

# DEPAUL UNIVERSITY

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## Protection of Minor Children

**Category:** Operations

**Responsible Department:** Compliance and Risk Management

**Responsible Officer:** Executive Vice President

**Effective Date:** 2/12/2020

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### Policy Summary

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DePaul University is committed to the safety of all individuals in its community. Consistent with its Catholic and Vincentian traditions, DePaul has a particular concern for those who are potentially vulnerable and may need special attention and protection. This includes youth under the age of 18 (“Minors”).

In order to promote the safety and general welfare of all Minors participating in programs taking place at the university or programs under the authority and direction of the university conducted elsewhere, it is the policy of DePaul University that:

1. All Programs involving Minors be registered with Compliance & Risk Management;
2. All Programs involving Minors follow the requirements detailed below, including the requirement that all adults, including volunteers as defined by the University’s Volunteer Management policy, interacting with Minors as part of the Program be Authorized Adults; and
3. Any violations of this policy be reported in accordance with university policies.

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### Scope

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This policy affects the following groups of the university:

- Entire University Community

This policy affects all members of the university community (faculty, staff, students, volunteers, and vendors and contractors) who work with Programs involving non-student minor children.

This policy works in collaboration with other policies, particularly but not limited to, the [Crime Reporting and Clery Act Compliance](#) policy and the [Reporting Misconduct and Non-Retaliation](#) policy.

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# Policy

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## A. Definitions

**Minor:** A person under the age of 18. For purposes of this policy, Minors **do not** include:

1. DePaul University students who are under the age of 18;
2. Registered patrons of The Ray Meyer Fitness and Recreation Center who are under the age of 18.
3. Employees of DePaul University who are under the age of 18.

**Program:** Any single event or series of events that takes place on DePaul's campus or that is conducted elsewhere under the authority and direction of DePaul. For purposes of this policy, Programs **do not** include:

1. Events that are open to the general public and/or that Minors attend under the continuous supervision of their parent(s), guardian(s) or chaperone(s);
2. Programs for prospective students (high school students or their equivalent who are considering attending DePaul) and admitted students, including campus visits, tours and recruitment events, and Premiere DePaul;
3. Vincentian Service Day and New Student Service Day;
4. Research with Institutional Review Board (IRB) approval;
5. College of Education students on Student Teaching assignments;
6. Use of campus space by external entities for the purpose of proctoring standardized or Advance Placement testing;
7. Non-Residential field trips to the university that are supervised by a Minor's school or organization.

**Authorized Adult:** Any person, including volunteers as defined by the University's Volunteer Management policy, who works with Minors and who is in compliance with the requirements of this policy.

**Direct Supervisory Responsibility:** Responsibility for Program operations or Program supervision on a regular basis;

**Primary Responsibility:** Management, supervisory or oversight responsibility for a Program.

## B. Program Registration:

All Programs involving Minors must be registered with Compliance & Risk Management according to the procedures detailed below.

## C. Program Requirements

All Programs involving Minors must also meet the following requirements:

1. All adults interacting with Minors as part of the Program must be Authorized Adults. The requirements for being an Authorized Adult are further detailed below.
2. All Programs involving Minors must provide adequate supervision by these Authorized Adults. Adequate supervision will vary depending on the nature of the Program and the age of the Minors. In general, however, adequate supervision should reflect the following ratios:

Age 8 and Under	1 Authorized Adult for every 8 Minors
Age 9-13	1 Authorized Adult for every 10 Minors
Age 14-17	1 Authorized Adult for every 12 Minors

3. All Programs involving Minors must comply with the Security and Emergency Procedures for Programs Involving Minors (Appendix A).
4. All Minors must have a release signed by a parent or guardian that releases DePaul University. Releases on file with the university will be maintained within the registration system for the duration stipulated in the [DePaul University Records Retention Schedule](#). Compliance & Risk Management will make standard releases available for units sponsoring Programs.

#### D. Reporting Violations of this Policy

All members of the DePaul community are required to immediately report any known violation or reasonably suspected violation of this policy to the university officer of the unit responsible for the Program. In addition to the requirements that may apply under this policy, reporting may also be required in accordance with Illinois law, the [Crime Reporting and Clergy Act Compliance](#) policy and the [Reporting Misconduct and Non-Retaliation](#) policy. University personnel who have reasonable cause to believe that a child under the age of 18 known to them in their professional or official capacity may have been subjected to physical or sexual abuse, may be at risk of physical or sexual abuse, or is being deprived of the proper or necessary care are required by law to immediately report such mistreatment to the Illinois Department of Children and Family Services ("DCFS") by calling DCFS' child abuse hotline at 1-800-25-ABUSE.

For situations that involve life threatening emergencies:

- Dial 911
- Contact Public Safety

Authorized Adults should be aware that if there is an allegation of misconduct involving them under this policy, they may be asked to discontinue any further participation in Programs involving Minors until such allegation has been resolved.

#### E. Variations

In some instances, units sponsoring Programs may meet the Program Requirements using procedures that vary slightly from the procedures detailed in this policy.

For example, an on-campus Program might be managed by a sponsoring unit in collaboration with an outside entity or managed entirely by an outside entity. This could include, for example: an outside entity renting DePaul space for a non-DePaul Program or Programs in which non-DePaul individuals are present for the entire Program and are primarily responsible for supervising Minors;

In other instances, members of the DePaul community may travel off-campus to participate in Programs that may be managed in collaboration with an outside entity or managed entirely by an outside entity. This could include, for example: internships, service learning experiences, practica, clinical course experiences, or extra-curricular activities.

In these instances, as well as others, variances to the procedures for meeting the Program Requirements may be appropriate. For example, as a variance, a sponsoring unit may simply require via contract that an outside entity conduct background checks, collect releases, and provide adequate training. Similarly, in a situation where an off-site location has its own requirements for training, background checks or obtaining releases, a variance to the procedures for meeting the Program Requirements may be warranted.

Information about a unit's proposed variances from the usual procedures for meeting the Program Requirements will be collected as part of the program registration process detailed below, at which point Compliance & Risk Management will review whether the proposed variance to the procedures for meeting the Program Requirements sufficiently manage the risks that the Program Requirements at issue are intended to mitigate. This determination will be made in consultation with other areas as needed, including, for example, the Office of the General Counsel or Executive Officers.

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## **Procedures**

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### A. Program Registration

Compliance & Risk Management is responsible for maintaining a database of all Programs involving Minors. Individuals in the DePaul community who are sponsoring Programs involving Minors are responsible for providing the information to accurately populate this database and keep it up-to-date. Individuals will do this by registering their Programs at least two weeks prior to the first scheduled date of the Program and within sufficient time to meet the requirements of this policy.

When working with outside entities (external to DePaul), the sponsoring unit that is inviting, hosting, renting space to, contracting with, or otherwise working with the outside entity is responsible for registering the Program and for ensuring that the Program Requirements are met.

In general, units sponsoring programs must enter the following information into the registration system at the time of initial registration:

1. The date(s) of the Program (or, if on-going, information about Program timing)
2. The location(s) of the Program
3. A description of the activities involved in the Program
4. The adults involved in the Program; including which adults have Primary Responsibility and which adults have Direct Responsibility for Minors in the Program

5. Information regarding any outside entities that may be involved
6. Contractual agreement with the outside entity, if applicable
7. Any proposed variances to the procedures for meeting the Program Requirements, if applicable

Once Compliance & Risk Management receives the initial program registration, it may contact the sponsoring unit to request further information.

Individuals sponsoring Programs will be required to update Program registrations as needed. For example, as appropriate, sponsoring Programs will be required to:

1. Add additional Authorized Adults or Authorized Adults with Primary Responsibility or Direct Responsibility
2. Confirm that criminal background checks conducted by DePaul have been completed prior to the Program start date
3. List participating Minors and upload any required releases for those Minors.

#### B. Authorized Adults

As noted above, it is a Program Requirement that all adults interacting with Minors as part of the Program must be Authorized Adults.

In order to be an Authorized Adult, an individual must (a) annually complete training regarding this policy, and abuse awareness and misconduct reporting generally, (b) agree to abide by the Code of Conduct for Authorized Adults; and, (c) in the case of certain Authorized Adults (see below), have had a criminal background check that was conducted within the last four years and that includes certain elements. These three requirements are further detailed below.

**Training:** It is the responsibility of the unit sponsoring the Program to ensure that each adult who will be interacting with Minors as part of the Program has completed the required training within the last year. DePaul employees will complete training annually as part of the General Compliance Training. Other participating adults, such as volunteers as defined by the University's Volunteer Management policy, must individually complete training annually. A comprehensive training can be found [at this link](#).

Units sponsoring Programs involving Minors may require additional training as appropriate.

**Code of Conduct:** The Code of Conduct for Authorized Adults is detailed below. All Authorized Adults must agree to abide by this Code of Conduct for Authorized Adults.

### **CODE OF CONDUCT FOR AUTHORIZED ADULTS**

In addition to complying with all DePaul University policies, during the course of participating in Programs, Authorized Adults **may not:**

1. Share a bed or sleeping bag with a Minor.
2. Engage in abusive conduct of any kind toward, or in the presence of, a Minor.

3. Strike, hit, or administer physical punishment to a Minor.
4. Touch a Minor in a manner that a reasonable person could interpret as inappropriate.
5. Use alcohol, cannabis, or illegal drugs, or be under the influence of alcohol, cannabis, or illegal drugs while in the presence of Minors.
6. Make pornography in any form available to Minors involved in programs or assist Minors in any way in gaining access to or allowing access to pornography.
7. Leave a Minor in the care of a person that is not an Authorized Adult or in an area that is off-limits to Minors.

Also, unless approved in advance by the Dean or Vice President of the sponsoring unit, Authorized Adults **may not**:

1. Have one-on-one contact with Minors (i.e. - be alone with a Minor or Minors) outside the presence of others.
2. Shower with, bathe with, undress in front of, or otherwise be unclothed with or in the presence of Minors. **Under no circumstances may an Authorized Adult be unclothed with or in the presence of a Minor outside the presence of other Authorized Adults.**
3. Use their personal vehicle to pick up or drop off Minors participating in the Program. Where approval has been granted, the Minor's parent or legal guardian must also give written permission.
4. Take any photographs or videos of Minors or post photographs or videos of Minors on digital, electronic, hosted media, web-based services or any other medium. Where approval has been granted by the Dean or Vice President of the sponsoring unit, the Minor's parent or legal guardian must also give written permission.

**Criminal Background Checks:** Authorized Adults who have Primary Responsibility for a Program and Authorized Adults who have Direct Supervisory Responsibility for a Program must undergo a criminal background check. This criminal background check (1) must have been conducted in the past four years and (2) must include a sex offender registry check. It is the responsibility of the unit sponsoring the Program to ensure that each Authorized Adult who has Primary Responsibility for a Program or Direct Supervisory Responsibility for a Program has undergone a criminal background check meeting the above requirements. All background checks conducted by DePaul (1) will be conducted and reviewed in accordance with the [Criminal Background Checks](#) policy and other supporting procedures as required and will include a sex offender registry check which includes misdemeanors and is not limited to the previous 7 years; (2) will be at DePaul's expense; and (3) will be noted simply as completed in the registration system.

Information revealed through a criminal background check may affect eligibility for Authorized Adult status. For example, a previous conviction for a crime related to children or sexual or relationship violence may result in ineligibility for Authorized Adult status.

### C. Variations

As noted above, in some instances, units sponsoring Programs may meet the Program Requirements using procedures that vary slightly from the procedures detailed in this policy.

Information about a unit's proposed variances from the usual procedures for meeting the Program Requirements will be collected as part of the program registration process, at which point Compliance & Risk Management will review whether the proposed variance to the procedures for meeting the Program Requirements sufficiently manage the risks that the Program Requirements at issue are intended to mitigate. This determination will be made in consultation with other areas as needed, including, for example, the Office of the General Counsel or Executive Officers.

Compliance & Risk Management may request additional information about the proposed variance and reserves the right to require additional procedures that are at least as rigorous in mitigating the attendant risks as the usual procedures.

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## **Divisional Collaborations**

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Office of Human Resources  
Office of the General Counsel  
University Athletics  
Student Affairs  
Academic Affairs  
Facility Operations

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## **Contact Information**

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Compliance & Risk Management  
[minorchildren@depaul.edu](mailto:minorchildren@depaul.edu)  
<http://minorchildren.depaul.edu>

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## **Appendices**

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A: [Security and Emergency Procedures for Programs Involving Minors](#)

B: [Release and Waiver for Programs Involving Minor Children](#)

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## **History/Revisions**

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Origination Date: 03/28/2016  
Last Amended Date: 02/12/2020  
Next Review Date: N/A