

ST. FRANCIS COLLEGE
MINORS ON CAMPUS POLICY

(Adopted August 2019)

The health, safety, and well-being of all members of the St. Francis College (“College”) community, including its students, faculty, staff, guests and volunteers, are the College’s primary concerns. In keeping with this value and to fulfill this commitment, the College has adopted a Minors on Campus Policy (the “Policy”). The purpose of this Policy is to inform all members of the College community about proper boundaries and reporting obligations in instances involving minors.

Policy Scope

This Policy applies to all students, faculty, staff, administrators, guests and volunteers of the College; campus visitors; and individuals or organizations engaging in or conducting activities associated with the College or doing business at or with the College. To be clear, all College employees are governed by this Policy. In addition, all volunteers, contractors, and consultants who interact with supervise, chaperone, or otherwise oversee minors in programs or activities at the College or sponsored by the College are also governed by this Policy. All camps, events, programs, and activities that are intended for minors and that take place on campus, or under the supervision of the College, whether on or off campus, (“Programs”) are subject to this Policy.

Failure to comply with this Policy may lead to disciplinary action, up to and including dismissal, and revocation of the opportunity to use College property or facilities.

Definitions

Authorized Adult means any individual, age 18 and older, paid or unpaid, who supervises, chaperones, or accompanies (other than as a parent or legal guardian) or otherwise oversees minors in a College-sponsored Program. This includes but is not limited to faculty, staff, administrators, volunteers, graduate and undergraduate students, interns, and independent contractors. The Authorized Adult’s role may include positions as counselors, chaperones, coaches, instructors, etc.

Child Abuse is defined as inflicting or allowing to be inflicted upon such child physical injury by other than accidental means that causes or creates a substantial risk of death, serious or protracted disfigurement, protracted impairment of physical or emotional health, or protracted loss or impairment of the function of any bodily organ (this includes abuse that can be characterized as sexual in nature).

Child Neglect is defined as a child whose physical, mental or emotional condition has been impaired or is in imminent danger of becoming impaired as a result of the failure of his or her parent or other person legally responsible for his or her care to exercise a minimum degree of care.

College Facilities means the College campus, all properties owned or leased by the College, and all off-campus locations at which students, faculty, staff, or administrators participate in College-sponsored Programs.

Legal Guardian means any individual, ages 18 and over, who is the parent of, or is assuming guardianship responsibilities of, a minor who is on campus or participating in a College Program or activity.

Maltreatment (including neglect) is the impairment of a minor's physical, mental, or emotional condition, or is when the threat of such impairment is present due to the failure of the parent or legal guardian to exercise a minimum degree of care. Failure to provide sufficient food, clothing, shelter education; or proper supervision, guardianship, or medical care; or inflicting excessive corporal punishment, abandonment, or misusing alcohol or other drugs to the extent minor was placed in imminent danger all constitute maltreatment.

Mandated Reporter means any person or official required to report or cause a report to be made under Section 413 of the New York Social Services Law, when they have reasonable cause to suspect that a child coming before them in their professional or official capacity is an abused or maltreated child, or when they have reasonable cause to suspect that a child is an abused or maltreated child where the parent, guardian, custodian, or other person legally responsible for such child comes before them in their professional or official capacity and states from personal knowledgeable facts, conditions, or circumstances which, if correct, would render the child an abused or maltreated child. Mandated Reporters in New York are social workers, teachers and other school personnel, physicians and other health-care workers, mental health professionals, childcare providers, medical examiners, coroners, law enforcement officers.

Minor means any person under the age of eighteen (18) who is not enrolled or accepted for enrollment in credit-granting courses at the College.

Program means any organized activity or event that is designed or otherwise includes participants who are minors, offered by the College or by a non-College entity using College Facilities. This includes but is not limited to, workshops, summer camps, conferences, mentoring activities, academic enrichment programs, internships, and recreational programs.

Standards of Appropriate Adult Conduct When Interacting with Minors on Campus

The imperative task of protecting minors on campus always involves maintaining appropriate boundaries. Individuals interacting with minors must be cognizant of what constitutes appropriate conduct and must exercise discretion in their interactions with minors. While it is impossible to describe all standards of appropriate behavior towards minors, these general guidelines must be followed in interactions with minors:

- Minors should always be supervised by a responsible adult while on campus.
- One on one contact with minors should be avoided where practical/possible; if possible, there should be two or more responsible adults always present in all activities with minors.
- If an activity requires one-on-one interaction (such as tutoring), efforts should be made to conduct such interactions in an open area, in open view of others.
- Interactions with minors behind closed doors, out of view of others, should be avoided.
- Physical contact with minors must be limited and avoided if possible.
- Good judgment and discretion must be exercised in bathrooms, locker rooms, and other similar areas with minors.

- Use care in communicating with minors; avoid critical language and use discretion when offering praise.
- Refrain from communicating with minors via email, text messages, or in any social media unless there is a clear academic or programmatic purpose.
- Do not photograph, video, or otherwise record minors.
- Do not provide to minors and/or engage in the use of alcohol or illegal drugs or be under the influence of alcohol or illegal drugs during the program or activity.
- Avoid inappropriate language or content such as sexually suggestive remarks, violent references, or share adult-themed materials.
- Do not engage in sexual activity with a minor.
- Do not engage in conversations of a romantic, sexual or intimate nature with a minor unless in the role of a provider of health care or counseling, or faculty academically addressing materials of a sexual nature as part of a course, training, or classroom experience.
- Do not make sexual comments or tell jokes of a sexual nature to or in the presence of a minor. Do not share a bed or a sleeping bag with a minor.
- Do not touch a minor in a manner that could be reasonably interpreted as inappropriate.
- Do not use a personal vehicle to pick up or drop off minors participating in a College Program unless the minor's parent or legal guardian has provided written permission.

Reporting Duties

As noted above, child abuse, defined under New York law, includes physical abuse, physical neglect, sexual abuse and emotional abuse. Members of the College community have an affirmative duty to immediately report to the College's Security Desk and/or the College's Vice President of Government and Community Relations and Title IX Coordinator, Linda Werbel-Dashefsky at (718) 489-5370 or lwerbel@sfc.edu if they have reasonable cause to suspect abuse or maltreatment of any minor. This duty to report is not delegable to a colleague or supervisor. Other behaviors towards minors may not give rise to charges of abuse or neglect but may constitute inappropriate behavior under this Policy. Members of the College community should also share these concerns with the College's Security Desk and/or Title IX Coordinator.

If a minor on campus is in immediate danger or requires immediate assistance, call the College's Security Desk at (718) 489-5333 and then call 911.

If there is suspected abuse or maltreatment of a minor on campus, contact the College's Security Desk at (718) 489-5333, the Title IX Coordinator and call the New York State Child Abuse and Maltreatment Hotline at 800-342-3720. Calls to the hotline are anonymous.

Enforcement

In addition to any sanction required by local, state, or federal laws or regulations, failure to comply with the provisions of this Policy may result in disciplinary action by the College. Specifically, all community members who fail to report a case of suspected child abuse or neglect will be subject to disciplinary action up to and including termination. Other sanctions may include dismissal from the College, cancellation of a Program, and/or, issuance of a campus ban, disqualification from

participation in future volunteer activities, or the commencement of student conduct proceedings. Failure to comply by any third party may lead to consequences, including but not limited to immediate termination of the College's contractual or other relationship with the third party. The College may also take necessary interim actions before determining whether a violation has occurred.

**Please take note that conduct that constitutes abuse of a minor may also constitute reportable conduct and conduct that is prohibited under the College's Policy and Procedures for Reports of Sexual Misconduct for Students and/or the College's Policy and Procedures for Reports of Sexual Misconduct for Employees.*

Confidentiality and Retaliation

The College will maintain the confidentiality of a report/complaint and the privacy of the persons involved to the greatest extent possible, consistent with the appropriate College policy and to the extent permitted by law. The College will not tolerate retaliation against individuals who report concerns in good faith. Concerns regarding retaliation should be brought to the College's Vice President of Government and Community Relations and Title IX Coordinator, Linda Werbel-Dashefsky, (718) 489-5370 or lwerbel@sfc.edu.

Approvals for Programs Involving Minors

All programs involving minors where the minor is entrusted to the College through: (1) activities that the College operates or sponsors, or (2) activities that are sponsored through third parties that are operating on campus, must be registered and approved in accordance with the guidelines and deadlines outlined in this Policy. The individual that is responsible for the Program, or his or her designee, must register the Program with the Office of Special Events in accordance with the guidelines below:

1. Provide a description of the Program, including the name and purpose of the Program and the location or locations at which it will be held;
2. Provide dates on which the Program will occur;
3. Provide the name, title and contact information for the director of Program or the individual that is responsible for the Program;
4. Provide the approximate number and age range of the minors who will partake in the Program;
5. Provide information regarding members of the College community who have been offered to take part in a Program;

Training

Members of the College community, who interact with, supervise, chaperone, or otherwise oversee minors in programs or activities at the College or sponsored by the College are required to take an annual training on College policy and relevant law on reporting suspected child abuse and maltreatment of minors, possible signs and indicators of abuse, appropriate responses, how to report a concern, and appropriate interactions with minors. For more information on training,

please contact Linda Werbel-Dashefsky, Vice President of Government and Community Relations and Title IX Coordinator, (718) 489-5370 or lwerbel@sfc.edu.

Other Relevant Policies: St. Francis College Policy and Procedures for Reports of Student Sexual Misconduct; St. Francis College Policy and Procedures for Reports of Employee Sexual Misconduct