

WASHINGTON ADVENTIST UNIVERSITY Department of Public Safety The Protection of Minors Policy	Applicability: All University Departments		
	Issue Date 7-21-2013	Page Numbers 1 to 6	Review 8-9-2017
	Protection of Minors on Campus		

I. Purpose

Washington Adventist University (WAU) is committed to the safety of all individuals in its community. Particularly, though, WAU has concern for those who are potentially vulnerable, including, but not limited to, minor children, who require special attention and protection. This Protection of Minors on Campus Policy (Policy) establishes guidelines for those in the WAU community who may work or interact with individuals less than eighteen (18) years of age, with the goal of promoting the safety and well-being of minors.

II. Scope

This Policy applies to activities and programs taking place on WAU’s campus, WAU facilities, and/or WAU-sponsored off-campus activities in which minors will be physically present and participating. This Policy also provides guidelines that apply broadly to interactions between minors and WAU students, faculty, staff, personnel, and volunteers in WAU-operated or affiliated programs or activities. Further, the Policy establishes requirements for non-WAU organizations, entities that operate programs or activities involving minors on campus, and related agreements. All WAU students, faculty, staff, personnel, and affiliated individuals are responsible for understanding and complying with this Policy.

Note that this Policy set forth herein applies to all WAU programs and activities. This includes athletic camps, debate camps, laboratories and workshops intended for elementary and high school students and similar activities will fall within the scope of this Policy. However, WAU maintains a separate policy specifically relating to such camps- WAU’s Youth Camp Guidelines. In the case of such camps and activities, WAU is bound to both this Policy as well as the Youth Camp Guidelines.

III. Definitions

- a. "Child abuse" means one or more of the following by a parent, caretaker, or household or family member:
 - 1. Physical injury, not necessarily visible, or mental injury of a child, under circumstances that indicate that the child's health or welfare is harmed or at substantial risk of being harmed; or
 - 2. Sexual abuse of a child, regardless of whether the child has physical injuries.

- b. "Child neglect" means one or more of the following by a parent or caretaker:
 - 1. A failure to provide proper care and attention to a child, including leaving a child unattended, under circumstances that indicate that the child's health or welfare is harmed or placed at substantial risk of harm; or

2. Mental injury or a substantial risk of mental injury of a child that is caused by the failure to provide proper care and attention to a child.
- c. "Sexual abuse" means any act that involves sexual molestation or exploitation of a child.
- d. "Sexual molestation or exploitation" means sexual contact or conduct with a child.
 1. Sexual molestation or exploitation" includes, but is not limited to:
 - i. Exposure, voyeurism, sexual advances, kissing, or fondling.
 - ii. Sexual crime in any degree including rape, sodomy, or prostitution.
 - iii. Allowing, encouraging, or engaging in obscene or pornographic display, photographing, filming, or depiction of a child in a manner prohibited by law; or
 - iv. Human trafficking.
- e. "Suspected abuser" means an individual reported to or suspected by a local department as having been responsible for abuse of a child.
- f. "Suspected neglecter" means an individual reported to or suspected by a local department as having been responsible for neglect of a child.
- g. "Campus" for purposes of this policy means all buildings, facilities, and properties that are owned, operated, managed, or controlled by WAU.
- h. "Minor" for purposes of this policy means any person under the age of 18. WAU undergraduate students who are under the age of 18 are treated by this Policy similarly to all other students for purposes of their interactions with minors in University-operated or affiliated programs or activities and are subject to the requirements that apply to other students.
- i. "University-operated" or "affiliated" programs and activities means programs or activities that WAU operates or sponsors or in which WAU students, faculty, personnel, or staff engage through their roles at WAU. This term does not include programs or activities in which individuals engage that are unrelated to their status as a member of the WAU faculty, staff or student body.

IV. Guidelines and Responsibilities

- a. When participating in University-operated or affiliated programs and activities, students, faculty, personnel, and staff must:
 - i. Always be vigilant in protecting the well-being and safety of minors with whom they interact on campus or elsewhere.
 - ii. Watch for signs of minor abuse or neglect and promptly report suspected instances, violations of this policy, or law.
 - iii. Before any individual engages in any University-operated or affiliated program or activity involving contact with minors, he or she must meet the requirements of this Policy relating to training and criminal

background checks and meet any additional requirements that relate to the specific program or activity.

- b. Non-WAU organizations and entities that operate programs or activities involving minors on campus must be aware of and comply with this Policy.
- c. To the extent WAU faculty, staff, personnel, or students are participating in programs or activities run by a non-WAU organization or entity off campus, they should familiarize themselves with and follow the policies of the organization relating to interactions with minors and understand their legal obligations with respect to working with minors in the program setting.
- d. Code of Conduct:
 - i. All staff, faculty, students, personnel, volunteers, or any other individual associated with a WAU shall be required to read and sign the WAU Code of Conduct for Interaction with Minors.
 - ii. The Code of Conduct shall be maintained by the Human Resources Department and thereafter in accordance with the WAU record retention policy.

V. Training

- a. WAU students, faculty and staff who participate in University-operated or affiliated programs or activities involving minors must complete appropriate training. At a minimum, training must include:
 - i. Basic warning signs of abuse or neglect of minors.
 - ii. Guidelines for protecting minors from emotional and physical abuse and neglect.
 - iii. Requirements and procedures for reporting incidents of suspected abuse or neglect or improper conduct.
- b. Training may be expanded depending upon the program or activity and the individual's role in the program or activity.
- c. Non-WAU organizations and entities that wish to operate programs or activities involving minors on campus must provide documentation to WAU indicating that all individuals who will be interacting with minors and anyone supervising have received training that meets or exceeds the minimum requirements of this section.
- d. Beginning December 1, 2013, all contracts for the services of independent contractors who may come into contact with minors at WAU must include a provision assuring that the employees of such independent contractors or the contractor (in the case of a solo contractor) has complied with, at a minimum, background checks and training comparable to those required by WAU under this Policy.

VI. Criminal Background Checks

- a. All individuals, who may come into contact with minors at WAU, whether WAU students, faculty, staff, personnel, or non-WAU individuals affiliated with WAU through a third-party contract, will be required to clear a criminal background check prior to participation in WAU-operated or affiliated activities involving minors. All background checks will be conducted as outlined by law.
- b. Background checks may be conducted by an outside contractor. WAU may accept successful documented background clearances from governmental agencies (e.g., School Districts) that have been completed within one year from the start date of employment.
- c. If a criminal background check reveals adverse information or unfavorable results, WAU will conduct an individualized assessment using criteria designed to identify potential risk to minors. A prior conviction may automatically disqualify a person from participating in a program or activity. Except where required by law, criminal background checks of WAU faculty, staff and students that are conducted pursuant to this Policy will be kept confidential.
- d. Non-WAU organizations and entities that operate programs or activities on campus involving minors must submit their employees, volunteers, and representatives to criminal background checks by WAU. WAU may request any additional information it deems necessary to meet the requirements of this Policy.

VII. Reporting Potential Harm to Minors

- a. Reporting
 - i. In the event that an individual suspects potential harm to a Minor has or is occurring, the individual should immediately call WAU's Department of Public Safety (DPS) at (301) 891-4019, or the Takoma Park Police at (301) 270-1100. DPS will inform Takoma Park Police as part of the investigation should a criminal case be apparent.
- b. Questions
 - i. Questions about obligations or required actions in certain situations should be raised with DPS. WAU protects individuals from retaliation when they make good faith reports about problems.

VIII. Addressing Reports of Abuse or Neglect

- a. Whenever WAU receives a report of alleged abuse or neglect of a Minor in a University-operated or affiliated program or activity:
 - i. DPS shall be immediately notified and shall take the following steps:
 - 1. Take 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 Takoma Park Police 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 minors, protects the interests of victims, affords fundamental fairness to the accused, and meets relevant legal requirements.
 5. Facilitate WAU's cooperation with any investigation conducted by Takoma Park Police, or other governmental agency.
 6. Take all other steps in investigating and reporting as required by Federal and state law, with special emphasis on requirements under the Federal Clery Act.
- b. Whenever a report alleges that an individual, who is not a WAU student, faculty, staff, personnel, or volunteer and who is involved in a non-WAU program or activity on campus, has abused or neglected a minor, all steps listed above shall apply.
- c. Adults participating in programs and activities covered by this Policy shall discontinue any further participation in such programs and activities when an allegation of inappropriate conduct has been made against him or her, until such allegation has been satisfactorily resolved.

IX. Enforcement

- a. Sanctions for violations of this Policy may include the full range of WAU sanctions applicable to an individual including suspension, dismissal, termination, and, where appropriate, exclusion from campus. WAU may also take necessary interim actions before determining whether a violation has occurred. Further, WAU may terminate relationships or take other appropriate actions against non-WAU entities that violate this Policy.
- b. Suspected violations of law will be referred to appropriate law enforcement agencies and may result in criminal and/or civil penalties as well as possible any possible penalties from WAU.
- c. DPS has the authority to investigate all accusations of violations and potential violations of this policy and any hindrance to a DPS investigation may be grounds for immediate termination or expulsion from campus. DPS will be required to fully investigate all accusations of violations and potential violations.

- d. Furthermore, DPS will be required to complete a full report of all investigations regardless of the ultimate disposition. All decisions made in regard to sanctions or disciplinary action against University employees will be at the discretion of DPS and/or Human Resources.

X. Policy Implementation and Modification

- a. Questions about the interpretation or application of this Policy should be raised with the Office of Compliance and Ethics, which shall update or modify the Policy as necessary and administer and oversee the implementation of the Policy in a manner that best achieves its goals. The Policy may be modified to reflect changes in the law, standards relating to the protection of Minors, or WAU processes, or as otherwise necessary.