

THE UNIVERSITY OF THE SOUTH POLICY on PROTECTION OF MINORS¹

The University has established this Protection of Minors Policy to protect children who participate in programs and activities associated with the University or that are involved with non-University programs or activities on the University's campus. Sewanee celebrates the presence of children in our campus community and is committed to ensuring the health, safety and well being of all children (those under the age of 18). This policy also provides guidance for University faculty, staff and students, as well as non-University organizations or individuals who are involved in programs with minors on campus.

I. Scope

This policy applies broadly to interactions of University students, faculty, staff and volunteers with minors in University-affiliated programs and activities (including those hired temporarily to work in such programs), and non-University organizations or individuals that operate programs or activities involving minors on the University's campus. University programs with activities for children fall within the scope of this policy and currently include, but are not limited to, athletic camps and academic programs (such as SSMF, Young Writers' Conference, and SEI). Also covered are individual lessons (including but not limited to academic tutoring, music, swimming, and art).

University faculty and others on campus who only interact in classes or other normal academic settings with Sewanee undergraduate or St. Andrew's Sewanee high school students under the age of 18 are not obligated to undergo the training or background checks required by this Policy. Anyone covered by this Policy who knows or suspects that a Sewanee undergraduate or St. Andrew's Sewanee high school student under the age of 18 has been abused or neglected must, however, make reports as required and outlined in Sections VIII and IX.

Minors visiting campus and staying in dorms as part of an official visit with the Admissions Office are not covered under this policy. The Admissions Office trains undergraduate student hosts in appropriate conduct with minors, and coordinates official visits, including visits by athletic recruits who are spending the night on campus.

II. Definitions

Abuse or Neglect of Minors² for the purposes of this policy means serious physical or emotional harm, sexual abuse, exploitation or imminent risk of serious harm of a person under the age of 18. Sexual abuse also means the commission of any act involving molestation, fondling or carnal knowledge of a child. Neglect includes the failure to make reasonable efforts to prevent the infliction of abuse upon a person under age 18.

Minor for the purpose of this policy is any person under the age of 18. Sewanee undergraduate students who are also under the age of 18 are treated similarly to other University students under this policy with regard to their interactions with minors in University-affiliated programs.

¹ Thank you to Georgetown University Office of Compliance and Ethics for use of their policy in drafting this policy.

² More detailed definitions can be found in T.C.A. §37-5-103.

III. Guidance and Responsibilities

When participating in University-affiliated programs and activities, students, faculty and staff (including those hired temporarily to work in such programs) must

- always be vigilant in protecting the well-being and safety of minors with whom they interact on campus or elsewhere;
- review the informational material about the signs of abuse and neglect of minors in Appendix A or at this website: <https://www.childwelfare.gov/pubs/factsheets/whatiscan/> and Appendix C; and
- watch for signs of minor abuse or neglect and promptly report suspected instances of abuse or neglect, or violations of this policy or law (see Sections VIII and IX).

Before engaging in any University-affiliated program or activity involving contact with minors students, faculty and staff (including those hired temporarily to work in such programs) must

- meet the requirements of this Policy relating to training (Section IV) and criminal background checks (Section V); and
- meet any additional requirements that relate to the specific program or activity.

Program directors and supervisors of all University and non-University affiliated programs that involve minors must 1) Register their program; 2) Coordinate and certify appropriate training; and 3) Coordinate and certify appropriate background checks. Specific information is found in Appendix B.

Non-University organizations and entities that operate programs or activities involving minors on campus must be aware of, and comply with, this Policy.

To the extent that University faculty, staff or students are participating in programs or activities run by a non-University 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.

IV. Training

University students, faculty, staff and volunteers who participate in University-affiliated programs or activities involving minors (including those hired temporarily to work in such programs) must complete appropriate annual training and sign the certification form as outlined in Appendices B and C. Training is the responsibility of the director of each program. At a minimum, training must include

- basic warning signs of abuse or neglect of minors;
- guidelines for protecting minors from emotional and physical abuse and neglect; and
- requirements and procedures for reporting incidents of 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.

Non-University organizations and entities that wish to operate programs or activities involving minors on campus must provide documentation to the University indicating that all individuals who will be interacting with minors (and anyone who supervises such individuals) have received training that meets or exceeds the minimum requirements of this section.

Specific requirements and procedures for training appear in Appendices B and C.

V. Criminal and Background Checks

Certain categories of individuals are required to clear a criminal background check prior to participation in University-affiliated activities involving minors, and it is the responsibility of the director of each program to ensure that these checks are completed before offering employment. Area county schools require FBI/TBI background checks with fingerprinting. The University honors the results of these background checks for personnel entering schools through its classes and programs, and does not require an additional background check by HR. The categories of individuals who must undergo background checks are listed in Appendices B and D.

If a University 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.

Non-University organizations and entities that operate programs or activities on campus involving minors must conduct criminal background checks of their employees, volunteers, and representatives that meet University standards. The University may request any additional information it deems necessary to meet the requirements of this Policy. Such organizations must also provide satisfactory evidence of liability insurance that does not exclude coverage for sexual offenses.

Specific requirements and procedures for background checks appear in Appendices B and D.

VI. Drug Testing

Drug testing is not required under this policy. However, it is required for all new non-student temporary and regular staff employees. See the Guidance at the end of Appendix D.

VII. Housing Guidelines for Overnight Programs

For University groups, participants will be housed such that all those in a dorm are either: 18 and older; or are under 18. The only adults (18 or over) allowed to stay in a dorm with participants who are under 18 are program employees who have had a background check and training as outlined in the Policy, OR participants who are rising Sewanee freshman. However, if a camp has other participants who are 18 or older, rising Sewanee freshmen that are also 18 or older would normally be housed with these other adults. Age will be determined as the age of the participant on the first day of the program, and all programs should ask for date of birth on participant applications. It is the responsibility of the Program Director to ensure that University Conference Services knows the ages of all participants for appropriate housing assignments. The University staff who are year-round residents in dorms also complete the necessary training.

Dorms are not appropriate family housing, and the University will not house family units (parents with their children) in dorms. The Summer Conferences office (sumconf@sewanee.edu) will work with each program to determine appropriate housing for participants and instructors.

VIII. Reporting

According to Tennessee state law, a report is required when a person knows or has reasonable cause to suspect that a child has been abused, neglected, or sexually abused. Failure to report is a Class A misdemeanor.

1. *Emergencies*

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

2. *Mandated Reporting*

Any person with knowledge of child abuse or neglect (Tenn. Code. Ann. §§ 37-1-403; 37-1-605) must report that knowledge to local law enforcement or law enforcement where the child resides. This reporting obligation applies to physicians, osteopaths, medical examiners, chiropractors, nurses, hospital personnel, other health or mental professionals; teachers, other school officials or personnel, daycare center workers, or other professional child care; foster care, residential or institutional workers, social workers, practitioners who rely solely on spiritual means for healing, judges or law enforcement officers; neighbors, relatives or friends, and other persons. Essentially anyone with knowledge of child abuse or neglect must report that knowledge (Tenn. Code Ann. §§ 37-1-403; 37-1-605).

Reports may be made to the Tennessee Child Abuse Hotline, 877 237 0004, to the Franklin County sheriff's office 931 962 0123, or the Sewanee Police Department, 931 598 1111. The Title IX Coordinator, with support from other appropriate offices as necessary, will help determine appropriate next steps.

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

Anyone participating in a University-affiliated program or activity involving minors or a non-University program or activity operating on campus involving minors who knows, suspects, or receives information indicating that a minor has been abused or neglected, or who has other concerns about the safety of minors MUST inform the University Title IX Coordinator Dr. Nancy J. Berner by calling 931.598.1172 or 931.636.5262 or visiting Walsh-Ellett Hall Rm 104, or by emailing nberner@sewanee.edu or TitleIX@sewanee.edu

In addition, one should promptly notify his or her supervisor, program director, or dean.

The University's Whistleblower Protection Policy protects individuals from retaliation when they make good faith reports about problems. See <http://provost.sewanee.edu/media/provost/Employee-Protection.pdf>

IX. Addressing Reports of Abuse or Neglect

A. Whenever the University receives a report of alleged abuse or neglect of a minor in a University affiliated program or activity:

1. The person receiving the report shall immediately notify the Title IX Coordinator (see contact information above).
2. The Title IX Coordinator, in consultation with the SPD, the University Legal Counsel, and appropriate senior University leadership, shall:
 - a) *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.*
 - b) *Determine whether the SPD, TN Department of Child Services, or both have already been notified and, if not, whether such notification is required or appropriate given the circumstances.*
 - c) *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.*
 - d) *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.*
 - e) *Facilitate the University's cooperation with any investigation conducted by SPD, TN Department of Child Services, or other governmental agency.*

B. Whenever a report alleges that someone involved in a non-University program or 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 Title IX Coordinator. The Title IX Coordinator, in consultation with SPD, the University Legal Counsel, and appropriate senior University leadership, shall coordinate with the non-University organization or entity as necessary to see that the requirements of Part A. 2 of this Section are accomplished.

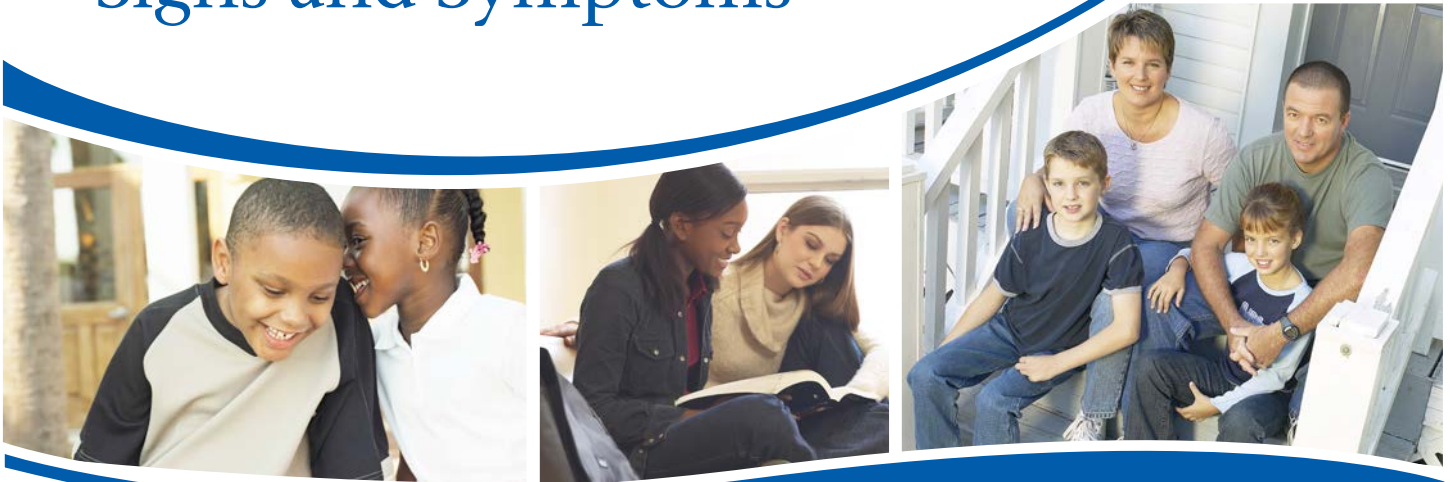
X. Enforcement

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. The University may terminate relationships or take other appropriate actions against non-University entities that violate this Policy.

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Disponible en español
[https://www.childwelfare.gov/
pubs/factsheets/ques.cfm](https://www.childwelfare.gov/pubs/factsheets/ques.cfm)

What Is Child Abuse and Neglect? Recognizing the Signs and Symptoms



The first step in helping abused or neglected children is learning to recognize the signs of child abuse and neglect. The presence of a single sign does not mean that child maltreatment is occurring in a family, but a closer look at the situation may be warranted when these signs appear repeatedly or in combination. This factsheet is intended to help you better understand the legal definition of child abuse and neglect, learn about the different types

What's Inside:

- How is child abuse and neglect defined in Federal law?
- What are the major types of child abuse and neglect?
- Recognizing signs of abuse and neglect
- Resources



Use your smartphone to
access this factsheet online.



Child Welfare Information Gateway
Children's Bureau/ACYF/ACF/HHS
1250 Maryland Avenue, SW
Eighth Floor
Washington, DC 20024
800.394.3366
Email: info@childwelfare.gov
<https://www.childwelfare.gov>

of abuse and neglect, and recognize the signs and symptoms of abuse and neglect. Resources about the impact of trauma on well-being also are included in this factsheet.

How Is Child Abuse and Neglect Defined in Federal Law?

Federal legislation lays the groundwork for State laws on child maltreatment by identifying a minimum set of acts or behaviors that define child abuse and neglect. The Federal Child Abuse Prevention and Treatment Act (CAPTA), (42 U.S.C.A. §5106g), as amended and reauthorized by the CAPTA Reauthorization Act of 2010, defines child abuse and neglect as, at minimum:

“Any recent act or failure to act on the part of a parent or caretaker which results in death, serious physical or emotional harm, sexual abuse or exploitation; or an act or failure to act which presents an imminent risk of serious harm.”

Most Federal and State child protection laws primarily refer to cases of harm to a child caused by parents or other caregivers; they generally do not include harm caused by other people, such as acquaintances or strangers. Some State laws also include a child’s witnessing of domestic violence as a form of abuse or neglect.

CHILD ABUSE AND NEGLECT STATISTICS

- *Child Maltreatment*
This report summarizes annual child abuse statistics submitted by States to the National Child Abuse and Neglect Data System (NCANDS). It includes information about child maltreatment reports, victims, fatalities, perpetrators, services, and additional research:
<http://www.acf.hhs.gov/programs/cb/research-data-technology/statistics-research/child-maltreatment>
- *Child Welfare Outcomes Report Data*
This website provides information on the performance of States in seven outcome categories related to the safety, permanency, and well-being of children involved in the child welfare system. Data, which are made available on the website prior to the release of the annual report, include the number of child victims of maltreatment:
<http://cwoutcomes.acf.hhs.gov/data/overview>

What Are the Major Types of Child Abuse and Neglect?

Within the minimum standards set by CAPTA, each State is responsible for providing its own definitions of child abuse and neglect. Most States recognize the four major types of maltreatment: physical abuse, neglect, sexual abuse, and emotional abuse. Signs and symptoms for each type of maltreatment are listed below. Additionally, many States identify abandonment and parental substance abuse as abuse or neglect. While these types of maltreatment may be found separately, they often occur in combination. For State-specific laws pertaining to child abuse and neglect, see Child Welfare Information Gateway's State Statutes Search page:

https://www.childwelfare.gov/systemwide/laws_policies/state/

Information Gateway's *Definitions of Child Abuse and Neglect* provides civil definitions that determine the grounds for intervention by State child protective agencies:

https://www.childwelfare.gov/systemwide/laws_policies/statutes/define.pdf

Physical abuse is nonaccidental physical injury (ranging from minor bruises to severe fractures or death) as a result of punching, beating, kicking, biting, shaking, throwing, stabbing, choking, hitting (with a hand, stick, strap, or other object), burning, or otherwise harming a child, that is inflicted by a parent, caregiver, or other person who

has responsibility for the child.¹ Such injury is considered abuse regardless of whether the caregiver intended to hurt the child. Physical discipline, such as spanking or paddling, is not considered abuse as long as it is reasonable and causes no bodily injury to the child.

Neglect is the failure of a parent, guardian, or other caregiver to provide for a child's basic needs. Neglect may be:

- Physical (e.g., failure to provide necessary food or shelter, or lack of appropriate supervision)
- Medical (e.g., failure to provide necessary medical or mental health treatment)²
- Educational (e.g., failure to educate a child or attend to special education needs)
- Emotional (e.g., inattention to a child's emotional needs, failure to provide psychological care, or permitting the child to use alcohol or other drugs)

Sometimes cultural values, the standards of care in the community, and poverty may contribute to maltreatment, indicating

¹ Nonaccidental injury that is inflicted by someone other than a parent, guardian, relative, or other caregiver (i.e., a stranger), is considered a criminal act that is not addressed by child protective services.

² *Withholding of medically indicated treatment* is a specific form of medical neglect that is defined by CAPTA as "the failure to respond to the infant's life-threatening conditions by providing treatment (including appropriate nutrition, hydration, and medication) which, in the treating physician's or physicians' reasonable medical judgment, will be most likely to be effective in ameliorating or correcting all such conditions..." CAPTA does note a few exceptions, including infants who are "chronically and irreversibly comatose"; situations when providing treatment would not save the infant's life but merely prolong dying; or when "the provision of such treatment would be virtually futile in terms of the survival of the infant and the treatment itself under such circumstances would be inhumane."

the family is in need of information or assistance. When a family fails to use information and resources, and the child's health or safety is at risk, then child welfare intervention may be required. In addition, many States provide an exception to the definition of neglect for parents who choose not to seek medical care for their children due to religious beliefs.³

Sexual abuse includes activities by a parent or caregiver such as fondling a child's genitals, penetration, incest, rape, sodomy, indecent exposure, and exploitation through prostitution or the production of pornographic materials.

Sexual abuse is defined by CAPTA as "the employment, use, persuasion, inducement, enticement, or coercion of any child to engage in, or assist any other person to engage in, any sexually explicit conduct or simulation of such conduct for the purpose of producing a visual depiction of such conduct; or the rape, and in cases of caretaker or inter-familial relationships, statutory rape, molestation, prostitution, or other form of sexual exploitation of children, or incest with children."

Emotional abuse (or psychological abuse) is a pattern of behavior that impairs a child's emotional development or sense of self-worth. This may include constant criticism, threats, or rejection, as well as withholding love, support, or guidance. Emotional abuse is often difficult to prove, and therefore, child protective services may not be able to intervene without evidence of harm or

³ The CAPTA amendments of 1996 (42 U.S.C.A. § 5106i) added new provisions specifying that nothing in the act be construed as establishing a Federal requirement that a parent or legal guardian provide any medical service or treatment that is against the religious beliefs of the parent or legal guardian.

mental injury to the child. Emotional abuse is almost always present when other types of maltreatment are identified.

Abandonment is now defined in many States as a form of neglect. In general, a child is considered to be abandoned when the parent's identity or whereabouts are unknown, the child has been left alone in circumstances where the child suffers serious harm, or the parent has failed to maintain contact with the child or provide reasonable support for a specified period of time. Some States have enacted laws—often called safe haven laws—that provide safe places for parents to relinquish newborn infants. Child Welfare Information Gateway produced a publication as part of its State Statute series that summarizes such State laws. *Infant Safe Haven Laws* is available on the Information Gateway website: https://www.childwelfare.gov/systemwide/laws_policies/statutes/safehaven.cfm

Substance abuse is an element of the definition of child abuse or neglect in many States. Circumstances that are considered abuse or neglect in some States include the following:

- Prenatal exposure of a child to harm due to the mother's use of an illegal drug or other substance
- Manufacture of methamphetamine in the presence of a child
- Selling, distributing, or giving illegal drugs or alcohol to a child
- Use of a controlled substance by a caregiver that impairs the caregiver's ability to adequately care for the child

For more information about this issue, see Child Welfare Information Gateway's *Parental Drug Use as Child Abuse* at https://www.childwelfare.gov/systemwide/laws_policies/statutes/drugexposed.cfm

Recognizing Signs of Abuse and Neglect

In addition to working to prevent a child from experiencing abuse or neglect, it is important to recognize high-risk situations and the signs and symptoms of maltreatment. If you do suspect a child is being harmed, reporting your suspicions may protect him or her and get help for the family. Any concerned person can report suspicions of child abuse or neglect. Reporting your concerns is not making an accusation; rather, it is a request for an investigation and assessment to determine if help is needed.

Some people (typically certain types of professionals, such as teachers or physicians) are required by State law to make a report of child maltreatment under specific circumstances—these are called mandatory reporters. Some States require all adults to report suspicions of child abuse or neglect. Child Welfare Information Gateway's publication *Mandatory Reporters of Child Abuse and Neglect* discusses the laws that designate groups of professionals as mandatory reporters: https://www.childwelfare.gov/systemwide/laws_policies/statutes/manda.cfm

For information about where and how to file a report, contact your local child protective services agency or police department.

Childhelp National Child Abuse Hotline (800.4.A.CHILD) and its website offer crisis intervention, information, resources, and referrals to support services and provide assistance in 170 languages: <http://www.childhelp.org/pages/hotline-home>

For information on what happens when suspected abuse or neglect is reported, read Information Gateway's *How the Child Welfare System Works*: <https://www.childwelfare.gov/pubs/factsheets/cpswork.pdf>

Some children may directly disclose that they have experienced abuse or neglect. The factsheet *How to Handle Child Abuse Disclosures*, produced by the "Childhelp Speak Up Be Safe" child abuse prevention campaign, offers tips. The factsheet defines direct and indirect disclosure, as well as tips for supporting the child: <http://www.speakupbesafe.org/parents/disclosures-for-parents.pdf>

The following signs may signal the presence of child abuse or neglect.

The Child:

- Shows sudden changes in behavior or school performance
- Has not received help for physical or medical problems brought to the parents' attention
- Has learning problems (or difficulty concentrating) that cannot be attributed to specific physical or psychological causes
- Is always watchful, as though preparing for something bad to happen
- Lacks adult supervision

- Is overly compliant, passive, or withdrawn
- Comes to school or other activities early, stays late, and does not want to go home
- Is reluctant to be around a particular person
- Discloses maltreatment

The Parent:

- Denies the existence of—or blames the child for—the child’s problems in school or at home
- Asks teachers or other caregivers to use harsh physical discipline if the child misbehaves
- Sees the child as entirely bad, worthless, or burdensome
- Demands a level of physical or academic performance the child cannot achieve
- Looks primarily to the child for care, attention, and satisfaction of the parent’s emotional needs
- Shows little concern for the child

The Parent and Child:

- Rarely touch or look at each other
- Consider their relationship entirely negative
- State that they do not like each other

The above list may not be *all* the signs of abuse or neglect. It is important to pay attention to other behaviors that may seem unusual or concerning. In addition to these signs and symptoms, Child Welfare Information Gateway provides information on the risk factors and perpetrators of child abuse and neglect fatalities: https://www.childwelfare.gov/can/risk_perpetrators.cfm

Signs of Physical Abuse

Consider the possibility of physical abuse when the **child**:

- Has unexplained burns, bites, bruises, broken bones, or black eyes
- Has fading bruises or other marks noticeable after an absence from school
- Seems frightened of the parents and protests or cries when it is time to go home
- Shrinks at the approach of adults
- Reports injury by a parent or another adult caregiver
- Abuses animals or pets

Consider the possibility of physical abuse when the **parent or other adult caregiver**:

- Offers conflicting, unconvincing, or no explanation for the child’s injury, or provides an explanation that is not consistent with the injury
- Describes the child as “evil” or in some other very negative way
- Uses harsh physical discipline with the child
- Has a history of abuse as a child
- Has a history of abusing animals or pets

Signs of Neglect

Consider the possibility of neglect when the **child**:

- Is frequently absent from school
- Beggars or steals food or money

- Lacks needed medical or dental care, immunizations, or glasses
- Is consistently dirty and has severe body odor
- Lacks sufficient clothing for the weather
- Abuses alcohol or other drugs
- States that there is no one at home to provide care

Consider the possibility of neglect when the **parent or other adult caregiver:**

- Appears to be indifferent to the child
- Seems apathetic or depressed
- Behaves irrationally or in a bizarre manner
- Is abusing alcohol or other drugs

Signs of Sexual Abuse

Consider the possibility of sexual abuse when the **child:**

- Has difficulty walking or sitting
- Suddenly refuses to change for gym or to participate in physical activities
- Reports nightmares or bedwetting
- Experiences a sudden change in appetite
- Demonstrates bizarre, sophisticated, or unusual sexual knowledge or behavior
- Becomes pregnant or contracts a venereal disease, particularly if under age 14
- Runs away
- Reports sexual abuse by a parent or another adult caregiver
- Attaches very quickly to strangers or new adults in their environment

Consider the possibility of sexual abuse when the **parent or other adult caregiver:**

- Is unduly protective of the child or severely limits the child's contact with other children, especially of the opposite sex
- Is secretive and isolated
- Is jealous or controlling with family members

Signs of Emotional Maltreatment

Consider the possibility of emotional maltreatment when the **child:**

- Shows extremes in behavior, such as overly compliant or demanding behavior, extreme passivity, or aggression
- Is either inappropriately adult (parenting other children, for example) or inappropriately infantile (frequently rocking or head-banging, for example)
- Is delayed in physical or emotional development
- Has attempted suicide
- Reports a lack of attachment to the parent

Consider the possibility of emotional maltreatment when the **parent or other adult caregiver:**

- Constantly blames, belittles, or berates the child
- Is unconcerned about the child and refuses to consider offers of help for the child's problems
- Overtly rejects the child

THE IMPACT OF CHILDHOOD TRAUMA ON WELL-BEING

Child abuse and neglect can have lifelong implications for victims, including on their well-being. While the physical wounds heal, there are several long-term consequences of experiencing the trauma of abuse or neglect. A child or youth's ability to cope and even thrive after trauma is called "resilience," and with help, many of these children can work through and overcome their past experiences.

Children who are maltreated often are at risk of experiencing cognitive delays and emotional difficulties, among other issues. Childhood trauma also negatively affects nervous system and immune system development, putting children who have been maltreated at a higher risk for health problems as adults. For more information on the lasting effects of child abuse and neglect, read Child Welfare Information Gateway's factsheet *Long-Term Consequences of Child Abuse and Neglect*: https://www.childwelfare.gov/pubs/factsheets/long_term_consequences.cfm

The National Child Traumatic Stress Network's webpage *What Is Child Traumatic Stress* offers definitions, materials on understanding child traumatic stress, and several Q&A documents: <http://www.nctsn.org/resources/audiences/parents-caregivers/what-is-cts>

The Monique Burr Foundation for Children's brief *Speak Up Be Safe: The Impact of Child Abuse and Neglect* explains the immediate and long-term consequences of child abuse and neglect to child, family, school, and community well-being: http://www.moniqueburrfoundation.org/SUBS/Resources/Impact_of_Abuse_and_Neglect.pdf

The National Council for Adoption's article "Supporting Maltreated Children: Countering the Effects of Neglect and Abuse" explains several issues common to children that have experienced abuse or neglect and offers suggestions for parents and caregivers on talking with children and helping them overcome past traumas: https://www.adoptioncouncil.org/images/stories/documents/NCAFA_ADOPTION_ADVOCATE_NO48.pdf

ZERO TO THREE produced *Building Resilience: The Power to Cope With Adversity*, which presents tips and strategies for helping families and children build resilience after trauma: <http://www.zerotothree.org/maltreatment/31-1-prac-tips-beardslee.pdf>

Resources

Child Welfare Information Gateway's web section on child abuse and neglect provides information on identifying abuse, statistics, risk and protective factors, and more:

<https://www.childwelfare.gov/can/>

The Information Gateway Reporting Child Abuse and Neglect webpage provides information about mandatory reporting and how to report suspected abuse:

<https://www.childwelfare.gov/responding/reporting.cfm>

The National Child Abuse Prevention Month web section provides tip sheets for parents and caregivers, available in English and Spanish, that focus on concrete strategies for taking care of children and strengthening families:

<https://www.childwelfare.gov/preventing/preventionmonth/tipsheets.cfm>

Information Gateway also has produced a number of publications about child abuse and neglect:

- *Child Maltreatment: Past, Present, and Future:*
https://www.childwelfare.gov/pubs/issue_briefs/cm_prevention.pdf
- *Long-Term Consequences of Child Abuse and Neglect:*
https://www.childwelfare.gov/pubs/factsheets/long_term_consequences.pdf
- *Preventing Child Abuse and Neglect:*
<https://www.childwelfare.gov/pubs/factsheets/preventingcan.pdf>
- *Understanding the Effects of Maltreatment on Brain Development:*
https://www.childwelfare.gov/pubs/issue_briefs/brain_development/brain_development.pdf

The Centers for Disease Control and Prevention (CDC) produced *Understanding Child Maltreatment*, which defines the many types of maltreatment and the CDC's approach to prevention, in addition to providing additional resources:

http://www.cdc.gov/violenceprevention/pdf/cm_factsheet2012-a.pdf

Prevent Child Abuse America is a national organization dedicated to providing information on child maltreatment and its prevention:

<http://www.preventchildabuse.org/index.shtml>

The National Child Traumatic Stress Network strives to raise the standard of care and improve access to services for traumatized children, their families, and communities:

<http://www.nctsn.org/>

Stand for Children advocates for improvements to, and funding for, programs that give every child a fair chance in life: <http://stand.org/>

A list of organizations focused on child maltreatment prevention is available in Information Gateway's National Child Abuse Prevention Partner Organizations page: https://www.childwelfare.gov/pubs/reslist/rl_dsp.cfm?rs_id=21&rate_chno=19-00044

Acknowledgment:

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U.S. Department of Health and Human Services
Administration for Children and Families
Administration on Children, Youth and Families
Children's Bureau



APPENDIX B

For Program Directors and Supervisors

Sewanee has adopted a “Protection of Minors Policy” to promote the well being and safety of minors who participate in University-affiliated programs or activities and in programs and activities run by non-University organizations or individuals that operate programs or activities on the University’s campus.

Directors of programs or activities (“Program Directors”) of University and non-University Affiliated programs involving minors must

- 1) Register their program;
- 2) Coordinate and certify appropriate training; and
- 3) Coordinate and certify appropriate background checks.

Some details regarding each of these responsibilities follow below. Further details can be found in associated appendices.

1. Register the program or activity involving minors

Program Directors must register their program with the Title IX Coordinator. In order to register a program or activity involving minors, fill out the “Program or Activity with Minors Registration Form” appended at the end of this policy and send to the University Title IX Coordinator (Nancy Berner) (TitleIX@sewanee.edu). The completed form (**which includes Program Director required training be completed** – see below) must be on file in the Title IX Coordinator’s office 14 days prior to the opening date of the program or activity, or in the case of **summer programs, by March 1 each year.**

2. Coordinate and certify training for individuals working with minors

Program Directors are responsible for providing training to those working in University and non-University programs or activities with minors as outlined below.

a. Program Director required training

Program Directors must complete free online training through United Educators, our insurer. There are two courses to complete (see below) with a total time of about an hour. Login at this address: <https://www.edurisklearning.org>. If you are a first time learner, you will need to “Create a New Account” using this institution registration code: **0683-SC37-XY12**. Provide specific information about your role at the institution and then create a username and password. If you are not a first time user, use your username and password to login using the link above. If you forget your user name and password, the site can send them to you.

After you login, click on the “Get Started>>” button for the learning module entitled *Protecting Children from Sexual Misconduct* (about half-way down the page). Program Directors must complete **two** training courses entitled ***Hiring Staff Who Work with Minors*** and ***Identifying and Reporting Sexual Misconduct***, each will take about 30 minutes to complete. Once completed, please print your certificate by clicking on the “My Certificates” tab at the top of the

page next to the “Learning Programs” tab. Scroll down the page to find the list of Courses. Click on each course title and then click “Print Certificate”. NOTE – it can take an hour or so for your certificate to show up in this field (although mine were immediate). Attach this certification to the program registration form, due by March 1 (see above).

b. Supervisors and Individuals who stay overnight, or are regularly alone, with minors required training

Supervisors, and individuals who stay overnight, or are regularly alone, with minors must complete the **one** online training course entitled ***Identifying and Reporting Sexual Misconduct*** (same as the director) and it will take about 30 minutes to complete. Register and/or login as outlined above for Program Directors.

After logging in, click on the “Get Started>>” button for the learning module entitled *Protecting Children from Sexual Misconduct* (about half way down the page). Supervisors, and individuals who stay overnight, or are regularly alone, with minors must complete the **one** online training course entitled ***Identifying and Reporting Sexual Misconduct*** (same as the director) and it will take about 30 minutes to complete. Once completed, please print your certificate by clicking on the “My Certificates” tab at the top of the page next to the “Learning Programs” tab. Scroll down the page to find the list of Courses. Click on each course title and then click “Print Certificate”, send to your program director. NOTE – it can take an hour or so for your certificate to show up in this field (although mine were immediate).

c. Additional Required Training for All: Working with Minors Guidelines

All individuals working with minors in University affiliated programs or activities are required to

- review Appendix A (Mandated Reporter training): *What is Child Abuse and Neglect? Recognizing signs and symptoms*;
- review Appendix C: *Working with Minors Guidelines*; and
- sign the Certification contained in Appendix C.

Individuals required to read Appendix C are to submit the signed Certification to the program or activity director or supervisor prior to the start date of any program or activity (Program Directors should set an appropriate deadline). In general, individuals who participate in programs or activities involving minors are required to review the Guidelines and sign the Certification at least annually for each program or discrete activity.

Appendices A and C provide helpful tips for maintaining a safe and positive environment when working with minors, advice on signs of child abuse and neglect, and steps to take if you suspect that a minor has been abused or neglected.

d. Supplemental Training

Program Directors are encouraged to supplement the University’s training to meet the needs and specifics of their program.

3. Coordinate background checks for relevant individuals working with minors

Program Directors are responsible for coordinating criminal background checks of the following:

- program and activity directors and supervisors (consult with the Title IX Coordinator, Nancy Berner, if you are unsure who needs a background check);
- those who stay overnight with minors; and
- those who regularly spend time alone with minors as part of their job responsibilities or role in a program involving minors.

More specific information on background check requirements and procedures can be found in Appendix D. A few specifics are given below. Area county schools require FBI/TBI background checks with fingerprinting. The University honors the results of these background checks for personnel entering schools through its classes and programs.

Background checks need to be done no more than 90 days before the start date of the program. To start the background check process, send email addresses of potential hires to Human Resources at (hr@sewanee.edu), and they will take care of the entire process. This process, from submission to result, can take several days so please leave 2 weeks between the request and the date you need to certify the check (see 4 below), just to be sure. The Program Director will be informed if concerns are raised by the background check. Because a problem with a background check could impact your ability to hire a particular individual, you should have HR perform background checks as early as possible, but no more than 90 days before the start date of your program. HR will forward concerns raised about Program Directors to the University Title IX Coordinator. FBI/TBI checks are performed by an external service.

The cost of the background check is \$25 per check. The checks will be billed to Human Resources, and the cost redistributed to the program requesting the check via journal voucher.

Training and background check certification

Program Directors are responsible for certifying that all training and background check requirements are fulfilled by completing the “Program Employee Information” form and attaching all signed “Training Certification” forms (last page of Appendix C) for each employee, volunteer, and supervisor, and the online certifications for those necessary. This completed form and accompanying documentation is due at least 7 days prior to the start date of the program to the University Title IX Coordinator (Nancy Berner, nberner@sewanee.edu or TitleIX@sewanee.edu) in Walsh-Ellett Rm 104.

Non-University Programs Operating on the University Campus

Non-University organizations that wish to operate programs or activities involving minors on campus must comply with the University’s Protection of Minors Policy, including requirements relating to reporting suspected abuse or neglect of minors, completing all relevant training and criminal background checks, and providing satisfactory evidence of liability insurance that does not exclude coverage for sexual offenses. Non-University organizations or entities must also register their program and submit to the University’s Title IX Coordinator (Dr. Nancy J. Berner, Walsh Ellett Rm 104, or by e-mail at nberner@sewanee.edu or TitleIX@sewanee.edu) certification of compliance with the training requirements described herein *at least seven (7) days prior to the start of any program or activity involving minors on campus.*

University departments or units that would like to host non-University programs involving minors on campus (“Non-University Program Coordinators”) must contact the Title IX Coordinator (Nancy Berner) (TitleIX@sewanee.edu or nberner@sewanee.edu) well in advance of the

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program's anticipated start date for further information about the procedures for ensuring that outside organizations meet these requirements.

APPENDIX C

Working with Minors Guidelines

Information for Those Working with Minors in University-Run or -Affiliated Programs or Activities

Sewanee celebrates the presence of children in our campus community and is committed to ensuring the health, safety and well being of all children (those under the age of 18). To further this goal, this packet contains important information that individuals¹ must review if they are participating in programs or activities involving minors that 1) the University operates or 2) that others operate in University facilities.

You are receiving this information because you have been identified as participating in a program or activity with participants who are minors. You must review the information in this packet and return the attached certification indicating that you have read the packet and agree to comply with the requirements it describes. You must also determine whether you may be a mandated reporter and agree to comply with the obligations imposed by law and by the University on mandated reporters. You may also be required to review additional materials that are germane to your specific situation.

This informational packet contains the following:

- 1) Guidelines for working with minors that will help you to maintain safe and positive interactions and reduce the risk of mistaken allegations;
- 2) Steps to take if you suspect that a minor has been abused or neglected or is otherwise unsafe, including information about how to report your suspicions or ask questions;
- 3) Advice on the signs of child abuse and neglect from the US Department of Health and Human Services Administration for Children and Families; and
- 4) An acknowledgement form that you must sign to certify that you have read and understood the information and will comply with your obligations if you are a mandated reporter. This form must be turned into the director of the program or activity in which you are participating by the deadline set by the director of your program (and at least 7 days prior to the start date of the program).

Code of Conduct for Working with Minors

Those associated with programs or activities involving minors should observe the following "dos" and "don'ts" in order to maintain a safe and positive experience for program participants, encourage parental confidence, and avoid mistaken allegations.

DO

- Maintain the highest standards of personal behavior at all times when interacting with minors.
- Whenever possible, try to have another adult present if you are working with minors in an unsupervised setting.
- Conduct necessary one-on-one interactions with minors in a public environment where you can be observed.

¹ These requirements are applicable to Sewanee undergraduate students, including those under the age of 18, who participate in programs involving minors.

- Listen to and interact with minors and provide appropriate praise and positive reinforcement.
- Treat all minors in a group consistently and fairly, and with respect and dignity.
- Be friendly with minors within the context of the formal program or activity while maintaining appropriate boundaries.
- Maintain discipline and discourage inappropriate behavior by minors, consulting with your supervisors if you need help with misbehaving youth.
- Be aware of how your actions and intentions might be perceived and could be misinterpreted.
- Consult with other adult supervisors or colleagues when you feel uncertain about a situation.

DON'T

- Don't spend significant time alone with one minor away from the group or conduct private interactions with minors in enclosed spaces or behind closed doors.
- Don't engage in inappropriate touching or have any physical contact with a minor.
- Don't use inappropriate language, tell risqué jokes, or make sexually suggestive comments around minors, even if minors themselves are doing so.
- Don't give personal gifts to, or do special favors for, a minor or do things that may be seen as favoring one minor over others.
- Don't share information with minors about your private life or have informal or purely social contact with minors outside of program activities.
- Don't strike or hit a minor, or use corporal punishment or other punishment involving physical pain or discomfort.
- Don't relate to minors as if they were peers, conduct private correspondence or take on the role of "confidant" (outside of a professional counseling relationship).
- Don't "friend" minors on personal social media networks. If your Program has a Facebook page, Twitter account or uses other social media, be sure to use it for Program business only.
- Don't date or become romantically or sexually involved with a minor, either in person or virtually (no sexting).
- Don't show pornography to minors or involve minors in pornographic activities, either in person or virtually.
- Don't provide alcohol or drugs to minors or use them in the presence of minors.

**Reporting:
What to do if you suspect a minor has been abused
or neglected or is otherwise unsafe**

According to Tennessee State Law Citation: Tenn. Code Ann. §§§ 37-1-403; 37-1-605, a report is required when a person knows or has reasonable cause to suspect that a child has been abused, neglected, or sexually abused. Failure to report is a Class A misdemeanor.

1. *Emergencies*

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

2. *Mandated Reporting*

Any person with knowledge of child abuse or neglect (Tenn. Code. Ann. §§ 37-1-403; 37-1-605) must report that knowledge to local law enforcement or law enforcement where the child resides. This reporting obligation applies to physicians, osteopaths, medical examiners, chiropractors, nurses, hospital personnel, other health or mental professionals; teachers, other school officials or personnel, daycare center workers, or other professional child care; foster care, residential or institutional workers, social workers, practitioners who rely solely on spiritual means for healing, judges or law enforcement officers; neighbors, relatives or friends, and other persons. Essentially anyone with knowledge of child abuse or neglect must report that knowledge (Tenn. Code Ann. §§ 37-1-403; 37-1-605).

Reports may be made to the Tennessee Child Abuse Hotline, 877.237.0004, to the Franklin county sheriff's office 931.962.0123, or the Sewanee Police Department, 931.598.1111. The Title IX Coordinator, with support from other appropriate offices as necessary, will help determine appropriate next steps.

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

Anyone participating in a University-affiliated program or activity involving minors or a non-University program or activity operating on campus involving minors who knows, suspects, or receives information indicating that a minor has been abused or neglected, or who has other concerns about the safety of minors MUST inform the University Title IX Coordinator Dr. Nancy J. Berner by calling 931.598.1172 or 931.636.5262 or visiting Walsh-Ellett Hall Rm 104, or by emailing nberner@sewanee.edu or TitleIX@sewanee.edu.

In addition, one should promptly notify his or her supervisor, program director, or dean.

The University's Whistleblower Protection Policy protects individuals from retaliation when they make good faith reports about problems. See <http://provost.sewanee.edu/media/provost/Employee-Protection.pdf>

Training Certification

I hereby certify that I have read and understand the foregoing *Information for Those Working with Minors in University-Run or -Affiliated Programs*, and will comply with all reporting and other obligations for mandated reporters under Tennessee law. I have had an opportunity to raise any questions I have about this information and have done so if necessary.

Signature

Date

Printed Name

Program/Activity in which you are participating:

APPENDIX D

Criminal Background Checks for Those Interacting with Minors

The following categories of adults are required to undergo a criminal background check prior to their participation in University activities or programs involving minors:

- 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 alone with minors as part of their job responsibilities or role in a program involving minors.

More guidance on which employees need background checks (and drug tests), see the **Guidance** at the end of this appendix.

Background checks for University employees and students who participate in University-affiliated programs or activities involving minors must be renewed every four (4) years¹. Any employee or student who is required by this Policy to have a background check is under a continuing obligation, as long as he/she continues to participate in programs or activities involving minors, to disclose immediately any new felony or misdemeanor conviction to the Title IX Coordinator (Nancy Berner, nberner@sewanee.edu or TitleIX@sewanee.edu)². Employees who have a break in service of more than six (6) months³, and students who withdraw, are suspended or dismissed, or who take leaves of absence of more than six (6) months, will be required to undergo a new background check if they reengage in University programs or activities involving minors and would otherwise be required to undergo a background check pursuant to this policy.

Individuals who are required to have a background check under this Policy who are not University employees or students (whether involved in a University program or activity or one operated by a non-University entity), such as volunteers, must renew the background check annually to continue participation.

Human Resources (HR) will oversee the processing of criminal background checks and maintain all records relating to these checks for at least 10 years, except in the case of FBI/TBI background checks with fingerprinting. Details on the mechanics of getting background checks done through HR can be found in Appendix B.

For University-affiliated programs or activities, only a background check conducted by the University of the South or an external source approved by the University of the South (such as FBI/TBI check with fingerprinting) will be accepted for purposes of this policy. Background checks, at a minimum, shall consist of a social security number trace, address locator for seven

¹ For employees who were required to have a background check completed as a condition of employment with the University of the South, the four (4) year period for purposes of the Protection of Minors policy will be calculated from the date the background check for purposes of employment was completed.

² Employees are also required to notify his/her supervisor immediately if convicted of a felony or misdemeanor during the term of his/her employment by the University of the South.

³ A break in service for employees generally excludes approved leaves of absence.

years, a search of federal and state or county databases for criminal history for the past seven years, and a sex offender registry check.

If a background check reveals adverse information or unfavorable results as determined solely by the University, an individualized assessment will be conducted by HR and the Title IX Coordinator, taking into account the following:

- the nature of the finding;
- the job for which the applicant is being considered;
- the underlying event(s) that occurred;
- the time elapsed since the event(s) occurred;
- the applicant's employment history and other evidence of his or her activities in the intervening time since the event(s) occurred; and
- other relevant information.

A prior conviction shall not automatically disqualify an applicant from a program or activity, but shall be considered using the criteria identified above.

Non-University Programs Operating on the University Campus

Non-University organizations and entities that operate programs or activities involving minors on campus must conduct criminal background checks of their employees, volunteers, and representatives that meet University standards. If any background check conducted by a non-University program returns a conviction or other adverse information, the external program must inform their University contact person in writing. The University may exclude any external program employee, volunteer, or representative who does not successfully pass a background check.

Certification of compliance with the background check rules described herein, including that they have conducted background checks as set forth in this Policy and that they have disclosed all convictions revealed by background checks, is required prior to the start of any program or activity involving minors on campus. The University may request any additional information it deems necessary to meet the requirements of this Policy.

Guidance: Background Check and Drug Testing Requirements

Student workers

Student workers are all "current and incoming University of the South undergraduate students" and thus include rising accepted and deposited freshmen and accepted and deposited transfer students. HR has a separate form for hiring "Current and Incoming University of the South undergraduate students."

- Employees in the Student Worker category will NOT be subject to drug testing.
- They WILL be subject to background checks
 - IF
 - they are 18 years or older;
 - AND a OR b:
 - a. they "**regularly** spend time alone with minors as part of their job responsibilities or role in a program involving minors". Directors will need to determine if an employee, volunteer or student regularly

- spends time alone with minors.
- b. they "stay overnight with minors as part of their job responsibilities in a program or activity involving minors".

Be sure to use the appropriate form when hiring students! Using this form will make it obvious that this worker is not subject to drug testing, and there is a box to check that will automatically initiate the background check by HR if it is necessary.

All other employees

All new employees in temp and staff positions are drug tested and have a background check performed before they are hired. This includes temp employees and staff who have already been in the employ of the University at any point in the past, regardless of the length of time of any break in service. Current policy is for all such tests and checks to be charged to the department or program that is doing the hiring.

- This policy applies to all employees of your programs that you are hiring each year EXCEPT
 - those who are "Current and Incoming University of the South undergraduate students" who have NOT
 - withdrawn from the University;
 - been suspended or dismissed; or
 - taken a leave of absence for more than 6 months.
- Employees in your program will be subject to a new background check only every 4 years IF a AND b are true, AND IF they need a background check because of c OR d:
 - a. they are already in the employ of the University; and
 - b. they have not had a break in service of more than 6 months (excluding approved leaves of absence);
 - c. they "**regularly** spend time alone with minors as part of their job responsibilities or role in a program involving minors". Directors will need to determine if an employee, volunteer or student regularly spends time alone with minors; or
 - d. they "stay overnight with minors as part of their job responsibilities in a program or activity involving minors".

You are responsible for making sure your employees who are also in the employ of the University have had a background check in the past 4 years IF they are in the category that need a background check (either c or d above are true). Some employees may have been hired before the University started doing background checks. Check with HR to confirm an up-to-date background check (again, only on those for whom it is necessary).

Other Individuals – such as Volunteers

Individuals who are required to have a background check under this Policy who are not University employees or students (whether involved in a University program or activity or one operated by a non-University entity), such as volunteers, must renew the background check annually to continue participation.

APPENDIX E

External Programs Operating on University Campus

Non-University organizations and entities that wish to operate programs or activities involving minors on campus must comply with the University's Protection of Minors Policy, including requirements relating to reporting suspected abuse or neglect of minors, completing all relevant training, and criminal background checks, and providing satisfactory evidence of liability insurance that does not exclude coverage for sexual offenses. Non-University organizations or entities must also register their program and submit to the University's Title IX Coordinator (Dr. Nancy J. Berner, Walsh Ellett Rm 104, or by e-mail at nberner@sewanee.edu or TitleIX@sewanee.edu) certification of compliance with the training requirements described herein *at least seven (7) days prior to the start of any program or activity involving minors on campus.*

These organizations must conduct criminal background checks of their employees, volunteers, and representatives that meet University standards. If any background check conducted by a non-University program returns a conviction or other adverse information, the external program must inform their University contact person in writing. The University may exclude any external program employee, volunteer, or representative who does not successfully pass a background check.

Certification of compliance with the background check rules described herein, including that they have conducted background checks as set forth in this Policy and that they have disclosed all convictions revealed by background checks, is required prior to the start of any program or activity involving minors on campus. The University may request any additional information it deems necessary to meet the requirements of this Policy.

University departments or units that would like to host non-University programs involving minors on campus ("External Program Coordinators") must contact the Title IX Coordinator (TitleIX@sewanee.edu) well in advance of the program's anticipated start date for further information about the procedures for ensuring that outside organizations meet these requirements.

REGISTRATION FORM

PROGRAM or ACTIVITY with MINORS

This registration form must be completed and on file with the University (send to the University Title IX Coordinator, Nancy Berner nberner@sewanee.edu or TitleIX@sewanee.edu).

The Program Director must complete their own training (see Appendix B-2a) before the this form is turned in – and at least 14 days prior to the beginning of the program, except in the case of **summer programs, for which the deadline is March 1** each year.

Program Name: _____

Program Dates: _____

Program Director Information

Name: _____

Email: _____

Phone: _____

Online training certification attached: _____

Date of most recent background check for Program Director: _____

Source of background check (University HR or other, if other, specify): _____

Approximate number of minors participating: _____

Program Description:

For Office Use Only:

Date completed form submitted: _____

Program Director annual online training certification attached: _____

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PROGRAM EMPLOYEE INFORMATION

Program: _____ Start Date: _____ Date turned in: _____

Fill out table below. Add extra pages as necessary. Supply the names of all employees, staff and volunteers (including Program Director and supervisors) for your program. This completed form is due to the Title IX Coordinator (Nancy Berner, nberner@sewanee.edu or TitleIX@sewanee.edu) **7 days** prior to the start date of your program. **Also attach all signed training certifications – the last page of Appendix C, and the online certification form. Reproductions are OK.**

Name	Required background check required (Y/N)	Certify required background check completed (Y/N)	List Necessary Training ¹	Verify Training is Completed ²

¹ Specify necessary training as Appendicies A & C only; Appendicies A & C and online training ***Hiring Staff Who Work with Minors*** and ***Identifying and Reporting Sexual Misconduct***

² Attach copies of signed Appendix C certifications for all employees, staff and volunteers, and printed certifications for all necessary online training