



University Senate
Faculty and Personnel Affairs Committee

**Response to Charge A-1303
Minors on Campus Task Force Report**

A. Charge

Minors on Campus Task Force Report: Review and respond to the [Draft Policy on Minors on Campus](#) written by the Minors on Campus Task Force. Respond to Senate Executive Committee by November 2013. [Executive Vice President Edwards' [memo](#) requesting this charge. [List of Members](#) of the task force.]

B. Background

The Faculty and Personnel Affairs Committee (FPAC) was asked by Executive Vice President for Academic Affairs Richard Edwards to consider a draft Rutgers policy statement that addresses the protection and safety of non-matriculated minors on the Rutgers campuses. The FPAC discussed the policy on three occasions (2013 March, May, September). To help clarify the policy, the committee identified questions and suggestions for consideration by the administration.

C. Discussion

C1. General comments for consideration

- How will this policy change given the integration with UMDNJ? With regard to all legacy UMDNJ, is this policy intended to apply to minors who are patients in the clinical care of Rutgers faculty or other health care providers? While the hospitals are not Rutgers facilities, the outpatient clinical areas are considered Rutgers campus buildings. This policy should specify that it does not supersede policies in patient care areas.
- Are Camden and Newark campuses expected to abide by this policy?
- The policy is not clear on the nature of training, nature and payment of background checks, due process of violation of policy, or the training of volunteers or “un-authorized adults” that may participate in a given program (see specific comments).
- Should the definition of “abuse” be specified? (For example: physical, emotional, or verbal abuse; racist or sexist comments, etc.)
- Does the Rutgers Policy Statement supersede that of the youth program policy? If so, specify.
- The policy should specify a contact person or office in case of questions about this policy.
- Who has ultimate responsibility for violations of this policy? Rutgers? Could there be possible lawsuits?
- Why are matriculated students excluded by this policy?

C2. Specific comments (comments are underlined)

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Approval Authority. Is the Senior Vice President for Finance and Administration the correct office?

1. **Policy Statement.** For clarity, the policy statement should state here that it excludes minors matriculated as undergraduate students or enrolled in Summer Session or Winter Session courses.
2. **Reason for Policy.** “To protect minors...” From whom or from what?

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II. Duty to Report Child Abuse and Neglect

Please clarify the reporting of abuse of minors in immediate danger (paragraph 1), or minors subject to abuse or neglect that has occurred elsewhere (paragraph 2).

Paragraph 1: “Anyone who suspects that a minor is at serious, impending, and immediate risk of harm ~~has been subject to abuse or neglect~~ must immediately notify the Rutgers University Police Department (RUPD) at 732-932-7211.” Rutgers police only? Does this policy apply to Newark or Camden?

As per the State of New Jersey Department of Children and Families website (<http://www.nj.gov/dcf/reporting/how/>): “If the child is in immediate danger, call 911 as well as 1-877 NJ ABUSE (1-877-652-2873).”

Paragraph 2: “New Jersey law (NJSA 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 (CP&P), formerly the Division of Youth and Family Services (DYFS) at 1-877-652-2873.”

Paragraph 3: “The University is committed to not retaliating against any individual who reports a reasonable belief that a minor has been subject to abuse or neglect.” Awkward phrasing: University policy stipulates that retaliation against individuals who report suspected abuse or neglect will not occur.

III. Policy for Programs Involving Minors Operated by any Unit of Rutgers University

A. Measures to prevent abuse of minors

2: “Background investigations of Authorized Adults...” Who pays for background checks?

“...that individual may not participate in the Program...” “May” as in “perhaps depending on circumstances” or “shall not” participate or ineligible?

3a. “Have one-on-one contact with minors.” Clarify: perhaps what is really meant is that there shall be no meeting with minors *in seclusion*.

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3c. “Share accommodations with minors with the exception of minors’ parents or guardians sharing accommodations with their own children.” Does this necessarily apply to chaperones who participate in the program (for example, at sports camps where one adult may stay with several children in

a room)? Other exceptions may apply? A chaperone release form may be required.

4. "All Authorized Adults participating in a program covered by this Policy are required to attend annual training..." Concerns about training include: timing (before or during hire?); if training is mandated or encouraged for individuals supervised by the Authorized Adult; administration of the training, who designs and administers the training, whether the training is offered as a workshop or online, and who sets and who pays the cost of training.
5. "If an allegation of inappropriate conduct has been made against an Authorized Adult..." Specify: What are the consequences if an Authorized Adult violates policy, or if there is a violation of conduct? Will there be due process when violations occur? Does the sanction depend on the violation and its degree? How is the violation investigated? When is conduct considered criminal, and who makes this determination? What if the Program Director violates policy? What happens to "un-Authorized Adults," such as volunteers? What happens to children whose conduct may be deemed inappropriate?

"...satisfactorily resolved by the Program Director or designee." Who is the designee? Is the designee a neutral party? How may persons who violates policy or conduct defend themselves?

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..." The word "supervised" has two meanings: 1) supervised as in view of employee; or 2) a chain of command. Specify.

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- C.1.b. "Programs must arrange to access..." Replace "to" with "for." What is the chain of events for children who need emergency assistance? Police/ambulance only? Under what circumstances (if any) may Authorized Adults or designees take children for emergency care?

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- IV. **Policy for Programs Involving Minors Operated by Outside Parties on Rutgers University Property.** For outside parties, are the "Authorized Adults" subject to annual training and background checks to qualify to run programs on Rutgers property? How does the policy pertain to other employees of the outside program, or volunteers? Although the policy specifies that outside contracts "must be operated within the guidelines of this Policy," said requirements should be clearly restated here.

Faculty and Personnel Affairs Committee 2013-2014

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