



**University of Pittsburgh
Protection of Children from Abuse
Policy CS 17**

Implementing Executive: Senior Vice Chancellor for Business & Operations
Responsible Unit: Office of Human Resources
Category: Community Standard
Effective Date: February 11, 2022

I. Purpose

The University of Pittsburgh (“University”) is committed to ensuring the safety of Children on its campuses. This Policy establishes measures to detect Child Abuse and to protect Children from Child Abuse, including the clearances required for any person who has or will have Direct Contact with Children in connection with their affiliation with the University.

II. Scope

This Policy applies to all instances in which individuals have Direct Contact with Children through a program, activity, or service hosted by or at the University. This includes all University-Affiliated Programs, including contracts with any third-party vendor supplying services to University-affiliated Programs, and Non-University Affiliated Programs, as such programs are required to comply with state and federal legal requirements. This Policy applies to all University campuses.

III. Definitions

- A. Child Abuse: Any abusive acts, including but not limited to sexual abuse, or failures to act committed intentionally, knowingly, or recklessly against a child as defined and amended by Pennsylvania’s Child Protective Services Law ([23 Pa.C.S. Chapter 63](#)).
- B. Child (Children): An individual(s) under 18 years of age.
- C. Direct Contact with Children: The care, supervision, guidance, or control of children or routine interaction with children (“routine interaction” meaning regular and repeated contact that is integral to a person's employment or volunteer responsibilities). This includes contact in physical and/or virtual settings.

- D. Mandated Reporter: All University employees, including all faculty and staff, as well as any other person required by law to report suspected Child Abuse. This also includes an individual paid or unpaid, who, on the basis of the individual's role has an integral part of a regularly scheduled program, activity or service, is a person responsible for the child's welfare or has Direct Contact with children.
- E. Non-University Affiliated Programs: Any organized program, activity, or service (e.g., camp, event, ceremony) held at the University or otherwise related to the University for which the University is not a sponsor (i.e., the program, activity, or service is not sufficiently supported by University resources) and/or is not under the University's control.
- F. University-Affiliated Program: Any organized program, activity, or service (e.g., camp, event, ceremony) for which the University is a sponsor (i.e., the program, activity, or service is sufficiently supported by University resources) and/or is under the University's control.
- G. University Point of Contact: Any individual affiliated with the University who is serving as a point of contact (i.e., liaison) between the University and the organizer of a Non-University Affiliated Program. For the purposes of this Policy, students may not serve as a University Point of Contact.
- H. Volunteer: An unpaid individual representing or providing services to the University for community service, civic, charitable, or humanitarian reasons, without promise, expectation, or receipt of remuneration of any kind for services rendered.

IV. Policy

A. Required Clearances

Clearances are required before any person who is 14 years of age or older may be hired, appointed, employed, assigned, reassigned, utilized as a Volunteer, or otherwise placed or permitted by the University to be in a position that involves Direct Contact with Children.

Required clearances include the following:

- a) FBI Criminal Background Check;
- b) Child Abuse History Clearance; and
- c) Pennsylvania State Police Criminal Background Check.

Clearances are **not** required for employees of the University whose Direct Contact with Children, in the course of employment, is limited to either:

- a) Children who are prospective students visiting the University, or

- b) Children who are matriculated students enrolled at the University pursuing a program of study that results in a postsecondary credential, such as a certificate, diploma or degree.

All prospective employees and appointees who will have Direct Contact with Children may not begin employment until all required clearances have been submitted and approved pursuant to this Policy and its accompanying Procedure CS 17.

Typically, new employees requiring Child protection clearances are responsible for any associated costs for obtaining the required clearances.

Pursuant to this Policy and its accompanying Procedure CS 17, current employees who fail to recertify their required clearances may face disciplinary actions including, but not limited to, being placed on an unpaid leave of absence or termination.

Employment, appointment, or Volunteer service must be denied if the Department of Human Services or the Department of Education has verified that an individual is named in the statewide database as the perpetrator of a founded report of Child Abuse committed within the past five (5) years. In addition, an individual is disqualified from employment, appointment, or volunteer service if the State Police or FBI Criminal Record checks indicate that an individual has been convicted of one or more offenses under the Pennsylvania laws listed in Procedure CS 17 or an offense similar in nature under Federal law, the law of another state, or the law of any other foreign or domestic jurisdiction. Such disqualifying offenses can be found in Procedure CS 17.

B. Clearance and Compliance Administration

Responsibility Center Heads are responsible for identifying administrative roles that involve, or will involve, a significant likelihood of Direct Contact with Children to the Office of Human Resources (OHR). Individuals who have or will have a significant likelihood of Direct Contact with Children related to the individual's employment, assignment, reassignment, volunteer work, or other relevant affiliation with the University will be required to obtain the appropriate clearances (see Section IV. A.) and complete training as outlined in Procedure CS 17.

When clearances are required for University-Affiliated Programs, including research programs involving Children, pursuant to this Policy, the organizer of that Program (whether an individual or a school, department, or other unit of the University) shall work with OHR (or its designee¹) to coordinate the collection of the required clearances as outlined in Procedure CS 17.

The University Point of Contact shall ensure the organizer of a Non-University Affiliated Program agrees to comply with all applicable laws, including, at a minimum, obtaining required clearances from their agents and employees and reporting suspected Child

¹ For more information on OHR's current designee/third party provider, please visit: <https://www.hr.pitt.edu/clearances-training/programs>

Abuse to the appropriate authorities. Additionally, the University Point of Contact shall ensure that any license agreement(s) with the University that may be required are reviewed and approved by the Office of University Counsel. More information can be found on the Office of Human Resources' website at: <https://www.hr.pitt.edu/clearances-training/programs> .

Organizers of Non-University Affiliated Programs shall be required to collect clearances for individuals who have Direct Contact with Children consistent with applicable law.

Any program (i.e., University-Affiliated Program or Non-University Affiliated Program) that does not comply with this Policy or its accompanied Procedure CS 17, is subject to cancellation by the University.

Schools and/or Departments are required to work with OHR to obtain and submit clearances from students who have or will have a significant likelihood of Direct Contact with Children related to the student's pursuit of a specific degree, enrollment in a specific course, engagement in research, or completion of degree requirements.

Student Volunteers meeting all the below criteria are exempt from requirements herein regarding obtaining and submitting clearances:

- i. The student is currently enrolled at the University;
- ii. The student will not be responsible for the child's welfare (i.e., providing permanent or temporary care, supervision, mental health diagnosis or treatment, training or control of a child in lieu of parental care, supervision, and control);
- iii. The student is volunteering for an event that occurs on University grounds;
- iv. The event is sponsored by the University; and
- v. The event is not for children who are in the care of a child-care service.

Note that the above exemption only applies to students acting as Volunteers for an event and does not apply to students who are acting in any capacity other than that of a Volunteer (i.e., a paid employee receiving some form of compensation or remuneration).

Further information regarding required clearances can be found in accompanying Procedure CS 17 and on the OHR website at: <https://www.hr.pitt.edu/clearances-training/programs>.

C. Reporting Child Abuse

If a Child is in immediate danger, call 911 or University Police immediately at 412-624-2121.

All Mandated Reporters who have reasonable cause to suspect Child Abuse shall make an immediate and direct report to both University Police by calling 412-624-2121 and to ChildLine either electronically at <https://www.compass.state.pa.us/cwis/public/home> or

by calling 1-800-932-0313. Any individuals who are not Mandated Reporters but have reasonable cause to suspect Child Abuse are encouraged to make a report consistent with the above.

Pursuant to Pennsylvania Child Protective Services Law, Mandated Reporters must make a report if there is reasonable cause to suspect that a Child is a victim of abuse under any of the following circumstances:

- i. The Mandated Reporter comes into contact with the Child in the course of employment, occupation and practice of a profession or through a regularly scheduled program, activity or service.
- ii. The Mandated Reporter is directly responsible for the care, supervision, guidance or training of the Child, or is affiliated with an agency, institution, organization, school, regularly established church or religious organization or other entity that is directly responsible for the care, supervision, guidance or training of the Child.
- iii. A person makes a specific disclosure to the Mandated Reporter that an identifiable Child is the victim of abuse.
- iv. An individual 14 years of age or older makes a specific disclosure to the Mandated Reporter that they (the individual disclosing) committed abuse of a Child.

Retaliation is strictly prohibited against anyone who makes a good faith report of suspected abuse of a Child or who participates in a related investigation. To file a claim of retaliation please refer to Procedure CS 17.

Further information regarding the basis to report abuse pursuant to this Policy and how to make a report can be found in accompanying Procedure CS 17 and OHR's website at: <https://www.hr.pitt.edu/clearances-training/report-abuse> .

D. Governance & Responsibilities

- i. Office of Human Resources – responsible for the implementation of this Policy and associated procedures, including documentation of relevant clearances and training for individuals covered under this Policy.
- ii. Responsibility Center Heads – responsible for identifying administrative roles that involve, or will involve, a significant likelihood of Direct Contact with Children to OHR.
- iii. Schools and/or Departments – responsible for obtaining and submitting clearances to OHR or its designated affiliate from Students in order for Students to pursue a specific degree, enroll in a specific course, engage in research, or complete degree requirements that involve a significant likelihood of Direct Contact with Children.

- iv. University Point of Contact– responsible for serving as a point of contact (i.e., liaison) between the University and the organizer of a Non-University Affiliated Program. Ensures the organizer of such programs agrees to comply with all applicable laws, including, at a minimum, obtaining required clearances from their agents and employees and reporting suspected child abuse to the appropriate authorities.

V. Contact Information and Public Accessibility

This Policy is posted under Community Standard Policies on the Office of Policy Development and Management’s website and can be found at: <https://www.policy.pitt.edu> .

For specific questions related to this Policy or the protection of Children from abuse at the University of Pittsburgh, please find contact information for the Office of Human Resources at: <https://www.hr.pitt.edu/clearances-training> .

VI. Related Authorities

KeepKidsSafe.pa.gov

[Office of Human Resources: Programs Involving Minors](#)

[Pennsylvania Child Protective Services Law](#)

[Pennsylvania Child Welfare Information Solution](#)

[Procedure CS 17, Protection of Children from Abuse](#)