

Rider University Protection of Minor Children on Campus Policy

PURPOSE

Rider University welcomes the presence of Minors who participate in activities on campus, and all members of our community have a special responsibility to ensure the safety and wellbeing of our younger visitors. The University encourages safe, supervised campus visits by non-matriculated Minors that are attending educational, cultural or sporting events, or attending programs or camps.

This Policy sets forth the requirements for programs to operate in a safe and responsible manner. This Policy includes the obligation to report known or suspected abuse or neglect of a Minor under New Jersey law. In addition, this Policy establishes certain registration, screening, background check, training and conduct requirements for Authorized Responsible Adults who are involved in University programs and activities that include Minors on campus.

DEFINITIONS

“Authorized Responsible Adult” – An individual, paid or unpaid, who interacts with, instructs, supervises, chaperones, or otherwise oversees Minors as part of a Covered Program. This includes but is not limited to: (i) University faculty, staff, volunteers, coaches, instructors, graduate and undergraduate students, interns; and (ii) non-University affiliated third party staff and volunteers (e.g., staff of a Licensee).

“Covered Program” - A program, activity, or other event conducted on the University campus by or on behalf of the University, whether for academic, administrative, athletic, recreational or other purposes that serve and/or include the participation of Minors. A Covered Program includes events that are hosted by external entities and use University facilities.

A Covered Program does not include events that are open to the public, and/or where parents or guardians are expected to provide supervision.

“Licensee” - Any outside entity that enters into a license agreement with the University for purposes of hosting a Covered Program.

“Minor” – A person under the age of eighteen (18) years, provided, however, that for purposes of this policy, a matriculated student at the University under the age of eighteen years (“Underage Student”) is not considered a Minor.¹

“One-on-One” –Interaction between any Authorized Adult and a Minor participant without at least one other Authorized Responsible Adult, parent or legal guardian being present.

“Sponsoring Program” – The University academic, administrative or athletic program, or outside entity or Licensee that uses campus space or facilities for a Covered Program.

¹ For other purposes, the Underage Student may still be considered a minor (e.g., regarding the reporting of sexual abuse or rendering certain medical care).

POLICY

Registering a Covered Program

As determined by the Office of Auxiliary Services & Programs, external Sponsoring Programs must complete a license agreement to use campus space or facilities through the Office and comply with all requirements stated within that license agreement and within this policy for each Covered Program.

An internal employee requesting to register a Covered Program must comply with the same requirements for external Sponsoring Programs.

Requirements for Covered Programs Operated by Academic, Administrative, or Athletic Sponsoring Program of the University

Sponsoring Programs involved in Covered Programs must ensure that Authorized Responsible Adults are properly screened and trained as detailed in this section. The Covered Program must comply with the following requirements:

1. Sponsoring Programs must coordinate a background investigation and employment history review with Human Resources for each Authorized Responsible Adult in a Covered Program prior to employment. The background investigation must include, at minimum, both a State criminal background check and a sex offender registry check. If the background investigation or a self-report by an individual indicates a record of sexually based offenses or any other crimes against Minors, that individual will not participate in the program. Other offenses will be reviewed on a case by case basis by the Vice President (or other highest-level manager) of the Sponsoring Program and Human Resources. An Authorized Responsible Adult must have an initial background check completed (or have had a background check within the last two years) and agree to promptly self-report any arrest or conviction for sexually based offenses or any other crimes against minors and other felonies and misdemeanors once associated with a Covered Program. Human Resources must repeat the background investigation every two (2) years if the Authorized Responsible Adult continues to affiliate with the Covered Program.

Except where required by law, criminal background checks that are conducted pursuant to this Policy will be used only for purposes consistent with this Policy and will otherwise be kept confidential. However, the University reserves the right to take appropriate action with respect to employees who falsified or failed to disclose information material to their employment uncovered as a result of the background check, including and up to immediate termination of employment.

2. All Authorized Adults participating in a Covered Program are required to complete annual training on the conduct requirements of this Policy and on required reporting of incidents of potential misconduct and/or abuse of a minor. All Authorized Adults must annually also read, understand, and sign a Working with Minors Guidelines and Acknowledgement Form ("Guidelines"). Training is essential in our efforts to maintain a safe campus environment in which the dignity of Minors is respected. At a minimum, training must include:
 - » Basic warning signs of physical, sexual, emotional abuse and/or neglect from minors.
 - » Guidelines for protecting minors from emotional and physical abuse and/or neglect;
 - » The standards of behavior with Minors;
 - » The requirements of this Policy;
 - » Responsibilities of Covered Program staff and protocols in place in case of an injured Minor and/or emergency situations; and
 - » Requirements and procedures for reporting incidents of suspected abuse or neglect or improper conduct.

Authorized Adults who will be interacting with Minors in a Covered Program must complete training every two (2) years training on the conduct requirements of this Policy.

3. Human Resources will track completion of 1 and 2 above and will issue clearances to work with Minors. It is the responsibility of the University employee in charge of the Covered Program to ensure that each employee has received clearance to participate. Human Resources will maintain a roster of individuals who have been cleared to participate in Covered Programs and the dates on which a new background check will be required. The failure of an employee to submit to a background check will result in the inability to participate in a Covered Program.
4. Whenever feasible, all activities involving Minors (with the exception of academic classroom activities) should be supervised by at least two or more Authorized Responsible Adults or by the Minor's parent(s) or legal guardian(s) at all times. Factors to consider in determining "adequate supervision" are the number and age of the Minors; the activity involved; type of housing, if applicable; and, the age and experience of the supervising Authorized Responsible Adults. In some situations, private One-on-One instruction is the accepted standard in certain settings. In those situations, the Covered Program must take reasonable and appropriate measures to ensure the safety of Minors, including but not limited to unannounced spot visits by the Covered Program Director or Coordinator.
5. All Authorized Responsible Adults must comply with the behavior expectations included in the Guidelines, including the following:

Authorized Responsible Adults covered by this Policy -

- » Are encouraged to avoid, when possible, being alone with a Minor.
- » Will not engage in inappropriate conduct of any kind toward, or in the presence of, a Minor.
- » Will not strike, hit, administer corporal punishment to, or touch in an inappropriate or illegal manner any Minor.
- » Will not pick up Minors or drop off Minors from/at their homes.
- » Will not engage in the use of alcohol or illegal drugs during such programs or activities.
- » Will not be under the influence of alcohol, illegal drugs, or legal drugs which may endanger Minors participating in the program or activity.
- » Will not view pornography in front of Minors or make pornography in any form available to Minors participating in programs and activities covered by this policy or assist them in any way in gaining access to pornography.
- » Will not develop inappropriate relationships with Minors.
- » Will be alert to the physical and emotional state of all Minors each time they report for an educational program. Any signs of injury relating to suspected child abuse must be reported to the appropriate authorities.
- » Will report as soon as possible, any suspected incident of physical or sexual violence.

The University recognizes the evolving reliance on electronic communication (*e.g.*, email, text messaging, social media, etc.) and the interaction between those mediums and Covered Programs. Communication between Minors and Authorized Responsible Adults, outside of official program activities, is prohibited except under time-sensitive or other emergency situations (*e.g.*, cancellation of a scheduled event).

Requirements for Covered Programs by Outside Entities on University Property (Including Licensees)

Rider University expects all organizations that bring Minors to our campus have procedures in place for criminal background checks and evidence of appropriate credentialing and supervision of Minors.

Any Covered Program operated by third parties on University facilities must be operated consistent with the requirements of this Policy. All contracts for the use of University facilities by outside parties for programs

involving Minors must reference this requirement. Non-University Sponsoring Agents that operate Covered Programs involving Minors must conduct criminal background checks of their employees, volunteers, and representatives. The University maintains the right to require proof of compliance with these Policy requirements.

Minor Protection Guidelines – Facilities

Minors are not allowed in storage rooms, equipment rooms, athletic training rooms, staff/faculty offices, rooftops, food preparation areas, mechanical rooms, garages, storage facilities, closets, unfinished spaces, construction zones, other high-risk zones and other areas not needed for Covered Programs.

Medical and Emergency Care Requirements

Sponsoring Programs must ensure that all guardians of Minors in a Covered Program have completed a Waiver, Release and Hold Harmless Agreement, which includes an emergency medical treatment authorization. Sponsoring Programs must arrange for access to emergency medical services as appropriate. Medical care appropriate for the nature of the events, expected attendance, and other applicable factors should be taken into consideration. Consultation and guidance may be obtained from The Office of Auxiliary Services & Programs and the Department of Public Safety.

Allegations of Inappropriate Conduct

Whenever the University receives a report of alleged abuse or neglect of a Minor in a University Sponsoring Program:

1. The person receiving the report shall immediately notify the Department of Public Safety, the Vice President of Facilities and University Operations and the Vice President for Human Resources or the Title IX Coordinator, as appropriate.
2. The Vice President for Facilities and University Operations and the Vice President for Human Resources or the Title IX Coordinator, in consultation with the Vice President of Legal Affairs and appropriate senior University leadership, shall:
 - a. Take immediate steps to prevent further harm to the alleged victim or other Minors, including removing the alleged abuser from the Covered Program and limiting his/her/their contact with Minors pending resolution of the matter.
 - b. Determine whether or not the New Jersey Division of Child Protection and Permanency has already been notified and whether such notification is required or appropriate given the circumstances.
 - c. If the parents or guardians of the alleged victim have not been notified and are not the alleged abusers, notify the parents or guardians.
 - d. Investigate the report and resolve the matter in a way that safeguards Minors, protects the interests of victims and reporters, affords fundamental fairness to the accused, and meets relevant legal requirements.
 - e. Facilitate the University's cooperation with any investigation conducted by the New Jersey Division of Child Protection and Permanency or other governmental agency.

Whenever a report alleges that someone involved in a non-University Covered Program has abused or neglected a minor, the person receiving the report shall immediately notify the Department of Public Safety and the Vice President of Facilities and University Operations. The Vice President of Facilities and University Operations, in consultation with the Title IX Coordinator, the Vice President of Legal Affairs and appropriate senior University leadership shall coordinate with the non-University Sponsoring Program as necessary to see that the requirements of (a)-(e) above are accomplished.

Reporting Suspected Child Abuse or Neglect

Under New Jersey law, everyone has a legal duty to report child abuse and neglect. All individuals in our community must strive to ensure the safety of Minors participating in Covered Programs and activities covered by this Policy, and, when appropriate, remove Minors from dangerous and potentially dangerous situations.

Anyone who has an imminent concern for the safety of a Minor on campus or in a University program must immediately call 911 or the Department of Public Safety at 609-896-7777.

In addition, you must take these steps if you suspect or know that a child is suffering abuse or neglect:

1. Call the Department of Public Safety at 609-896-7777.
2. The Department of Public Safety will assist with reporting to the New Jersey Division of Child Protection and Permanency. Before making a report, you do not need to conduct your own investigation or be certain that mistreatment has occurred. Anyone who makes a report in good faith receives legal protection from retaliation.

Enforcement

Sanctions for violations of this Policy will depend on the circumstances and the nature of the violation, but may include the full range of available University sanctions including suspension, dismissal, termination, and where appropriate, exclusion from campus. The University may also take necessary interim actions before determining whether a violation has occurred. The University may terminate relationships or take other appropriate actions against non-University Sponsoring Programs that violate this Policy.