX Coordinator may be reached by calling Liannie Parahoo at 419-227-0061.

Public Safety, with support from other appropriate offices as necessary, will help determine appropriate next steps. In addition, program supervisors should be promptly notified once it is safe and appropriate to do so.

#### **4. Reporting Sexual Abuse by One Perpetrator against Multiple Minors**

Additionally, all internal reports of sexual abuse by one perpetrator against multiple minors will be reported promptly to the Board of Trustees, the President, the Title IX Coordinator, the Director of Human Resources, the General Counsel, and the Director of Business Services.

#### **5. Confidential Misconduct Reporting Procedure**

The University's Sex Discrimination & Sexual Harassment Policy sets out the process for reporting sexual misconduct complaints to the University. For individuals who are not

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mandatory reporters, they may confidentiality and anonymously report any sexual misconduct to the Campus Conduct Hotline at (866) 943-5787.

An individual who wishes to confidentially discuss an incident of sex discrimination without formally reporting it to the University may contact the ONU departments who are identified in the Sex Discrimination & Sexual Harassment Policy as Confidential Resources and not subject to mandatory reporting requirement. These include the Counseling Center, Health Center, and Chaplain. Employees identified as Confidential Resources will maintain confidentiality, except in the cases of immediate threat or danger, or abuse of a minor.

### **IX. ADDRESSING REPORTS OF ABUSE OR NEGLECT**

A. Upon receipt of a report of alleged abuse or neglect of a minor, the University's Title IX Coordinator (or designee), shall:

1. Take immediate steps to prevent further harm to the alleged victim or other minors, including, where appropriate, removing the alleged abuser from the program or activity or limiting his or her contact with minors pending resolution of the matter.
2. Determine whether the Hardin County Sheriff, Hardin County Public Children Services Agency, or both have already been notified and, if not, whether such notification is required or appropriate given the circumstances.
3. If the parents or guardians of the alleged victim have not been notified and are not the alleged abusers, notify the parents or guardians of the minor involved.
4. Investigate the report and resolve the matter in a way that safeguards the minor, protects the interests of victims and reporters, affords fundamental fairness to the accused, and meets applicable legal requirements.
5. Facilitate the University's cooperation with any investigation conducted by the Hardin County Sheriff, Hardin County Public Children Services Agency, or other governmental agency.

B. Whenever a report alleges that someone involved in an activity on campus who is not a member of the University faculty, staff or student body has abused or neglected a minor, the person receiving the report shall immediately notify the University's Title IX Coordinator, even

if they believe the Coordinator has already been notified. The University's Title IX Coordinator shall coordinate with the non-University-affiliated organization or entity as necessary to see that the requirements of Part A. 1-5 of this Section are accomplished.

C. The Title IX Coordinator will report any known or reasonably suspected abuse or neglect of a minor to Vicki Niese, Director of Business Services, who will report to the University's insurance carriers as necessary

D. The University's Title IX Coordinator is responsible for reviewing reports of sexual abuse to look for trends or patterns, including serial perpetrators, and any significant findings shall be reported to the President and Board of Trustees.

## **X. ENFORCEMENT**

Sanctions for violations of this Policy will depend on the circumstances and the nature of the violation, but may include the full range of available University sanctions applicable to the individual including suspension, dismissal, termination, and, where appropriate, exclusion from campus. The University may also take necessary interim actions before determining whether a violation has occurred.

