



UNIVERSITY POLICY

HUMAN RESOURCES POLICIES

Number: 306

Subject: Sexual Abuse and Molestation Prevention Policy

Covered Individuals: UIU Employees

Covered Campus Locations: All Locations

Effective Date: October 2014

Last Revision: August 30, 2018

PURPOSE

This policy establishes how Upper Iowa University (UIU) will work to prevent the physical, emotional and sexual abuse of children and youth by its employees (paid or volunteer). UIU seeks to create a welcoming and nurturing environment and has zero tolerance for those whose actions may jeopardize the safety, health or innocence of a minor. This policy is consistent with the policies set forth in the UIU Employee Handbook.

DEFINITIONS

Abuse – Because it takes many forms, abuse can be broken down into the following stereotypes, all of which are prohibited within the scope of this policy.

- *Physical abuse* – Injury inflicted on a child or youth.
- *Sexual abuse* – Contact or activity of a sexual nature between an adult and a child or youth.
- *Emotional abuse* – Mental or emotional injury inflicted on a child or youth by the actions of an adult.
- *Neglect* – Failure to provide adequate care for a child or youth.
- *Economic abuse* – Deliberate misuse of the money or belongings of a child or youth.

Child – A child is defined as anyone under the age of 12.

Youth – A youth is defined as anyone between 12 and 18 years of age.

POLICY

Personnel Screenings

Safeguards in the hiring process will be used to eliminate from consideration any candidates who display characteristics that could classify them at a high risk for violating this policy.

The required screenings and background information will depend on the positions and its level of involvement with children and youth.

For those who regularly work with or around children or youth.

Candidates for positions that involve regular interaction with children or youth will be screened and selected using the following:

- Standard employment application that includes signed authorization to perform necessary background checks;
- Criminal background checks in any and all states where the candidate has lived in the past seven years;
- Sexual offender registry checks in any and all states where the candidate has lived for the last seven years;
- Driving records and any applicable certification if the position requires the transportation of children;
- In-person interview of the candidate; and
- If hired, criminal and sexual offender registry checks will be conducted every five years for those who regularly work with children or youth.

For those who occasionally work with children or youth.

Candidates for positions that involve occasional contact with children or youth will be screened and selected using the following:

- Standard employment application that includes signed authorization to perform necessary background checks;
- In-person interview of the candidate; and
- Driving records and any applicable certification if the position requires the transportation of children.

All information collected about a candidate will be reviewed and used to determine if they are appropriate for the respective position. If hired, all information collected during the hiring process will be included in the employee's permanent file, which will be maintained over the course of their employment.

Personnel screenings are required regardless of current employment status with employees seeking to transfer into a position that involves working with children or youth must undergo the same review process as new hires.

Structural Guidelines for Programs

All programs are designed to encourage safe interaction between employees and children or youth. The following guidelines are meant to keep established safeguards effective:

- Programs for children and youth must have an established adult to child ratio;
- Employees are restricted from being alone with a child or youth where they cannot be easily observed by others;
- Employees are not allowed to implement new activities or programs for children without the written consent of UIU. Requests for new activities or programs should be submitted in writing to management;
- Written permission must be obtained from a parent or guardian before any employee transports a child or youth in the name of UIU; and
- Children under the age of six placed in the care of UIU will only be released to a parent, legal guardian or person designated by a parent or legal guardian.

General Conduct

In an effort to provide a safe and healthy environment for both mind and body, the following guidelines are meant to guide employees during their interactions with children and youth. These guidelines do not and cannot outline every situation that may be encountered while on the job, requiring employees to act with a certain degree of personal discretion. Because a certain action is not prohibited in this section does not mean it is acceptable behavior.

UIU reserves the right to take disciplinary action against employees whose actions are found to be inappropriate regardless of whether they appear in this section.

- Employees will treat all children and youth with respect and consideration.
- Treatment must be fair and equal, and must not be based on sex, race, religion, sexual orientation or economic or social status. All effort must be made to avoid favoritism, or the appearance of favoritism;
- While representing UIU, employees must not possess, distribute, use or allow others to use any alcohol or drugs;
- Employees must not use harsh or inappropriate language, degrading punishment or any type of restraining device in the name of behavior management;
- Employees must not participate in or allow others to engage in any form of hazing;
- Employees must not have sexual contact with children or youth;
- Employees must not dress, undress, shower or bathe with or in the presence of children or youth;
- Employees must not use physical punishment in any form. The only time physical force is allowed to be used against a child or youth is when their actions are placing others at an immediate risk of serious harm;
- Employees are prohibited from sharing sleeping locations with children or youth. This includes beds, tents, hotel rooms or other similar areas. Employees can sleep in

- open areas with children or youth as long as the area is large enough for the employee to have their own defined sleeping area and other employees are also present;
- Employees must not discuss their own sexual history, preferences or fantasies nor their use of illicit or pornographic materials while in the company of children or youth;
 - Employees are not allowed to possess any sexually oriented materials (books, magazines, videos, clothing) when conducting business in the name of UIU; and
 - When one-on-one discussion or counseling is warranted, employee interaction with a child or youth will take place in an area that allows for private conversation while remaining in view of others.

If, for any reason, an employee feels that there is a need to make an exception to these guidelines, they must submit to their supervisor a written description of the incident and why their actions were necessary. Their report will be reviewed for wrongdoing. A copy of the original report along with any additional findings made by the reviewer will be included in the employee's permanent file.

REPORTING SEXUAL ABUSE OR MOLESTATION

Any member of the University faculty, staff, student body or other person who believes he/she has been the victim, or who becomes aware of or suspects that sexual abuse has taken place, is required to immediately report the incident to the Office of Human Resources (563) 425-5959 or the Office of Academic Affairs (563) 425-5347, who will then report it immediately to local law enforcement. Another initial reporting option is Lighthouse reporting, which may be anonymous. Lighthouse may be reached on their web site, which is www.lighthouse-services.com/uiu, by phone at (833) 350-0022, or by email at reports@lighthouse-services.com (UIU must be identified in the email). Lighthouse reporting will also result in immediate reporting to local law enforcement.

UIU prohibits retaliation against any employee, student, volunteer or trustee who reports in good faith a complaint of sexual abuse or who participates in any related investigation. False accusations of sexual abuse in bad faith can have serious consequences for those who are wrongly accused. UIU prohibits making false and/or malicious sexual abuse allegations, as well as deliberately providing false information during an investigation. Anyone who violates this rule is subject to disciplinary action, up to and including termination of employment or of student enrollment.

RULES, PROCEDURES, GUIDELINES, FORMS, AND OTHER RELATED RESOURCES

Employee Agreement

CONTACTS

Acting as the policy owner, the Office of Human Resources is responsible for answering questions regarding the application of this policy.

SANCTIONS

N/A

HISTORY

- Policy approved by President's Counsel October 2014
- Revision to policy approved by President's Council August 30, 2018

