

# STOCKTON UNIVERSITY



## PROCEDURE

### Protection of Minors

Procedure Administrator: Environmental Health & Safety & Risk Management

Authority: New Jersey Youth Camp Safety Act, N.J.S.A. 26:12-1 et seq. (P.L. 1973, c. 375); Youth Camp Rule, N.J.A.C. 8:25-5.5(g); Sexual Exploitation and Other Abuse of Children, Title 18, Part 1 § 2258A et seq.; Reporting Child Abuse and Neglect, N.J.S.A. 9:6-8.10.

Effective Date: March 10, 2016

Index Cross-References: VI-100: Protection of Minors Policy

Policy File Number: 1600

Approved By: Harvey Kesselman, President

### I. PURPOSE

To protect Minors who are participating in University-sponsored programs or in programs operated by outside entities that are held in University facilities by providing guidelines for protection and supervision.

### II. APPLICABILITY:

These procedures apply to all employees or any other person subject to the terms of the Protection of Minors Policy.

These procedures provide the minimum standard of conduct. All procedures at a division, office or program level that deal with interactions with Minors must reference these procedures and must not provide for a standard of conduct below what is provided herein.

These procedures do not supersede or diminish stricter standards provided by established policies that relate to the treatment of Minors, research policies that relate to the inclusion of Minors in research and any other area which provides for greater protections.

These procedures do not apply to Minors matriculated as undergraduate students in Stockton's academic programs, or Minors who are enrolled in Summer Session courses.

### **III. DEFINITIONS**

This procedure is subject to the following definitions:

**Authorized Adult** – Individual(s), paid or unpaid, who is (are) authorized to supervise or regularly chaperone Minors. An authorized adult must be at least eighteen (18) years of age. Authorized adults have training and background check clearance to supervise Minors.

**Direct Contact Position or Job Title/Camp Director** – Position or job title that includes responsibility to exercise direct supervision, guidance, or control of Minors, which may include counselors or volunteers under the age of eighteen (18) years.

**Health Director** – A licensed physician, registered nurse or certified athletic trainer or an individual certified as a paramedic, EMT, or first responder.

**Minor** – A person under the age of eighteen (18). For purposes of this procedure, Minor and Program participant are used interchangeably.

**One-on-one Contact** – Interaction between any adult and a minor without at least one other Authorized Adult, parent or legal guardian present.

**Programs** – Programs and activities offered by any division, office, or unit of the University, or by external groups using University facilities.

**Sponsoring unit** – The division, office, or unit of the University, or external organization, that offers a program or gives approval for the use of University facilities.

**Trained Assistant** – An individual, paid or unpaid, who has been trained to assist Authorized Adults and must be supervised by Authorized Adults at all times.

#### **IV. DUTY TO REPORT CHILD ABUSE AND NEGLECT**

All suspected instances of abuse or neglect of a minor, including the maintenance of child pornography, must be reported under the Protection of Minors Policy, these procedures, and state law. Anyone who suspects that a minor has been subject to abuse or neglect must immediately notify the Stockton University Police Department at 609-652-4390.

New Jersey law (NJS 9:6-8.10) requires all persons who have reasonable cause to believe that a minor has been subject to abuse or neglect to report it to the New Jersey Division of Child Protection and Permanency, formerly the Division of Youth and Family Services (DYFS) at 1-877- NJABUSE (1-877-652-2873).

The University will not retaliate against any individual who reports a reasonable belief that a minor has been subject to abuse or neglect.

#### **V. PROCEDURES**

Sponsoring units operating a program involving minors must operate the Program and procedures in accordance with the following guidelines:

##### **A. Measures to prevent abuse of minors:**

1. All persons must make all reasonable efforts to protect minors from potentially dangerous situations.
2. Programs must conduct background and sex-offender registry checks of Authorized Adults and those who hold Direct Contact Positions or Job Titles who have interaction with minors.

If such checks indicate a record of offenses or crimes against Minors, Human Resources will inform the individual that they may not participate in the Program. If offenses or crimes are revealed by such a background check, Human Resources will contact General Counsel, to determine whether, in compliance with relevant federal and state statutes and regulations, participation in the Program by that individual is permissible. Background checks of employees who continue in employment in the Program must be repeated at least every 3 years.

3. Authorized Adults and their Trained Assistants participating in Programs and activities covered by these procedures must *not* have one-on-one contact with a Minor in seclusion unless required for health and safety.

Each Program is responsible for creating and implementing procedures to reduce or eliminate one-to-one contact with Minors in University facilities the Program will be using including, but not limited to,

- a. Single occupancy restrooms
- b. Bathroom facilities
- c. University housing
- d. Transportation
- e. Locker rooms
- f. Changing areas
- g. Classrooms
- h. Walking paths and grounds
- i. Isolated outdoor and indoor areas
- j. Offices

4. Authorized Adults and their Trained Assistants participating in Programs and activities covered by these procedures must *not*
  - a. Engage in abusive conduct of any kind toward, or in the presence of, a Minor.
  - b. Strike, hit, administer corporal punishment to, or touch in an inappropriate or illegal manner any Minor.
  - c. Pick up Minors from or drop off minors at any location other than the driver's child(ren), except as specifically authorized by law or in writing by the Minor's parent or legal guardian.
  - d. Pick up or drop off minors from/at their homes. When transporting Minors in a Program, more than one adult from the Program must be present in the vehicle, except when multiple minors will be in the vehicle at all times through the transportation.
  - e. Use personal vehicles to transport minors.

- f. Use or provide alcohol or illegal drugs to any minor. Authorized Adults also must not provide prescription drugs or any medication to a minor.
  - g. View, discuss, or share sexually explicit or suggestive material in front of minors or assist in any way to provide access to such material.
  - h. Engage or communicate with Minors through email, text messages, social networking websites, internet chat rooms, or other forms of social media at any time except and unless there is an educational or programmatic purpose and the content of the communication is consistent with the mission of the Program and the University.
5. All Authorized Adults and Trained Assistants participating in a program covered by these procedures are required to attend annual training on the conduct requirements of this procedure, on protecting participants from abusive emotional and physical treatment, and on appropriate or required reporting of incidents of improper conduct to the proper authorities.
6. If an allegation of inappropriate conduct or contact involving a Minor has been made against an Authorized Adult or Trained Assistant participating in a Program, the Authorized Adult or Trained Assistant shall discontinue any further participation in that program unless or until such allegation has been satisfactorily investigated by Human Resources and/or the Office of Institutional Diversity and Equity. Stockton employees who violate these procedures may be subject to discipline, up to and including termination from employment.

**B. Measures to Maintain Adequate Supervision of Minors:**

1. Whenever feasible, all activities involving Minors (with the exception of academic classroom activities) should be supervised by at least two or more Authorized Adults or by the Minor's parent(s) or legal guardian(s). Some of the factors to consider in determining "adequate supervision" are the number and age of participants; the activity(ies) involved; type of housing, if applicable; and age and experience of the supervisors.

2. Stockton students who are at minimum 18-years old and who are participating in the Program as either employees or volunteers may supervise minor participants, subject to the same background checks, reporting obligations and minimum standard of conduct provided herein.
3. If applicable, Programs must adopt and implement rules and regulations for proper supervision of minors in University housing. The following must be addressed:
  - a. Guidelines on adequate number of staff for supervision of Minors in particular activities.
  - b. Written permission signed by the parent/legal guardian for the Minor to reside in University housing, including contact information for parents/legal guardians and emergency medical authorization.
  - c. Guests of participants, if allowed, (other than a parent/legal guardian and other Program participants) are restricted to visitation in the building lobby and/or floor lounges, and only during approved hours specified by the Program.
  - d. The Program must comply with all security measures and procedures specified the Office of Residential Life document, Guide to Residential Life.
  - e. Pre-enrollment visit programs for High School students housed overnight in residence halls must be registered with the Office of Residential Life and Office of Event Services.

**C. Measures to Address Medical and Emergency Situations involving Minors:**

1. Authorization of and Access to Emergency Medical Services
  - a. An authorization for medical treatment, release of medical information (HIPAA), emergency treatment and general medical liability waiver form must be completed by the parent or legal guardian of each Program participant.

- b. Programs must arrange for access to emergency medical services at all locations. Medical care appropriate for the nature of the events, expected attendance and other variables should be taken into consideration. Consultation may be obtained from Campus Police or Health Services. In case of emergency, individuals must call 9-1-1 from any campus phone or 609-652-4390 from any outline line.

## 2. Distribution or administration of medications

- a. Medication may be distributed to the participant by the Health Director only in accordance with written authorization from the Program participant's parent or legal guardian.
- b. All such medication must be provided in its original pharmacy contained labeled with the Program participant's name, name of the medication, dosage and timing of consumption. Over-the-counter medications must be provided in the manufacturers' original container.
- c. Program staff shall keep medication in a secure location, and at the appropriate time for distribution shall meet with the Program participant, as appropriate given the nature of the Program.
- d. Any medication which the participant cannot self-administer must be stored and administered by a Health Director. If no one is available, arrangement must be made with another licensed or certified health care professional in advance of the Program participant's arrival.

## 3. Safety measures for laboratory or research activities

Programs involving Minors must follow any and all applicable safety measures approved by the appropriate division, office or unit authority.

4. Notification of parents or legal guardians in an emergency

Programs should establish a procedure for the notification of the minor's parent/legal guardian in case of an emergency, including medical or behavioral problems, natural disasters, or other significant Program disruptions.

VI. PROGRAMS INVOLVING MINORS OPERATED BY OUTSIDE PARTIES ON UNIVERSITY PROPERTY

Any Program involving Minors operated by outside parties on University property must be operated consistent with the guidelines of this procedure. All contracts for the use of University facilities by outside parties for programs involving Minors must reference this document and provide a link to these procedures.

Approval History:

	Date
President	3/10/16