

BOARD OF REGENTS
BRIEFING PAPER

Agenda Item Title: Amendments to the Board of Regents Handbook, Title 4, adding a new Chapter 22 on Child Protection Policies and amending Title 4, Chapter 3, Section 46 on

Feb. 28Mar. 1, 2013

1. BACKGROUND & POLICY CONTEXT OF ISSUE:

The Board of Regents requested a review and report regarding the findings in the State Report issued in July 2012. All institutions reviewed the Penn State Report and provided input regarding measures already in place for the protection of children and making recommendations for enhancement of these measures. A comprehensive report summarizing the findings and recommendations in the Penn State Report, as well as the findings and recommendations from institutions was made to the Board of Regents at its October 19, 2013 meeting. The following recommended actions are derived from those recommendations.

2. SPECIFIC ACTIONS BEING RECOMMENDED OR REQUESTED:

The attached proposals set forth amendments to the Board of Regents Handbook to add specific policies and requirements for the protection of children who participate in NSHE programs and activities.

Adopt a new Chapter 22, which sets forth specific policies for the protection of children mandating:

- x All employees must report child abuse or neglect within 24 hours;
- x Retaliation against any person who reports child abuse or neglect is prohibited;
- x Children participating in NSHE programs or activities must be appropriately supervised at all times and immediately removed from dangerous situations;
- x Periodic inventory (at least annually) of all programs and activities that involve children;
- x Periodic review (at least annually) of the security of programs and activities involving children including any appropriate measures regarding students who are registered sex offenders;
- x Provide for a uniform procedure for the approval of the use of facilities by outside persons or entities for programs or activities involving children;
- x Require written acknowledgment by such outside persons or entities of the NSHE and any supplemental institution policy and procedure for the protection of children;
- x Identify all mandatory reporters of child abuse, pursuant to the provisions of NRS 432B.220-NRS 432B.250 and provide training materials and information regarding the mandatory reporter requirements;
- x Provide a copy of this policy, and any supplemental institution policy and procedure, for the protection of children to all employees and volunteers who supervise or work in programs or activities involving children;

- x Mandatory reporters of child abuse and neglect are already subject to the state requirements, so there is no need for NSHE to adopt additional policy.
- x

PROPOSED REVISIONS – BOARD OF REGENTS HANDBOOK
TITLE 4, new Chapter 22, Sections 1 - 4
Child Protection Policies

Additions appear in boldface italics, deletions are ~~stricken~~ and bracketed]

Child Protection Policies

Section 1. Introduction

The Nevada System of Higher Education (NSHE)

not include events (such as concerts, plays, sporting events) or facilities (such as restaurants or stores) that are open to the public.

Section 4. Policies for the Protection of Children

1. Reports of Child Abuse and Neglect by All NSHE Personnel All NSHE employees and volunteers who have reasonable cause to believe that child abuse and neglect has occurred at an NSHE facility or during NSHE programs or activities, must report the suspected abuse or neglect to law enforcement or a child welfare agency as soon as possible and within 24 hours. Retaliation against any individual who makes a report of child abuse and neglect is prohibited.
2. Supervision and Protection of Children All children who participate in NSHE programs and activities must be appropriately supervised at all times. A child must be immediately removed from a dangerous situation involving suspected child abuse or neglect or other inappropriate conduct, or which presents a threat to the child's health and safety.
3. Policy and Procedure In order to implement these child protection policies, NSHE institutions and System Administration must:
 - a) Periodically (at least annually) inventory all programs or activities that involve children under the age of 18 years, such as day care facilities, summer camps and programs, sport camps, research studies and other activities or programs that are specifically intended to involve children under the age of 18 years
 - b) Periodically review (at least annually) the security of programs and activities involving children, including considering measures that may be appropriate for the protection of students from sex offenders who are registered with the institution's police departments
 - c) Provide for a uniform procedure for the approval of the use of facilities by outside persons or entities for programs or activities involving children, and requiring written acknowledgment of NSHE and institution policy and procedure for the protection of children;
 - d) Identify all mandatory reporters of child abuse, pursuant to the provisions of NRS 432B.220-NRS 432B.250 provide training materials regarding the mandatory reporter requirements;
 - a) Provide a copy of this policy and any supplemental institution policy and procedure, for the protection of children to all employees and volunteers who supervise or work in programs or activities involving children
 - b) Publicize this policy, and any supplemental institution policy and procedure for the protection of children on the institution or System website, including the Division of

Child and family Services tollfree telephone number and/or other law enforcement telephone numbers to receive reports of child abuse and neglect;

- c) Conduct appropriate investigations of all incidents of alleged child abuse and neglect, and provide confidential notice of such incidents to the Chancellor and Chair of the Board of Regents.

PROPOSED REVISIONS – BOARD OF REGENTS HANDBOOK
TITLE 4, Chapter 3, Section 46
Background Check Policies

Additions appear in boldface italics, deletions are ~~stricken~~ and bracketed]

Section 46. ~~Background Checks of Childcare Workers and Volunteers]~~

1. Required Background Check of Childcare Workers and Volunteers.

- a. Each institution with a childcare facility shall comply with all licensing and background check requirements established in state law. To the extent the Board of Regents policy conflicts with any state law requirements, or if applicable, any local licensing requirements, the provisions of state law or applicable local licensing ~~requirements~~ **control**.
- b. An employee who has submitted the necessary application to the state (or where permitted by law, a local licensing authority) may commence work in a childcare facility prior to completion of the background check if the employee is: 1) not left alone with children (meaning another employee is always present); or 2) has successfully completed an initial background check of criminal history by obtaining a current sheriff/police card through the County/City, or by means of an investigation of criminal history by a national criminal background check firm.
- c. Any individual, whether volunteer or part-time, not requiring a background check under state law must: 1) not be left alone with children (meaning another employee is always present) or 2) complete a criminal background check by obtaining a sheriff/police work card through the County/City, or by means of an investigation of criminal history by a national criminal background check firm.

2. Application Requirements

- a. Any prospective volunteer or employee in a childcare facility must complete an application for the consideration of employment or volunteer activities. The applicant must disclose 1) any prior convictions, whether or not expunged or based on a no contest plea, except for ~~minor~~ **traffic/parking offenses**; 2) current use of illegal drugs ~~and~~ **3) arrest involving offenses related to child abuse or exploitation, child pornography, sexual**

3. Payment for Cost. Outside persons (non-NSHE personnel) may be required to pay for the cost of the background