

Policy 2209
Combatting Human Trafficking

Date of Current Revision: September 2025

Primary Responsible Officer: Vice President for Research, Economic Development, and Innovation

1. PURPOSE

James Madison University is committed to an environment free from human trafficking. This policy prohibits trafficking in persons and trafficking-related activities by James Madison University employees, students, affiliates, and recipients of covered federal awards or contracts through subawards, contracts, and cooperative agreements, in compliance with federal law 2 CFR § 175.

2. AUTHORITY

The Board of Visitors has been authorized by the Commonwealth of Virginia to govern James Madison University. See Code of Virginia § 23.1-1600; § 23.1-1301. The board has delegated the authority to manage the university to the president.

STATE OR FEDERAL STATUTE AND/OR REGULATION

- 22 U.S.C. § 7104 - Prevention of Trafficking
- 48 CFR § 52.222-50 - Combating Trafficking in Persons
- 2 CFR § 175.105(b) - Award Term for Trafficking in Persons

3. DEFINITIONS

Employee

Faculty, staff, student workers, graduate assistants, contractors, subcontractors, vendors, authorized volunteers, or agents working on covered federal contracts or grants pursuant to 2 CFR § 175.

Covered award or contract

A federally funded award or contract in which the following criteria specified in 2 CFR § 175 are met:

1. Federal grants or cooperative agreements where the estimated value of services to be performed outside of the United States exceeds \$500,000; or
2. Federal contracts for supplies (other than Commercially Available Off-the-Shelf Items), or contracts for services, which are purchased or performed outside of the United States, as applicable, and the value of which exceeds \$550,000; or any award which the sponsor specifies is subject to the regulations in 2 CFR § 175.

Human Trafficking

Activities that include both **Trafficking in Persons** and **Trafficking-related activities** as defined below.

Sub-recipient or Sub-awardee

An entity that receives a subaward from JMU to carry out part of a federal program but does not include an individual who is a beneficiary of such program.

Trafficking in Persons

Conduct defined under 22 U.S.C. § 7102, including sex trafficking and labor trafficking through force, fraud, or coercion.

Trafficking-related activities

Includes, but is not limited to, procuring commercial sex acts, using forced labor, destroying or confiscating identity documents, using misleading recruitment practices, and providing housing that fails to meet the host country's housing and safety standards.

4. APPLICABILITY

This policy applies to all JMU employees and sub-recipients of covered federal awards or contracts pursuant to 2 CFR § 175.

5. POLICY

JMU strictly prohibits human trafficking and will comply with all applicable foreign, federal, and state laws and reporting requirements.

5.1 Prohibited Activity:

JMU, its faculty, staff, students, agents, independent contractors, and subrecipients (and their respective employees), are prohibited from the following in their performance of covered awards and contracts:

- a. Engaging in human or sex trafficking or procuring commercial sex acts during the award or contract period.
- b. Using forced labor to perform the award or contract.
- c. Destroying, concealing, confiscating, or otherwise denying access to an individual's identity or immigration documents, such as passports or driver's licenses.
- d. Using misleading or fraudulent practices during the recruitment process for work on a project outside the U.S., such as failing to disclose, in a format and language understood by the potential worker, key terms and conditions of the employment, such as wages and fringe benefits, work location, living conditions, housing costs, and any hazardous nature of the work.
- e. Using recruiters that do not comply with local labor laws of the country in which the recruiting takes place.
- f. Charging recruitment fees to the individuals recruited to work on the award.
- g. Providing or arranging housing that fails to meet host country housing and safety standards.
- h. If required by law or contract, failing to provide an employment contract, recruitment agreement, or similar work paper in writing in the employee's native language prior to the employee departing from their country of origin to work on the contract in another country.

- i. Under certain circumstances, failing to supply return transportation, at the conclusion of the work, if the worker is not a national of the country in which the work occurs and was brought into the country to work on the federal award.

5.2 Reporting Suspected Activity:

JMU faculty, staff, students, agents, and independent contractors must immediately notify the JMU Police (Emergency line [+1-540-568-6911](tel:+15405686911) ; Non-emergency line [+1-540-568-6912](tel:+15405686912); pd_dispatch@jmu.edu; MSC 6810 Harrisonburg, VA 22807 U.S.A.) to report an incident of suspected human trafficking activity or other conduct that appears to involve force, fraud, or coercion.

5.3 Retaliation:

JMU prohibits retaliation against any individual who makes a good faith report of suspected wrongful conduct pursuant to this policy or related federal or state laws.

5.4 Compliance Plan:

For covered awards and contracts, including subawards and subcontracts, the Principal Investigator (PI) must submit to the Office of Sponsored Programs (1) a compliance plan specific to the project and local circumstances that complies with the federal requirements in 2 CFR § 175; and (2) an annual certification (for the duration of the project) attesting that to the best of the PI's knowledge and belief, none of the employees, agents, independent contractors, or subcontractors are or have been engaged in human or sex trafficking, forced labor, or other trafficking-related activities prohibited by the U.S. government policy (including in 48 CFR § 52.222-50), and that the PI has reported any known purported activities within the university.

6. PROCEDURES

6.1 The Principal Investigator on covered awards is responsible for:

- a. Complying with the U.S. Government's policy 48 CFR § 52.222-50 - Combating Trafficking in Persons.
- b. Creating a compliance plan specific to the project and local circumstances as outlined in Section 5.4 of this policy and submitting the plan to the Office of Sponsored Programs.
- c. Posting relevant contents of the compliance plan, no later than the initiation of contract performance, at the workplace (unless the work is to be performed in the field or not in a fixed location) and on the award project website (if one is maintained). If posting at the workplace or on the Web site is impracticable, the PI shall provide the relevant contents of the compliance plan to each worker in writing.
- d. Submitting the annual attestation referenced in section 5.4
- e. Adhering to the reporting requirement stipulated in Section 5.2 of this policy.
- f. Notifying OSP of suspected or confirmed violations so that the sponsor can be notified as outlined below.
- g. Providing all necessary information to the Office of Sponsored Programs regarding any subrecipients or contractors to ensure compliance with this policy.
- h. Notifying individuals working on the project of the:
 - U.S. Government's policy regarding trafficking in persons.
 - Sanctions for non-compliance.
 - Reporting requirement stipulated in Section 5.2 of this policy.

6.2 The JMU Police are responsible for:

Responding to all reports of suspected trafficking and trafficking-related activities and coordinating with appropriate law enforcement agencies to investigate such reports. The JMU Police are also responsible for providing a human trafficking awareness and prevention training program to be completed by all first-year students to comply with state requirements, with support from Student Affairs. This training will include trauma-informed training on the recognition, prevention, and reporting of human trafficking.

6.3 The Office of Sponsored Programs is responsible for:

- a. Gathering any required documentation or PI certifications to document the University's compliance with the U.S. Government's policy 48 CFR § 52.222-50 - Combating Trafficking in Persons.
- b. Notifying any relevant suppliers for a covered award or contract of adherence to the U.S. Government's policy 48 CFR § 52.222-50 - Combating Trafficking in Persons by including appropriate clause(s) as needed into agreements negotiated or signed on JMU's behalf by the Office of Sponsored Programs. This includes, but is not necessarily limited to, contractors and subrecipients on covered awards and contracts.
- c. Reporting (specifically by the Director of OSP or other appropriate official) to the federal Contracting Officer and Inspector General, or other designated official, any credible information that alleges an employee, subrecipient, agent, or subcontractor has engaged in conduct that violates the policy, as OSP is made aware of such information.
- d. Submitting any required certifications made by the university regarding compliance with applicable regulations and execute any federal contracts for sponsored research that contain 48 CFR § 52.222-50 - Combating Trafficking in Persons.

6.4 Compliance Plan

All JMU awards that meet the criteria established by 2 CFR § 175 must include a Trafficking in Persons compliance plan submitted by the Principal Investigator to the Office of Sponsored Programs. As outlined in federal law, this plan must also be shared with Program Officers upon request and useful and relevant parts of the plan, along with associated materials, must be posted on the unit's website and other appropriate public workplace locations.

The compliance plan must include sections 5.1, 5.2, and 5.3 of this policy, as well as the following:

- a. An awareness program to inform covered employees about the Government's policy prohibiting trafficking-related activities described in paragraph (a) of 2 CFR § 175, the activities prohibited, and the actions that will be taken against the employee for violations.
- b. A process for employees to report, without fear of retaliation, activities inconsistent with the policy prohibiting trafficking in persons.
- c. A recruitment and wage plan that only permits the use of recruitment companies with trained employees, prohibits charging recruitment fees to the employees or potential employees and ensures that wages meet applicable host-country legal requirements or explains any variance.

- d. A housing plan, if the employee, subrecipient, contractor, or subcontractor intends to provide or arrange housing, that ensures that the housing meets host-country housing and safety standards.
- e. Procedures to prevent agents, subrecipients, contractors, or subcontractors at any tier and at any dollar value from engaging in trafficking in persons, including activities in paragraph (a) of 2 CFR § 175, and to monitor, detect, and terminate any agents, subgrants, or subrecipient, contractor, or subcontractor employees that have engaged in such activities.
- f. A requirement that subrecipients of covered awards must include a prohibition against trafficking and trafficking-related activities as described in paragraph (a) of 2 CFR § 175 in all related lower-tier subaward contracts and agreements.

7. RESPONSIBILITIES

All departments, offices and employees that generate, receive, or maintain public records under the terms of this policy are also responsible for compliance with [1109](#) – Records Management.

8. SANCTIONS

Sanctions will be commensurate with the severity and/or frequency of the offense and may include termination of awards, subaward contracts or agreements; termination of employment for employees; expulsion from the university for students; removal of affiliate status for affiliates; and loss of privileges and/or no trespass orders for any individual. Violation of federal or state laws against human trafficking may result in criminal prosecution of responsible individuals.

9. EXCLUSIONS

There are no exclusions to this policy.

10. INTERPRETATION

The authority to interpret this policy rests with the president and is generally delegated to the vice president for research, economic development, and innovation.

Responsible Executive

Vice President of Research, Economic Development, and Innovation