	Policy on the Protection of Minors	Responsible Administrative Unit: Office of Compliance and Policy
	Issued: April 24, 2014 Revised:	Policy Contact: Director of Compliance and Policy Email address: compliance@mines.edu

1.0 BACKGROUND AND PURPOSE

Colorado School of Mines (“Mines” or “university”) is committed to the safety of all individuals in its community. The university has particular concern for those who are potentially vulnerable, including minors, who require special attention and protection. This policy establishes guidelines for the Mines community-at-large, as well as for those in the Mines 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 and ensuring compliance with applicable laws.


2.0 SCOPE

This policy provides broad safeguards intended to better protect minors when they are on the university Campus, participating in university programs and activities designed to include minors, or when they are in the care of University Personnel, Volunteers, or Contractors. All Mines Personnel, Volunteers, and Contractors are expected to be familiar and comply with the provisions of this Policy and any related university policies and/or procedures. This policy also establishes requirements for non-university organizations and entities, including but not limited to Recognized Student Organizations, that operate non-university programs or activities designed to include minors.

3.0 DEFINITIONS

For purposes of this policy only, the following definitions shall apply:


- 3.1 Abuse or Neglect of Minors:** As defined in Colorado state statute (C.R.S. § 19-1-103). Please consult statute for full definition. In summary, child abuse and neglect means an act or omission that threatens the health or welfare of a person under 18 years of age.
- 3.2 Campus:** All buildings, facilities, and properties that are owned, operated, managed, or controlled by Mines.
- 3.3 Minor:** A person under the age of eighteen (18).
- 3.4 Recognized Student Organization:** A student organization and club registered with the Board of Student Organizations. For purposes of this policy only, a Recognized Student Organization is considered to be a non-university organization and entity.

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- 3.5 University (or Mines) Contractor:** An individual or entity retained by the university under contract to provide services and/or support for university programs and activities designed to include minors.
- 3.6 University (or Mines) Personnel:** Includes, but is not limited to all university faculty, staff, post-doctoral fellows, visiting scholars, and students in their capacity as student-employees.
- 3.7 University (or Mines) Volunteer:** An uncompensated individual who is authorized by a university department or unit to: a) perform civil, charitable, or humanitarian services related to the business of or in support of activities of the university designed to include minors; or b) gain personal or professional experience in specific endeavors involving minors. Volunteers perform services without a promise, expectation, or receipt of any compensation for services performed, including a promise of future employment. This definition does NOT include parents or guardians who are accompanying their child at a program or activity and who may provide incidental service for the program or activity.
- 3.8 Academic Year:** Beginning of Fall Semester through the end of the Summer II session.

4.0 POLICY STATEMENTS

- 4.1** All University Personnel, Volunteers and Contractors must:
- Always be vigilant in protecting the well-being and safety of Minors with whom they interact on Campus or at a university program, event or activity.
 - Watch for signs of Abuse or Neglect of Minors, and promptly report suspected instances of abuse or neglect, or violations of this policy or law, as provided in Section 5.0 below.
- 4.2** All University Personnel, Volunteers and Contractors who plan to operate, host, or initiate university involvement in a program, event, or activity (“Program”) designed to include Minors must provide information to the Office of Compliance and Policy by timely completing and submitting the Protection of Minors Event form.
- Such information shall include each Program’s dates, times, locations, estimated attendance (age range and number of participants), and the contact information for two responsible individuals who will make arrangements for the safety of Minors and other participants in the event of an emergency.

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- Protection of Minors Event form must be completed (per instructions found on the form) prior to the start of a new Program, and annually for any such Program that is repeated in a new academic year or continues beyond a single academic year.

4.3 All University Personnel, Volunteers and Contractors who are responsible for the supervision or care of Minors, or whose duties would require close contact and/or time alone with Minors who are not enrolled or accepted for enrollment at the university, must complete a criminal background check and sex offender registry check in accordance with the university's background check policy.


- University Personnel, Volunteers and Contractors who only interact in classes or other routine academic settings with Minors who are enrolled or accepted for enrollment at the university are not obligated to complete additional background checks beyond the parameters established by the university's Background Investigation Policy.

4.4 Non-university organizations and entities that operate non-university Programs on campus (including, but not limited to Recognized Student Organizations, lessees, etc.) are obligated to be familiar with this policy, ensure their staff, volunteers and participants are familiar with this policy, and take appropriate precautions to protect Minors participating in or attending their programs.

4.5 Non-university organizations and entities that operate Programs on Campus involving Minors must inform the appropriate Mines' contract approval authority in writing if the organization or entity has any knowledge (whether obtained via background investigation or other means) of a criminal conviction or other adverse information regarding its employees, volunteers, or participants, the nature of which could impact the safety and well-being of other individuals on Campus, especially Minors.

- Examples of information that must be reported include, but are not limited to: all felony convictions; all convictions of any level that involve Minors; all assault convictions; all convictions of any type that result from injury to others; and any information of a similar nature.

4.6 Mines may exclude from Campus, at its sole discretion, any external Program employee, volunteer, or representative identified pursuant to subsection 4.5. Further, Mines may request any additional information it deems necessary to meet the requirements of this policy.

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5.0 REPORTING POTENTIAL HARM TO MINORS

According to Colorado law, every person who has reasonable grounds to believe that a crime has been committed has a duty to promptly report the suspected crime to law enforcement authorities. An individual who reports a suspected crime in good faith is deemed immune from civil liability for reporting. [Section 18-8-115, C.R.S.].

5.1 Emergencies. In case of an emergency, one should immediately call 911.

5.2 All Other Reports of Known or Suspected Abuse or Neglect of Minors.

All University Personnel, Volunteers and Contractors who know, suspect or receive information indicating that a Minor has been abused or neglected, or who have any other concerns about the safety of minors MUST:


- Immediately call the Mines Department of Public Safety at (303) 273-3333, or the appropriate local police department if the university Program is operating off-campus; AND
- Report the incident to either the Dean of Students Office at (303) 273-3231 or the Provost Office at (303) 273-3399, AND other appropriate members of Mines senior leadership.

Anyone who knows or suspects abuse or neglect of Minors may also notify the Jefferson County Department of Human Services, Division of Children, Youth & Families (“CYF”) child abuse hotline at (303) 271-HELP (4357). The hotline is available 24 hours a day, seven days a week. Additional information about reporting can be found at the CYF website.

6.0 ADDRESSING REPORTS OF ABUSE OR NEGLECT

Whenever the university receives a report of alleged abuse or neglect of a minor when the minor is participating in a university Program designed to include Minors, or when the Minor is in the care of University Personnel, Volunteers, or Contractors:

- 6.1** The person receiving the report shall immediately notify (1) the Mines Department of Public Safety or the local police department if off-campus, AND (2) the Dean of Students Office or the Provost Office, AND other appropriate members of Mines senior leadership even if it is believed notification has already occurred.
- 6.2** The Mines Department of Public Safety and the Dean of Students or Provost, in consultation with the Office of Legal Services and other appropriate senior leadership, shall:

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- *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 limiting his or her contact with Minors pending resolution of the matter.*
- *Determine whether the Mines Department of Public Safety, the Golden Police, and/or the Jefferson County CYF Department, have already been notified and, if not, whether such notification is required or appropriate given the circumstances.*
- *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.*
- *Investigate the report and resolve the matter in a way that safeguards Minors, protects the interests of victims and reporters, affords fundamental fairness to the accused, and meets relevant legal requirements.*
- *Facilitate the School's cooperation with any investigation conducted by Mines Department of Public Safety, the Golden Police Department, and/or the Jefferson County CYF Department or other governmental agency.*

7.0 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. Mines may also take any interim actions it deems necessary before determining whether a violation has occurred. The university may terminate relationships or take other appropriate actions against non-Mines entities and individuals deemed in violation of this policy.

8.0 POLICY IMPLEMENTATION AND MODIFICATION

- 8.1** All University Personnel, Volunteers and Contractors subject to the background investigation requirement in Section 4.3 and engaged in new Programs not in existence at the time of the policy adoption must complete background check requirements prior to participating in the Program, unless a background check was completed within the five (5) years preceding participation in the Program.
- 8.2** All University Personnel, Volunteers and Contractors subject to the background investigation requirement in Section 4.3 and engaged in existing Programs at the time of the policy adoption must complete background check requirements within 90 days of the policy implementation date, or have had a background check completed within the five (5) years preceding their participation in the Program.

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- 8.3 All University Personnel, Volunteers and Contractors subject to the background investigation requirement in Section 4.3 must complete background check requirements every five (5) years.
- 8.4 Background check investigation requirements and procedures are set forth in the university's Background Investigation Policy.
- 8.5 The university will establish procedures and forms as appropriate to implement this policy and monitor compliance.
- 8.6 Questions about the interpretation or application of this policy should be addressed to the Office of Compliance and Policy, which shall administer and oversee the implementation of the policy in a manner that best achieves its goals.