

## GEORGETOWN UNIVERSITY LAW CENTER PROTECTION OF MINORS POLICY

### **Section One: Purpose**

Georgetown University is committed to the safety of all individuals in its community. The University has particular concern for those who are potentially vulnerable, including minor children, who require special attention and protection. This Policy establishes guidelines for those in the University community who may work or interact with individuals under 18 years of age, with the goal of promoting the safety and wellbeing of minors.

### **Section Two: Scope**

This policy provides guidelines that apply broadly to interactions between minors and University students, faculty, staff[1] and volunteers[2] in University-run or -affiliated programs or activities. This policy also establishes requirements for non-University organizations and entities that operate programs or activities involving minors on campus, and University agreements with such organizations and entities shall reflect those requirements. All Georgetown University students, faculty and staff are responsible for understanding and complying with this Policy. Appendices to this Policy set forth specific requirements and procedures and may be updated from time to time.

### **Section Three: Definitions**

**Abuse or Neglect of Minors** for purposes of this Policy means infliction of physical or mental injury, sexual abuse or exploitation, or negligent treatment or maltreatment of a person under age 18. Sexual abuse includes engaging in or attempting to engage in a sexual act or sexual contact with a minor, causing or attempting to cause a minor to engage in sexually explicit conduct, or exposing the minor to sexually explicit conduct. Neglect includes the failure to make reasonable efforts to prevent the infliction of abuse upon a person under age 18.[3]

**Campus** for purposes of this policy means all buildings, facilities, and properties that are owned, operated, managed, or controlled by the University.

**Minor** for purposes of this policy means any person under the age of 18. Georgetown University undergraduate students who are under the age of 18 are treated by this Policy similarly to all other students for purposes of their interactions with minors in University-run or -affiliated programs or activities and are subject to the requirements that apply to other students.

**University-run or -affiliated programs and activities** means programs or activities that Georgetown University operates or sponsors or in which University students, faculty or staff engage through their University roles. This term does not include programs or activities in which one may engage that are unrelated to one's status as a member of the University's faculty, staff or student body.

### **Section Four: Guidelines and Responsibilities**

When participating in University-run or -affiliated programs and activities, students, faculty and staff 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](#).
- Watch for signs of minor abuse or neglect and promptly report suspected instances of abuse or neglect, or violations of this policy or law, as provided in [Sections VII](#) and [VIII](#) below.
- Before engaging in any University-run or -affiliated program or activity involving contact with minors: meet the requirements of this Policy relating to training ([Section V](#)) and criminal background checks ([Section VI](#)); meet any additional requirements that relate to the specific program or activity; and determine whether they are a mandated reporter under District of Columbia law ([Section VIII](#)).

University faculty and others on campus who only interact in classes or other normal academic settings with Georgetown University undergraduate 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 an undergraduate student under the age of 18 has been abused or neglected must, however, make reports as required by [Sections VII](#) and [VIII](#).

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 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.

Information about the signs of abuse and neglect of minors appears in [Appendix A](#).

### **Section Five: Training for Those Participating in Programs and Activities**

University students, faculty and staff who participate in University-run or -affiliated programs or activities involving minors must complete appropriate training. 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.
- 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 [Appendix B](#).

### **Section Six: Criminal Background Checks**

Certain categories of individuals will be required to clear a criminal background check prior to participation in University-run or -affiliated activities involving minors. The categories of individuals who must undergo background checks are listed in [Appendix C](#).

If a 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. Except where required by law, criminal background checks of University faculty, staff and students that are conducted pursuant to this Policy will be used only for purposes consistent with this Policy and will otherwise be kept confidential. Records of background checks will be maintained separately from an individual's personnel or student file.

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.

Specific requirements and procedures for background checks appear in [Appendix C](#).

### **Section Seven: Reporting Potential Harm to Minors**

#### *1. Emergencies*

In case of an emergency, one should immediately call Georgetown's Department of Public Safety (DPS) at (202) 687.4343, the Georgetown Law Center Department of Public Safety at (202) 662.9325, or the Metropolitan Police Department at 911.

#### *2. All Other Reports of Known or Suspected Abuse or Neglect of Minors* [\[4\]](#)

Anyone participating in a University-run or 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 Office of Compliance and Ethics (OCE) by calling (202) 687.6493 or using the University's Compliance Helpline, which is accessible at <http://compliance.georgetown.edu> or by telephone at (888) 239.9181. The Helpline is available 24 hours a day.

OCE, with support from other appropriate offices as necessary, will help determine appropriate next steps.

In addition, one should promptly notify his or her supervisor, program director, dean, or vice president, when it is safe and appropriate to do so.

Anyone who knows or suspects abuse or neglect of minors may also notify the Metropolitan Police Department of the District of Columbia (MPD) and/or the District of Columbia Child and Family Services Agency (CFSA), as described in [Section VIII](#) of this Policy.

### 3. *Questions*

Questions about one's obligations or what one should do in a situation that makes one uncomfortable should be raised with the Office of Compliance and Ethics at (202) 687.6493.

The University's [Whistleblower Protection Policy](#) protects individuals from retaliation when they make good faith reports about problems.

## **Section Eight: Reporting: Additional Obligations for Mandated Reporters**

In addition to the reporting obligations described in Section VII that the University imposes on those participating in programs involving minors, certain individuals are mandated reporters who have additional obligations under District of Columbia law.

### 1. *Mandated Reporters and Their Legal Obligations*

District of Columbia law designates individuals in certain occupations and professions as mandated reporters. Mandated reporters must report known or suspected mental or physical abuse or neglect of a child known to them in their professional or official capacity to either the DC Metropolitan Police Department (MPD) at 911 or the Child and Family Services Agency (CFSA). The CFSA hotline, at (202) 671.7233, is available 24 hours a day, seven days a week. DC law also requires mandated reporters to complete the Mandated Reporter Training offered by the CFSA, which is available at:

<http://dc.mandatedreporter.org/>.

### 2. *Mandated Reporters Under DC Law:*

Mandated reporters include: physicians, psychologists, medical examiners, dentists, chiropractors, nurses, law-enforcement officers, school officials, teachers, athletic coaches, social service workers, day care workers, mental health professionals, and others<sup>[5]</sup>. University faculty, staff or students who are working with minors in their professional or official capacity and who have questions about whether they may be considered mandated reporters under DC law should contact their supervisor, program director, dean or vice president. The Office of University Counsel is also available to provide advice and can be reached at (202) 687.6457.

Even those who are not mandated reporters may report known or reasonably suspected child abuse to the MPD, CFSA, or both.

## **Section Nine: Addressing Reports of Abuse or Neglect**

1. Whenever the University receives a report of alleged abuse or neglect of a minor in a University-run or -affiliated program or activity.
  - a. The person receiving the report shall immediately notify the Associate Vice President for Compliance and Ethics, even if they believe OCE has already been notified.
  - b. The Associate Vice President for Compliance and Ethics, in consultation with DPS, the Office of the General Counsel, and appropriate senior University leadership, shall:
    - i. 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.
  - ii. Determine whether the MPD, CFSA, or both have already been notified and, if not, whether such notification is required or appropriate given the circumstances.
  - iii. 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.
  - iv. 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.
  - v. Facilitate the University's cooperation with any investigation conducted by MPD, CFSA, or other governmental agency.
2. 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 Associate Vice President for Compliance and Ethics, even if they believe OCE has already been notified. The Associate Vice President for Compliance and Ethics, in consultation with DPS, the Office of the General 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.

### **Section Ten: 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.

### **Section Eleven: Policy Implementation and Modification**

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