

## **Colby College Protection of Minors Policy**

### **I. Policy Statement**

Colby College has zero tolerance for the abuse, neglect, and/or exploitation of minors. This policy outlines the ways in which Colby will prevent or report abuse and exploitation of minors on its campus or in Colby-sponsored programs that occur off-campus. The central components of this policy are the obligation to report suspected abuse, appropriate training on preventing and recognizing child abuse, and appropriate background screening of individuals with responsibility for primary supervision of minors.

### **II. Application of Policy**

This policy applies to all activities that bring minors to Colby's campus, either through Colby-sponsored programs or programs facilitated by third parties, such as summer sports camps that use Colby's campus pursuant to a facility use agreement. This policy also applies to Colby-sponsored programs that involve minors and occur off-campus.

This policy does not apply to Colby faculty, staff, or students engaging with minors as part of off-campus activities that are not sponsored by the College, e.g., internships, summer employment, or volunteer experiences.

As stated in this policy, certain components of this policy shall not apply when Colby faculty, staff, or students are not primarily responsible for oversight of a minor, e.g., a Colby student providing tutoring or mentoring in a school while a teacher is present.

For purposes of this policy, the term "*minor*" includes any person under age 18, but does not include matriculated students at Colby or prospective or admitted students participating in Admissions activities who happen to be under age 18.

Maine law classifies "*child abuse or neglect*" as "a threat to a child's health or welfare by physical, mental or emotional injury or impairment, sexual abuse or exploitation, deprivation of essential needs or lack of protection from these or failure to ensure compliance with school attendance requirements."

### **III. Duty to Report Abuse or Neglect**

#### **A. State of Maine Mandatory Reporters**

Maine state law classifies certain categories of employees or professionals as "mandatory reporters" of suspected child abuse or neglect. As required by state law, these mandatory reporters must immediately report to the Department of Health and Human Services (DHHS) whenever there is reasonable cause to suspect that a child has been or is likely to be abused or neglected. Please see the State of Maine's [mandatory reporter webpage](#) for more information on mandatory reporting and required training.

The DHHS hotline to report suspected abuse is 1-800-452-1999.

## **B. Colby College Duty to Report**

Colby requires all faculty and staff members to report suspected abuse or neglect of a minor when the suspected abuse occurs on Colby's campus or the faculty or staff member learns of the suspected abuse through the faculty or staff member's scope of employment.

Reports of suspected abuse or neglect made by faculty or staff members, including mandatory reporters, must be made immediately to one of the following Colby officials:

1. Vice President for Administration and Chief Financial Officer;
2. Vice President and General Counsel;
3. Director of Security; or
4. Director of Risk Management

In addition to providing notice to one of the Colby officials listed above, faculty or staff members suspecting abuse or neglect must immediately report the suspected abuse or neglect to DHHS using the hotline identified above, and provide written confirmation to the Colby official that such report was made. Faculty or Staff members must still report to DHHS immediately even if they have reported the suspected abuse or neglect to a Colby official.

In cases of imminent abuse, Colby faculty or staff members are encouraged to contact 911 prior to notifying Colby officials or DHHS.

Colby students who become aware of suspected abuse or neglect through a Colby-sponsored program must notify their Colby program supervisor. If the program is co-sponsored with, or hosted by, a third party, i.e., a school system, the Colby program supervisor shall coordinate reporting efforts with the third party, and notify one of the Colby officials once that report has occurred.

## **IV. Identifying Sexual Abuse Training**

Colby requires certain individuals interacting with minors to undertake child abuse identification training through the EduRisk program sponsored by United Educators, titled "Protecting Children: Identifying and Reporting Sexual Misconduct." This online program generally runs approximately 30 minutes in length.

The following individuals are required to undertake this training:

1. All Colby faculty, staff, and students who directly interact with minors, either through on-campus programs or through Colby-sponsored programs that occur off-campus.
2. All Colby faculty or staff members who direct programs that require direct interaction with minors, through on-campus programs or through Colby-sponsored programs that occur off-campus.

The Colby-sponsoring department shall contact the Director of Risk Management to register for the course and maintain documentation verifying the completion of this program for all participants.

All individuals receiving this training shall receive a copy of this policy.

## **V. Background Screening**

In order to ensure the safety of minors who are on campus pursuant to Colby-sponsored programs or participating in Colby-sponsored programs off-campus, the following individuals must undergo satisfactory criminal background/sex offender registry screening:

1. All Colby faculty or staff members who directly interact with minors as part of their employment, either through on-campus programs or Colby-sponsored programs that occur off-campus. If the faculty or staff member was background screened at the time of hire, that screen will satisfy this requirement.
2. All Colby students who directly interact with minors, either on campus or through Colby-sponsored programs that occur off-campus and assume responsibility for primary supervision of the minor(s).
  - a. Colby students serving as mentors in Colby Cares About Kids (CCAK) and other similar programs are not subject to this background screening requirement as those mentors do not assume responsibility for primary supervision of the minor mentee. Pursuant to CCAK's policies, mentor/mentee interactions occur in schools or other settings with supervision from teachers, parents, or other officials.
  - b. On the other hand, Colby students engaging in Colby-sponsored mentoring or tutoring programs in which the mentor or tutor is alone with the minor and responsible for primary supervision of the minor are subject to this background screening requirement.
  - c. Colby students participating in educational/teacher training programs at participating site schools with background procedures will not be subject to screening pursuant to this policy. Those students will be subject to the background screening policies of the participating institution.
  - d. The College recognizes the limited value of a criminal background screen for Colby students, as juvenile violation records are often sealed and will not appear on a criminal record screen. As such, Colby students who are screened as part of this process will be subject to only an online sex offender registry search in Maine and their state of residence.

All background screening shall comply with applicable state and federal laws. Costs relating to background checks will be paid by the Colby department sponsoring the program. The sponsoring department shall review the screening results and maintain documentation verifying the screening process. Departments should contact the Director of Risk Management if there are questions or concerns regarding screening results or processes, and whether the results of the screen should prohibit the individual from participating in activities involving minors.

Once an individual has undergone a satisfactory background check, either pursuant to this policy or their original hiring process, that individual does not need to undergo a new check while that individual is at Colby.

## **VI. Contracting with Third Parties for Programs with Minors on Campus**

All third parties maintaining programs for minors on campus must execute Colby's standard facility use agreement. The agreement shall contain the following provisions:

1. "User shall conduct best practices regarding controls and programs to ensure the protection of minors on Colby's campus, including training for employees and appropriate employee screening. Colby College has zero tolerance for the abuse, neglect, and/or exploitation of minors. User shall immediately notify Colby College's Department of Security of any suspected abuse, neglect, or exploitation of a minor on Colby College's campus."
2. Requirement to provide evidence of general liability insurance, including sexual molestation coverage. Such coverage shall be at a minimum of \$1,000,000 per occurrence and shall name Colby as an additional insured on a primary and non-contributory basis.

These contractual requirements do not apply to third parties that are invited to Colby's campus as guests of the College for a Colby-sponsored event.

## **VII. Conduct/Training/Registration Expectations**

Colby faculty, staff, and students are expected to comply with best practice guidelines to prevent child abuse and allegations of abuse. Please see EduRisk's guidance statement, Behavioral Statements for Interacting With Minors, attached hereto as Exhibit A.

Colby faculty and staff members directing Colby-sponsored programs for minors are expected to ensure that those serving the program are adequately trained for the particular program. This could include behavior-management expertise, CPR/First Aid certification, or other training as applicable.

All Colby-sponsored programs with minors shall follow appropriate registration processes, as applicable. Such process should include parental/guardian permission, emergency contact information, primary medical care provider information, and allergies/medications information.

## **VIII. Childcare on Campus**

The College is not a licensed childcare provider, and therefore, childcare cannot occur as a regular practice. Childcare in support of College programs may occur if the care is directed on-site by an individual with demonstrated expertise and training in childcare, and in compliance with all other requirements of this policy.

Rev. 11/2018

Effective: 1/1/2019

**Exhibit A**  
**Behavioral Statements for Interacting With Minors**



**Adobe Acrobat  
Document**