

1.0 POLICY STATEMENT

- 1.1 MacEwan University (the "University") is dedicated to the welfare and safety of Minors who visit the University, participate in University programs, or interact with Members of the University Community. This policy sets out the obligations and responsibilities of Members of the University Community with respect to protection of such Minors.

2.0 PURPOSE

- 2.1 In accordance with the University's six strategic directions, in order to focus on student growth, opportunity and achievement, the University is committed to providing students with the opportunity to engage and work with Minors to cultivate learning and skill development.
- 2.2 In order to create a connected culture where students, faculty, staff and the community are linked, the University is committed to providing programs to engage and support Minors, and to provide facility use for Third Party Programs to that end.
- 2.3 The protection and safety of Minors participating in University programs held by the University, or by third party organizations which use University facilities for programs, is of the highest priority of the University. Members of the University Community must comply with applicable laws and policy regarding abuse and neglect of Minors.

3.0 APPLICABILITY

- 3.1 All Members of the University Community must comply with this policy.
- 3.2 This policy applies to all Programs which involve Minors, but does not include:
- 3.2.1 events open to the general public; and
 - 3.2.2 social functions that may be attended by Minors who are accompanied by their parents/guardians.

4.0 DEFINITIONS

Abuse

Abuse is the physical or psychological mistreatment of a Minor and includes Neglect, Emotional Abuse, Physical Abuse, and/or Sexual Abuse.

Background Check

A criminal records check and a vulnerable sector search.

Credit Course

A course which confers recognition that be applied to the completion of Baccalaureate Degrees, Applied Degrees, Diplomas, Certificates, Post-diploma Certificates, Post-basic Certificates, Post-degree Certificates and Post-degree Diplomas as defined in the Credentials policy.

Emotional Abuse¹

Emotional abuse is verbal attacks on a Minor's sense of self, repeated humiliation or rejection. Exposure to violence, drugs, alcohol abuse or severe conflict in the home, forced isolation, restraint or causing a Minor to be afraid much of the time may also cause emotional harm.

External Program

An activity or program involving Minors that is organized, supervised or run by a person or organization external to the University, not held on University premises, but participated in by Members of the University Community.

Members of the University Community

Those persons involved in conducting University affairs including all students, employees, volunteers, contractors and members of the Board of Governors of the University while they are either on or using University property or facilities or participating in University programs and activities, on or off University premises.

Minor

A person under the age of 18 years, who is not a Student of the University enrolled in a Credit Course, University Preparation, or English as an Additional Language or employed by the University where permitted pursuant to the applicable legislation.

Minors' Program

Services, programs or activities that the University operates, approves or sponsors, or in which Members of the University Community engage in through their University roles and during which the Minor is not supervised by a parent, guardian or any other non-University party.

Neglect²

Any lack of care that causes serious harm to a Minor's development or endangers a Minor in any way. Failure to meet the Minor's day-to-day physical needs includes not providing adequate nutrition, clothing, shelter and health care; appropriate supervision; and protection from harm. Emotional neglect is not meeting the Minor's ongoing emotional needs for affection and a sense of belonging.

Physical Abuse³

Physical abuse is the intentional use of force on any part of a Minor's body that results in injuries. It may be a single incident or a series or pattern of incidents.

Programs

An External Program, Minors' Program or Third Party Program.

Program Coordinator

An employee of the Sponsoring Unit who is responsible for managing and coordinating the Sponsoring Unit's obligations under this Policy.

Report

A statement disclosing suspected Abuse of a Minor supported by reasonable and probable grounds.

¹ Human Services Alberta, Child Abuse Prevention Month Fact Sheet, 2015-09-22

² Adapted from Human Services Alberta, Child Abuse Prevention Month Fact Sheet, 2015-09-22

³ Adapted from Human Services Alberta, Child Abuse Prevention Month Fact Sheet, 2015-09-22

Retaliation

Any adverse action taken against a Member of the University Community because that person has, in good faith, filed a report, supported the filing of a report, disclosed information to the University about a report, and/or participated in an investigation of such report, and includes threats of Retaliation.

Sexual Abuse⁴

Sexual abuse is the exposure of a Minor to sexual contact, activity or behaviour. It includes any sexual touching, intercourse or exploitation and can be perpetrated by anyone, including a parent or guardian, caregiver, extended family, friend, neighbor or stranger.

Sponsoring Unit

The academic or administrative area or unit of the University that sponsors, operates, gives approval for, or participates in a Minors' Program or gives approval for, or monitors, use of University facilities.

Third Party Program

An activity or program involving Minors that is organized, supervised or run by a person or organization external to the University, but held on University premises.

5.0 POLICY ELEMENTS

5.1 Minors' Use of Facilities

- 5.1.1 Minors are permitted in the general-use University facilities (public spaces, academic buildings, food services areas, etc.), but may be restricted from certain areas of the facilities or from utilizing certain equipment to avoid inappropriate one-on-one contact with adults or other potentially dangerous situations.
- 5.1.2 Minors not participating in a Minors' Program are prohibited from entering laboratories or other areas where increased safety precautions are required.
- 5.1.3 Minors using University facilities in a way which poses a risk to themselves, others, or University assets, or which causes a disruption to the University learning environment will result in intervention by Security Services.

5.2 Interacting with Minors

- 5.2.1 The University will not tolerate Abuse of Minors.
- 5.2.2 Without limiting the scope of what constitutes Abuse, Members of the University Community must not:
 - 5.2.2.1 engage in abusive conduct of any kind toward, or in the presence of, Minors;
 - 5.2.2.2 strike or touch in an inappropriate or illegal manner any Minor;
 - 5.2.2.3 provide alcohol or illegal drugs to a Minor; or
 - 5.2.2.4 make sexual materials available in any form available to a Minor or assist them in any way in gaining access to such materials.

⁴ Adapted from Human Services Alberta, Child Abuse Prevention Month Fact Sheet, 2015-09-22

- 5.2.3 No Member of the University may use cameras, imaging or digital devices in areas where privacy is reasonably expected by Minors.

5.3 Incidents of Abuse

- 5.3.1 Any Member of the University Community who has reasonable and probable grounds to believe that a Minor, or any Student under the age of eighteen (18), has been subject to Abuse must make a Report to the Edmonton Police Service or the Royal Canadian Mounted Police and must promptly notify Security Services when the suspected Abuse occurred on University premises or was perpetrated by a Member of the University Community.
- 5.3.2 No Member of the University Community will undertake, participate in, direct or threaten to retaliate, against a person for filing, intending to file, or supporting a Report, where such Report is made in good faith.
- 5.3.3 No Member of the University Community will knowingly and willfully fail to make a Report, prevent another person from making a Report, or make a false Report.
- 5.3.4 The University will cooperate with any external investigation of allegations of Abuse conducted by children services agencies and/or law enforcement agencies. The University will follow its internal investigatory procedures to investigate possible breaches of this policy.
- 5.3.5 The University will maintain information on the number of Reports, the number and results of investigations, and the corrective actions taken in response to recommendations arising out of investigations.
- 5.3.6 The Office of General Counsel is responsible for maintaining records related to Reports including, without limitation, investigation reports and any alternative resolution process reports. Subject to any records retention obligations under University policy, collective agreements or applicable law, records related to discipline or sanctions arising out of Complaints will be maintained by the Human Resources department for employees and the Office of the Provost for students.
- 5.3.7 Human Resources or the Office of the Provost will maintain any records related to discipline or sanctions arising out of complaints as per requirements under University policy, collective agreements or applicable laws.
- 5.3.8 Records will be maintained in accordance with the University's Records Retention and Disposition Schedule.

5.4 Minors' Programs

- 5.4.1 Security Services will be notified when Minors Programs are being conducted on campus.
- 5.4.2 Each Sponsoring Unit must implement and maintain written protocols and standards for the protection and safety of Minors for each Minors' Program.
- 5.4.3 Each Sponsoring Unit must appoint at least one Program Coordinator who is responsible for maintaining appropriate records of written protocols and standards for the protection and safety of Minors in each Minors' Program.

5.4.4 A Member of the University Community may participate in a Minors' Program only after successfully completing Background Check screening, unless that Member of the University Community is a Minor, in which case a Background Check is not required.

5.4.5 Except where required by law, the results of the Background Checks are kept confidential by the University.

5.5 External Programs

5.5.1 Where a Member of the University Community is participating in an External Program, the Sponsoring Unit will ascertain whether the External Program has a policy regarding protection of Minors, or Background Checks, and if so, will direct the participating Member of the University Community to that policy.

5.5.2 Members of the University Community will follow policies of the External Program regarding protection of Minors, or Background Checks.

5.5.3 In the event an External Program does not have a policy regarding protection of Minors, or Background Checks, the Member of the University Community will comply with the Background Check requirement for Minors' Programs.

5.6 Third Party Programs

5.6.1 Security Services will be notified when Third Party Programs are being conducted on campus.

5.6.2 Contracts concerning personnel or facilities related to a Third Party Program must include compliance with this policy, associated procedures and all applicable laws as a term of the contract. Where appropriate, such contracts must also include an indemnification provision in which the University is held harmless for the acts or omissions of other Third Party Program participants or the third party's employees, agents or volunteers.

5.6.3 The Sponsoring Unit must ensure that Third Party Program operators confirm that Background Checks have been completed for its employees, agents and volunteers before a Third Party Program is held on University premises.

5.7 Education and Training

5.7.1 All Members of the University Community are expected to be aware of, understand and comply with all laws in relation to the protection of Minors.

5.7.2 Training on the protection of Minors is required for the following Members of the University Community:

5.7.2.1 all Security Services personnel;

5.7.2.2 all Program Coordinators; and

5.7.2.3 all Members of the University Community participating in Minors' Programs.

5.7.3 The University is committed to supporting ongoing education and awareness initiatives for Members of the University Community about protection of Minors on campus and about responding to the reporting of harm or potential harm to Minors. The University will implement preventative strategies with respect to harm of Minors on campus.

5.7.4 All Members of the University Community are responsible for contributing to the prevention of, intervention in, and effective response to, harm to Minors on campus through compliance with this policy and associated procedures.

5.8 Violations of Policy

5.8.1 Violations of this Policy or associated Procedures or of applicable laws may result in removal from participation in the Minors' Program, suspension, termination, other corrective action, and, where appropriate exclusion from University campus. The University may also take necessary interim actions before determining whether a violation has occurred.

5.8.2 The University may terminate relationships with Third Party Program operators based on violations of the Policy or associated Procedures.

5.9 Information Tracking and Retention of Records

5.9.1 The University will maintain information on the number of Complaints, the number and results of investigations and the corrective actions taken in response to recommendations arising out of investigations.

5.9.2 The Office of General Counsel is responsible for maintaining records related to Complaints including, without limitation, investigation reports and any alternative resolution process reports. Subject to any records retention obligations under University policy, collective agreements or applicable law, records related to discipline or sanctions arising out of Complaints will be maintained by the Human Resources department for employees and the Office of the Provost for students

5.9.3 Records will be maintained in accordance with the University's Records Retention and Disposition Schedule

5.9.4 All records involving a Complainant and subsequent investigation of Complaints, but not including records related to discipline or sanctions arising out of Complaints, will be kept in a file separate from student academic records and/or employee personnel files, however all such records may be used for purposes of future disciplinary processes.

6.0 ASSOCIATED PROCEDURES

- Protection of Minors Procedures

7.0 RELATED POLICIES, FORMS, AND OTHER DOCUMENTS

- Safe Disclosure Policy
- Privacy Policy
- Records Management Policy

8.0 ACCOUNTABILITY

Policy Sponsor

Provost & Vice-President, Academic

Vice-President, Finance and Administration & Chief Financial Officer

Office of Administrative Responsibility

Office of the Provost & Vice-President Academic

Campus Services

9.0 HISTORY

Relevant Dates

Approved: **23.05.31**

Effective: **23.05.31**

Next Review: **28.05**

Modification History

17.12.14: New Policy effective June 1, 2018. Approved by Board of Governors on December 12, 2017 (#01-12-14-2017/18).

21.11.22: Minor revision to update Policy Sponsors and Responsible Offices. Approved by Policy Sponsors.

23.05.31: Comprehensively revised as a result of a required periodic review. Approved by the Governance and Human Resources Committee of the Board of Governors motion GHR #02-05-31-2022/23.