



ADMINISTRATIVE POLICY STATEMENT

Policy Title: Protection of Children Participating in University-Run and University-Contracted Programs for Children

APS Number: 7009 **APS Functional Area:** **RISK MANAGEMENT AND PUBLIC SAFETY**

Brief Description: Outlines the campuses’ responsibilities to protect children while they are participating in programs for children on campus.

Effective: October 4, 2017

Approved by: President Bruce D. Benson

Responsible University Officer: Sr. Associate Vice President, Business Operations

Responsible Office: University Risk Management

Policy Contact: University Risk Management 303-860-5682

Supersedes: N/A

Last Reviewed/Updated: October 4, 2017

Applies to: The policy applies to all university-operated and university-contracted programs for children and any unaffiliated program operators who operate programs for children on university-owned facilities.

Reason for Policy: To clarify expectations and outline campus requirements to provide for the protection of children who are participating in *programs for children*.

I. INTRODUCTION

The University of Colorado offers many educational, cultural, service learning, volunteer, athletic and other programs specifically for children. Operating *programs for children* creates obligations for the campus to protect children. Campuses also have an obligation to design and operate their *programs for children* in compliance with state and federal law as well as this policy and related procedures.

II. POLICY STATEMENT

A. Primary Responsibilities

When operating *programs for children*, the university’s primary responsibility is to protect the health and safety of participating *children*. Any *program for children* is subject to all of the University of Colorado rules, policies and compliance obligations, and to state and federal law.

This administrative policy statement (APS) applies to all university-operated and university-contracted *programs for children* and to all *unaffiliated program operators*.

B. Campus Policy and Approval Process

1. Each campus shall adopt a policy to govern the protection of children on campus.¹ Such campus policy shall:
 - a) Designate a campus administrator(s) who is responsible for tracking and reviewing *programs for children* and/or contracts with *unaffiliated program operators*;
 - b) Require campus *program operators* to provide the designated campus administrator(s) sufficient information to inform campus administrators of the *children's* participation in a *program for children*. Such information shall include, at a minimum, the nature of the program, the program's date and location, and the approximate number and age of participating *children*;
 - c) Provide campus protocols for the protection of the *children* participating in *programs for children* as well as forms governing registration and operation;
 - d) Require each *program operator* to follow the written campus protocols for the protection of *children* and adopt campus forms governing registration and operation. Alternatively, *program operators* may adopt their own such protocols and forms to the extent a campus form does not exist or is not appropriate for the *program for children*;
 - e) Describe reporting requirements for employees who suspect that a *child* participating in a *program for children* is being *abused* or *neglected*. University employees who are mandatory reporters under Colorado law (see C.R.S. § 19-3-304) shall report pursuant to the provisions in that law. Any reporting requirements described by campus policy are separate and distinct from other reporting requirements employees may have under other applicable University or campus policies, federal or state law, or any other source of authority;
 - f) Require any *program operator* to comply with the established relevant campus background check policy;
 - g) Include a reference to University Risk Management website's resources regarding minor participants and camp activities insurance;
 - h) Require *program operators* to include terms in their agreements with *unaffiliated program operators* which protect the *children* participating in the *program for children*. At a minimum, the *unaffiliated program operators* are required to follow the campus policy for the protection of children; and
 - i) Require *program operators* to include terms in their agreements with *unaffiliated program operators* which protect the University. If applicable, at minimum, the *unaffiliated program operator* must agree to provide insurance and indemnification as outlined in [APS 7001-Insurance and Indemnification Requirements for Use of Facilities by Non-University Groups](#), to comply with this APS and the campus's child protection policy, and to submit to a compliance audit if requested by the campus or *program operator*.
2. Each campus shall submit its campus policy to the Office of Policy and Efficiency not later than February 1, 2018. The Office of Policy and Efficiency, with advice from the Office of University Counsel and Risk Management, shall review each campus policy to ensure that it complies with the requirements of this APS.² Campus policies shall be reviewed for compliance with the APS in conjunction with periodic review of this APS.

III. DEFINITIONS

Terms used in this Administrative Policy Statement are defined in the Administrative Policy Statement Glossary or, if specific to this policy, are defined below:

- A. *Abuse* and/or *neglect*: *Abuse* includes a non-accidental physical, sexual, or emotional injury to a *child* that is caused by the acts or omissions of another person. *Neglect* includes the failure of the *child's* guardian to prevent *abuse* and/or take action to provide adequate food, clothing, shelter, medical care, or supervision. See C.R.S. § 19-1-103.
- B. *Child* or *Children*: individuals under the age of 18, who are not current students.
- C. *Program for Children*: a university program operated exclusively or primarily for children left in university care without parent or guardian supervision and that requires registration. Any child care center operated on campus

¹ Should a system organizational unit wish to pursue a university program for children, it must adopt a process for approval of the Program for Children that substantially complies with the requirements of Section II.B.

² Reference to the compliance deadline in this paragraph will be eliminated after each campus submits its policies in compliance with this APS.

pursuant to C.R.S. § 26-6-101 to 26-6-121 complies with state laws and regulations applicable to a child care center and is excluded from this policy. These laws and regulations exceed the standards set forth in this policy.

- D. *Program Operator*: a university unit that operates a program for children or that contracts with an unaffiliated program operator to operate a program for children.
- E. *Unaffiliated Program Operator*: a third party who enters into an agreement with the University to operate its own program for children using university facilities.

IV. RELATED POLICIES AND PROCEDURES

A. Administrative Policy Statements (APS) and Other Guidelines

- 1. [APS 5050-Background Checks](#)
- 2. University Risk Management
 - a) [Camp Activities Insurance](#)
 - b) [Volunteer, Trainee and Minor Participants](#)
 - c) [APS 7001-Insurance and Indemnification Requirements for Use of Facilities by Non-University Groups](#)
- 3. [APS 5014-Sexual Misconduct](#)

B. Related Campus Policies

- 1. CU Boulder
 - [Child Protection Policy](#)
 - [Child Protection Procedures](#)
- 2. [CU Colorado Springs](#)
- 3. CU Denver
- 4. CU Anschutz Medical Campus

V. HISTORY

- Policy adopted October 4, 2017