1. **Purpose**

Virginia Polytechnic Institute and State University (Virginia Tech) is committed to the safety and welfare of its students, faculty, staff and visitors through the establishment of reasonable practices that support a safe and secure environment in all buildings and grounds owned, controlled, or leased by Virginia Tech, including satellite locations, as well as to promoting safety through policies and programs. The purpose of this policy is to describe the role of administrators, faculty, staff, students, volunteers and others working with minors (children under the age of 18) to promote their protection.

2. **Policy**

This policy provides guidelines that apply broadly to interactions between minors and university faculty, staff, students, volunteers and others working with minors 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 in university owned, controlled, or leased properties, including satellite locations, and university agreements with such organizations and entities shall reflect those requirements. All university policies apply to minors. Federal and state laws guiding interaction with minors also apply to all university faculty, staff, students, volunteers and others working with minors in university owned, controlled, or leased properties, including satellite locations.

The behavior of all Virginia Tech faculty, staff and students is expected to align with the university’s Principles of Community.
2.1 University-run or –affiliated programs or activities

In accordance with University Policy 5000, Facilities Usage and Event Approval, a recognized student organization, university department or university-associated organization must sponsor any event on campus. Non-university groups or organizations must have a university sponsor to hold an event.

3. Procedures

3.1 Guidelines and Responsibilities

When participating in university-run or –affiliated programs and activities, students, faculty and staff should:

- Be vigilant in protecting the well-being and safety of minors with whom they interact on campus or elsewhere.
- Review informational material about the signs of abuse and neglect of minors provided by the Commonwealth of Virginia.
- 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 Section 3.2 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 3.3) and criminal background checks (Section 3.4);
  - meet any additional requirements that relate to the specific program or activity; and
  - determine whether they are a mandated reporter in accordance with the laws of the Commonwealth of Virginia.

University faculty and others on campus who only interact in classes or other academic settings (e.g., office advising, field trips with groups of students, club meetings) with Virginia Tech undergraduate students under the age of 18 are not subject separately to the training or background checks required by this Policy but may be subject to other university conviction check policies. 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 Section 3.2 and the laws of the Commonwealth of Virginia.

Non-university organizations and entities that operate programs or activities involving minors in university facilities must be aware of, and comply with, this Policy as a condition of the use of the facilities.

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.

3.2 Reporting

3.2.1 Reporting potential harm to minors

“If you see something, say something.” Members of the university community should report immediately instances or suspected instances of the abuse of or inappropriate interactions with minors to the VTPD or other local law enforcement agency AND to the appropriate university sponsor, department head, or dean/vice president. This includes information about known, suspected, or reported abuse, neglect, or inadequate care provided by a parent, guardian, or custodian/caretaker.

3.2.2 Reporting: Additional obligations for mandated reporters

Virginia Tech employees and many other community member(s) have a further obligation due to their occupations and professions, as mandated reporters under the Code of Virginia § 63.2-1509, to make a report to the local Department of Social Services in the county or city where the child resides or where the abuse or neglect is believed to have occurred, or
to the Virginia Department of Social Services’ toll-free child abuse and neglect hotline. VTPD can assist in providing contact information for reporting. University Legal Counsel is available to provide advice about whether an employee may be considered a mandated reporter.

### 3.3 Training for those participating in programs and activities

#### 3.3.1 University-run or -affiliated programs or activities

University students, faculty, staff, and volunteers who participate in university-run or -affiliated programs or activities involving minors must complete appropriate training, as administered or approved by Human Resources.

#### 3.3.2 Non-university programs or activities

Non-university organizations and entities that wish to operate programs or activities involving minors on campus must provide documentation to the university sponsor at least fourteen (14) days prior to the start date of any program or activity indicating that all individuals who will be interacting with minors (and supervisors of such individuals) have received training that meets or exceeds the minimum requirements stated above.

### 3.4 Criminal background checks

Certain categories of individuals will be required to clear a criminal conviction check prior to participation in university-run or -affiliated activities involving minors.

Non-university organizations and entities that operate programs or activities on campus involving minors must conduct criminal conviction checks of their employees, volunteers, and representatives that meet university standards. Non-university organizations and entities must submit a certification of compliance with the conviction check rules described herein to the university sponsor, stating:

1. that they have conducted background checks as set forth in this Policy, and
2. that they have notified both the university sponsor and the parents/guardians of minor participants of the criteria used to exclude individuals due to conviction check results.

This certification must be received by the university sponsor at least fourteen (14) days prior to the start of any program or activity involving minors on campus and should be maintained by the sponsor in compliance with the Commonwealth of Virginia Records Retention & Disposition Schedules. The university may request any additional information it deems necessary to meet the requirements of this Policy.

#### 3.4.1 Individuals required to undergo a criminal conviction check

The following categories of individuals are required to undergo a criminal conviction check prior to their participation in university activities or programs involving minors:

- Directors and supervisors of programs who have access to 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.

Currently employed faculty members who guest lecture, provide lab demonstrations, or otherwise have limited, supervised contact with programs involving minors are not required to undergo a conviction check.
Currently enrolled Virginia Tech students hosting minors as part of an official university function will not be required to undergo a conviction check. However, students must still comply with the Continuing Duty to Report Arrests and Convictions to the University.

### 3.4.2 Process for conducting criminal conviction checks

Human Resources (HR) can provide information on the processing of criminal conviction checks for university-run or affiliated activities involving minors. Conviction checks on university faculty, staff, and students will be conducted in accordance with University Policy 4060, Conviction and Driving Record Investigation.

The cost of any conviction checks will be borne by the university department, university or external organization, activity, or program responsible for the program involving minors, as appropriate.

### 3.4.3 Review of results

Conviction check reviews for university-run or affiliated activities involving minors will be conducted in accordance with University Policy 4060, Conviction and Driving Record Investigation.

### 3.4.4 Renewal

Criminal conviction checks must be conducted annually for any individual who is not a continuing university employee or student. In accordance with Policy 4060, Conviction and Driving Record Investigation, as outlined in Section 2.1, a break in service/attendance for a Virginia Tech wage or salaried non-student employee of 24 months or more shall be considered not continuing and the individual returning to employment must complete a conviction check.

### 3.5 Addressing Reports of Abuse or Neglect

The university sponsor, coach, athletic program director, department head, or dean/vice president, upon receiving a report of alleged abuse or neglect of a minor, and in consultation with VTPD, University Legal Counsel, Human Resources or appropriate senior university leadership shall:

- 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 pending resolution of the matter.
- Determine whether the university’s Title IX Coordinator(s) should be notified.
- Determine whether additional agencies, such as other law enforcement agencies or the Virginia Department of Social Services, have been or should be notified given the circumstances.
- If the parents or guardians of the alleged victim have not been notified and are not the alleged abusers, notify the parents or guardians of the minor involved.
- Facilitate the VTPD or other law enforcement agency’s investigation of the report and resolution of 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.

### 3.6 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, ban 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.
4. **Definitions**

**Mandated or Mandatory Reporter:** an individual who, in the ordinary course of their profession, typically has frequent contact with children and is required by law to report instances of suspected abuse or neglect. Reference Code of Virginia §63.2-1509, Title IX and the Clery Act for a list of professions and additional information.

**Minor:** a child under the age of eighteen (18) who is not enrolled or accepted for enrollment at the university.

**University-run or –affiliated programs and activities:** programs or activities that Virginia Tech or a university department operates 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.

**Volunteer:** any person who, of his or her own free will, provides services to Virginia Tech for civic, charitable, or humanitarian purposes without promise, expectation, or receipt of compensation.

5. **References**

Code of Virginia § 40.1  
[http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+TOC4001000](http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+TOC4001000)

Code of Virginia § 63.2-15  
[http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+TOC63020000015000000000000](http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+TOC63020000015000000000000)

*Continuing Duty to Report Arrests and Convictions to the University*  

Policy 1005, Health & Safety Policy  
[http://www.policies.vt.edu/1005.pdf](http://www.policies.vt.edu/1005.pdf)

Policy 4060, Background and Driving Record Investigation  
[http://www.policies.vt.edu/4060.pdf](http://www.policies.vt.edu/4060.pdf)

Policy 4330, Guidelines for Use of Volunteers  
[http://www.policies.vt.edu/4330.pdf](http://www.policies.vt.edu/4330.pdf)

Policy 5000, University Facilities Usage and Event Approval  
[http://www.policies.vt.edu/5000.pdf](http://www.policies.vt.edu/5000.pdf)

6. **Approval and Revisions**

Approved by the University Safety and Security Policy Committee on April 15, 2014.

Approved April 15, 2014 by President, Charles W. Steger.