

UIC HR Policies and Procedures

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ISSUED BY	APPROVED BY	
Assistant Vice President for Human Resources	Chancellor	

PURPOSE

To define and outline safeguards intended to better protect minors when they are on UIC premises participating in UIC programs and activities or when they are in the care of UIC staff.

SOURCES AND BACKGROUND

Abused and Neglected Child Reporting Act (ANCRA), [325 ILCS 5/1 et seq.]
University of Illinois Policy on Protection of Minors, as revised July 8, 2013

APPLICABILITY

All UIC Employees

POLICY

The University of Illinois at Chicago requires certain safeguards intended to better protect minors when they are on UIC premises participating in UIC programs and activities designed to include minors, or when they are in the care of UIC staff. UIC and its employees shall comply with applicable federal and state laws to provide a safe environment for minors. This includes compliance with the "Abused and Neglected Child Reporting Act" (ANCRA) and the additional requirements of this policy.

ANCRA mandates that all personnel of an institution of higher education must immediately report cases of suspected child abuse or neglect of minors (children under the age of 18) directly to the Department of Child and Family Services (DCFS) at 1-800-25-ABUSE (1-800-252-2873) as soon as abuse or neglect is suspected.

All UIC Personnel, Volunteers, and Contractors are required to be familiar with and comply with the provisions of this Policy and any related UIC policies and/or procedures.

In addition, non-university organizations and entities that operate non-university programs and activities on campus (i.e. Registered Student Organizations, lessees, etc.) are required to be familiar with this Policy and shall take appropriate precautions to protect minors participating in or attending their programs and activities.

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REQUIREMENTS

1. Duty to Cooperate:
 - a. Every Member of the UIC Community shall cooperate with investigations of alleged child abuse/neglect, including DCFS initiated, law enforcement initiated, and/or internal investigations. All Members of the UIC Community shall also cooperate with investigations of alleged violations of this Policy and any applicable campus procedures.
 - b. Every Member of the UIC Community shall cooperate in the gathering of information about programs and activities designed to include minors.

2. Duty to Complete Education and Acknowledgement; Sign Certificate
 - a. Every Member of the UIC Community must complete the University-approved education program(s) and sign a certification acknowledging completion of the training.
 - b. All Members of the UIC Community must also sign an acknowledgement on a form prescribed by the Illinois Department of Child and Family Services (DCFS) certifying their understanding of reporting responsibilities.

3. Duty to Report
 - a. To DCFS – Reporting Abuse or Neglect of Minors: All UIC Personnel who have reasonable cause to believe that a minor child known to them in their professional or official University capacity may be an abused or neglected child must immediately make a report to the Department of Children and Family Services (DCFS) at 1-800-25-ABUSE (1-800-252-2873) as soon as abuse or neglect is suspected. In addition to making a verbal report to DCFS, the reporting party must follow any additional directions given by DCFS to complete the report.
 - i. The duty to report includes (but is not limited to) the requirement that University personnel report any suspected abuse that they witness occurring on University premises or at a University-sponsored event.
 - ii. The duty to report covers abuse or neglect of any minor, regardless of whether the minor is currently enrolled at the University or accepted for enrollment (e.g., a 17 year-old student enrolled as an undergraduate); or the minor is not enrolled or accepted for enrollment as a student at the University but is otherwise known to University personnel in their official or professional capacity.

 - b. To UIC Police: The following reporting requirements are in addition to the reporting to DCFS required by ANCRA:
 - i. Abuse or Neglect: In addition to reporting to the DCFS, all Members of the UIC Community must report suspected Abuse or Neglect of a Minor known to them in their professional or official University capacity to the UIC Police (312-996-2830). If the threat is imminent, Members of the University Community must immediately contact the UIC Police at 5-5555 or dial 9-1-1.

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- ii. Other crimes or threats against minors: Any Member of the UIC Community witnessing any conduct not otherwise covered by this policy toward a minor that they believe may pose a threat to the safety, security, or health of a minor should call the UIC Police at 312-996-2830. If the threat is imminent, Members of the UIC Community should immediately contact the UIC Police at 5-5555 or dial 9-1-1.
 - c. To Medical Examiner or Coroner - Report by UIC Police: The UIC Police Department shall immediately report to the DCFS and/or the appropriate medical examiner or coroner or other authority every matter that is required to be reported in accordance with the applicable statutory and regulatory requirements. This reporting shall satisfy the requirement that mandated reporters make or cause a report to be made to a medical examiner or coroner.
 - d. Other Reporting Obligations: Nothing in this policy supersedes or overrides any duty to report or to act that is required by any other law, regulation, policy, accrediting body, or authority.
 - e. Persons not required to make a report: Any person who is not required to make a report is encouraged to make a report.
4. Duty to Submit to Background Checks
- a. All Members of the UIC Community who are responsible for the supervision or care of children, or whose duties would require close contact and/or alone time with minors who are not enrolled or accepted for enrollment at UIC, must:
 - i. Undergo a criminal background check and sex offender registry check in accordance with campus procedures; and
 - ii. In connection with the background check, disclose every prior conviction of every misdemeanor or felony offense, except:
 - 1. Offenses that have been formally expunged under the laws of the convicting jurisdiction; and
 - 2. Adjudications as a juvenile; and
 - 3. Inform the Protection of Minors Office if the Member of the UIC Community subsequently has been charged with or convicted of any misdemeanor or felony offense in any jurisdiction, or has been placed onto any register of sex offenders. This report must be made before reporting for duties with UIC following said charge or conviction.
 - b. The campus shall maintain policies and procedures for conducting background checks of individuals responsible for the supervision or care of children, or whose duties would require close contact and/or alone time with minors who are not enrolled or accepted for enrollment at the UIC. At a minimum, such policies must require checks for Members of the UIC Community involved in programs or activities designed to include minors who: 1) are

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directors or supervisors of such programs or activities; 2) those whose duties require close contact and/or alone time with minors as part of their job responsibilities or role in the program or activity; and 3) those who stay overnight with the minors as part of their job responsibilities or role in the program or activity. UIC may adopt other background check standards or requirements for certain programs as warranted.

- c. In the event of extenuating circumstances (e.g. the need for numerous volunteers with short lead time) an alternative to background checks may be allowed by UIC. The alternative method includes 1) recording the names and contact information for the individuals prior to the program date, 2) verifying the names have been checked against the online sex offender registry and disqualifying anyone who is listed in the registry, and 3) requiring individuals to show a valid photo ID upon program check-in. Campus officials should consider the duration of the event, whether there will be one-on-one or alone time with minors, whether or not overnight accommodations are involved, and how recently the individual was last required to submit to a background check by it or other institutions before allowing an exception to the background check requirement.
- d. UIC may require background checks of other individuals as deemed appropriate.

5. Results of Background Checks

- a. Results of background checks showing criminal convictions or placement onto a register of sex offenders shall be reviewed in accordance with procedures to be established by the campus.
- b. No Member of the UIC Community whose background check shows a conviction of any offense that bears on that individual's suitability to work with minors, including but not limited to offenses related to abuse or neglect of a minor or any sex-related offense, or placement onto a register of sex offenders, shall be permitted to be responsible for the supervision or care of children, or to perform duties that would require close contact and/or alone time with minors who are not enrolled or accepted for enrollment at UIC, except upon review and approval by the campus. At a minimum, this applies to 1) directors or supervisors of programs or activities designed to include minors; 2) those whose duties require close contact and/or alone time with minors as part of their job responsibilities or role in the program or activity; and 3) those who stay overnight with the minors as part of their job responsibilities or role in the program or activity.
- c. UIC may learn of other, non-conviction information that bears on the suitability of any Member of the UIC Community to have close contact or alone time with minors based on a risk of abuse or neglect. In that situation, and to the extent permitted by law, the information may be considered by the campus in accordance with its procedures for a determination as

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to whether to prohibit or limit that individual's contact with minors or to limit that individual's role.

6. Campus and Program Safeguards

- a. Minors not enrolled or accepted for enrollment at UIC
 - i. UIC shall maintain a current report of UIC activities and programs designed for minors not enrolled or accepted for enrollment at UIC. Activities and programs to be recorded on the report include, but are not limited to camps, summer programs, lessons, performances, and tutoring. The report must at a minimum detail program location/facility, dates and times, age range of participants, and planned number of participants. For each program listed, contact information must be provided for two responsible individuals who will make arrangements for the safety of minors and other participants in the event of an emergency.
 - ii. UIC shall establish minimum standards or safeguards for appropriate levels of supervision for programs and activities, including guidelines for overnight stays.
- b. Minors enrolled or accepted for enrollment at UIC: UIC shall maintain appropriate resources and safeguards for minors who are enrolled or accepted for enrollment at UIC.

RETALIATION

Retaliatory acts against any person who makes a good faith report or complaint under this policy, and/or who cooperates in the investigation and handling of such complaints, even if it is found that no violation of the policy has occurred, will not be tolerated. In accordance with the University Whistleblower Policy, any member of the UIC community who believes that he or she is the subject of retaliation or reprisal should contact the appropriate office as designated in the Policy. UIC will promptly investigate all complaints of alleged retaliation or reprisal.

POLICY VIOLATION SANCTIONS

Failure to comply with the provisions of this policy and any related campus procedures may result in cancellation of an event and/or discipline in accordance with UIC and University policies, up to and including termination of employment, dismissal from the University, issuance of No-Trespass Notices, and/or disqualification from participation in future volunteer activities.

Failure of a member of the UIC Community to submit to required background checks, to comply with restrictions and safeguards imposed pursuant to this policy, to make any report required by this policy, to cooperate in any investigation pursuant to this policy, to complete the required education and acknowledgement, or to sign the certificate required by this policy may result in disciplinary action up to and including termination of employment and/or dismissal from the University.

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Knowingly making a false report or complaint under this policy, or knowingly providing false or intentionally misleading information during an investigation, may also result in disciplinary action up to and including termination of employment and/or dismissal from the University.

POLICY DEFINITIONS

For purposes of this Policy, the following definitions shall apply:

Child Abuse and Neglect: “Abused Child” and “Neglected Child” are defined in the Abused and Neglected Child Reporting Act, [325 ILCS 5/3](#). Please consult the statute for a full definition. Additional guidance may be found at [link to DCFS guidance]. In general, abuse includes the maltreatment of a child under the age of 18 by a parent, step-parent, guardian, foster parent, immediate family member, paramour of the natural parent, any individual residing in the same home, any person responsible for the child's welfare at the time of the alleged abuse, or any person who came to know the child through an official capacity or position of trust. Child abuse can be physical abuse, sexual abuse, and/or neglect.

Physical Abuse of a minor includes when a parent or a person responsible for the child's welfare inflicts, causes to be inflicted, or allows to be inflicted a physical injury, by other than accidental means, which causes death, disfigurement, impairment of physical or emotional health, or loss of impairment of any bodily function; creates a substantial risk of physical injury; commits an act of torture; inflicts excessive corporal punishment; commits or allows to be committed female genital mutilation; causes the selling, transfer, distribution, or giving of illegal drugs to a minor; or commits or allows to be committed involuntary servitude, involuntary sexual servitude of a minor, or human trafficking.

Sexual Abuse includes when a parent or a person responsible for the child's welfare commits or allows to be committed any of the following: transmission of a sexual disease; sexual penetration; sexual molestation; sexual exploitation; or places a minor at risk of sexual harm.

Neglect includes when a parent or a person responsible for the child deprives or fails to provide the child with adequate food, clothing, shelter, needed medical care, or supervision. A child is also considered neglected if he or she is subjected to an environment which is injurious insofar as (i) the child's environment creates a likelihood of harm to the child's health, physical well-being, or welfare and (ii) the likely harm to the child is the result of a blatant disregard of parent or caretaker responsibilities.

Member of the UIC Community: All UIC Personnel, UIC Volunteers, and UIC Contractors.

Minor: A person under the age of eighteen (18) years.

UIC Contractor: An individual retained by the University under contract to provide services and/or support

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for programs and activities designed to include minors.

UIC Personnel: Includes but is not limited to all the following at UIC: University or UIC faculty, staff, Post-Doctoral, visiting scholars, and students in their capacity as student-employees.

UIC Volunteer: An uncompensated individual who is authorized by the University or a UIC department or unit to: a) perform civil, charitable, or humanitarian services related to the business of or in support of activities of the University or UIC designed to include minors, or b) gain personal or professional experience in specific endeavors. 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.