



Minors on Campus or Participating in University-Related Programs

No. 4815

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Affected Parties:
Undergraduate
Graduate
Faculty
Staff
Other

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1.0 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.

2.0 Policy

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.

3.0 Procedures

3.1 Guidelines and Responsibilities

When participating in programs and activities where minors may be present, student, 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.
- Determine whether they are a mandated reporter in accordance with the laws of the Commonwealth of Virginia and Virginia Tech.

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.

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

The university shall incorporate the requirements of this policy into the employee and student training module for Policy 1025, Policy on Harassment, Discrimination, and Sexual Assault (<http://www.policies.vt.edu/1025.pdf>) and Title IX.

3.4 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.

3.5 Interpretation

The Office of Equity and Accessibility (<http://oea.vt.edu/>) is responsible for the interpretation of this policy.

4.0 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).

“Abused or neglected child” means any child less than 18 years of age:

1. Whose parents or other person responsible for his care creates or inflicts, threatens to create or inflict, or allows to be created or inflicted upon such child a physical or mental injury by other than accidental means, or creates a substantial risk of death, disfigurement, or impairment of bodily or mental functions, including, but not limited to, a child who is with his parent or other person responsible for his care either (i) during the manufacture or attempted manufacture of a Schedule I or II controlled substance, or (ii) during the unlawful sale of such substance by that child's parents or other person responsible for his care, where such manufacture, or attempted manufacture or unlawful sale would constitute a felony violation of § 18.2-248;



2. Whose parents or other person responsible for his care neglects or refuses to provide care necessary for his health. However, no child who in good faith is under treatment solely by spiritual means through prayer in accordance with the tenets and practices of a recognized church or religious denomination shall for that reason alone be considered to be an abused or neglected child. Further, a decision by parents who have legal authority for the child or, in the absence of parents with legal authority for the child, any person with legal authority for the child, who refuses a particular medical treatment for a child with a life-threatening condition shall not be deemed a refusal to provide necessary care if (i) such decision is made jointly by the parents or other person with legal authority and the child; (ii) the child has reached 14 years of age and is sufficiently mature to have an informed opinion on the subject of his medical treatment; (iii) the parents or other person with legal authority and the child have considered alternative treatment options; and (iv) the parents or other person with legal authority and the child believe in good faith that such decision is in the child's best interest.
3. Whose parents or other person responsible for his care abandons such child;
4. Whose parents or other person responsible for his care commits or allows to be committed any act of sexual exploitation or any sexual act upon a child in violation of the law;
5. Who is without parental care or guardianship caused by the unreasonable absence or the mental or physical incapacity of the child's parent, guardian, legal custodian or other person standing in loco parentis;
6. Whose parents or other person responsible for his care creates a substantial risk of physical or mental injury by knowingly leaving the child alone in the same dwelling, including an apartment as defined in § 55-79.2, with a person to whom the child is not related by blood or marriage and who the parent or other person responsible for his care knows has been convicted of an offense against a minor for which registration is required as a violent sexual offender or
7. Who has been identified as a victim of sex trafficking or severe forms of trafficking as defined in the Trafficking Victims Protection Act of 2000.

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.

5.0 References

Virginia Tech, Continuing Duty to Report Arrests and Convictions to the University

http://www.studentconduct.vt.edu/students/student_and_organization_discipline/selfdisclosure_of_arrests_convictions/index.html

Virginia Tech, University Policy 1005, Health & Safety Policy

<http://www.policies.vt.edu/1005.pdf>

Virginia Tech, University Policy 4060, Conviction and Driving Record Investigation

<http://www.policies.vt.edu/4060.pdf>

Virginia Tech, University Policy 4330, Guidelines for the Use of Volunteers

<http://www.policies.vt.edu/4330.pdf>

Virginia Tech, Policy 5000, University Facilities Usage and Event Approval

<http://www.policies.vt.edu/5000.pdf>



6.0 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.

- Revision 1
 - Section 3.5 - responsibility for interpretation of this policy is assigned to the Office for Equity and Accessibility.
 - Legal compliance revisions
 - Updated the training component
 - Removed section about criminal background checks (formerly Section 3.4).

Approved by the University Safety and Security Policy Committee on May 10, 2017.

Approved May 10, 2017 by President, Timothy D. Sands.