

RUTGERS POLICY

Section:

Section Title: Protection of Minors

Policy Name: Protection of Minors

Formerly Book:

Approval Authority: Senior Vice President for Administration

Responsible Executive: Senior Vice President for Administration

Responsible Office: Division of Administration & Public Safety

Originally Issued:

Revisions:

Errors or Changes? apsolicies@aps.rutgers.edu

1. **Policy Statement**
To provide guidelines for appropriate protection and supervision of minors participating in University-sponsored programs¹, or in programs operated by outside entities that are held in University facilities.²
2. **Reason for Policy**
To protect minors who are participating in University-sponsored programs, or in programs operated by outside entities that are held in University facilities.
3. **Who Should Read This Policy**
All employees or any other person subject to the terms of this policy.
4. **Contact**
Division of Administration and Public Safety
Email: protectminors@aps.rutgers.edu
5. **Related Documents**
Guide to Working with Minors (generalcounsel.rutgers.edu/guide-working-minors)
6. **The Policy**

¹ While all suspected instances of abuse or neglect of a minor must be reported under the Protection of Minors Policy and state law, other Policy requirements do not relate to minors enrolled in the undergraduate program or Summer/Winter Session courses.

² This Policy provides for the minimum standard of conduct. All policies at a departmental or unit level that deal with interactions with minors must reference this Policy and must not provide for a standard of conduct below what is provided for here. However, the Protection of Minors Policy does not supersede or diminish stricter standards provided for in patient care 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.

I. Definitions

This policy is subject to the following definitions:

Minor – A person under the age of eighteen (18).

Programs – Programs and activities offered by any academic, administrative or athletic unit of the University, or by non-University groups using University Facilities.

Sponsoring Unit – The academic or administrative unit of the University that offers a program or gives approval for the use of University facilities.

Authorized Adult – Individual(s), paid or unpaid, who is authorized to supervise or regularly chaperone Minors. An authorized adult must be at least eighteen (18) years of age.

Direct Contact Position or Job Title – 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.

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

II. Duty to Report Child Abuse and Neglect

Anyone who suspects that a minor has been subject to abuse or neglect must immediately notify the Rutgers University Police Department (RUPD) at 732-932-7211.

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, 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.

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

Sponsoring units operating a program involving minors (not including minors matriculated as undergraduate students or enrolled in Summer Session or Winter Session courses) must operate the program in accordance with the following guidelines:

A. Measures to prevent abuse of minors:

1. All persons must make all reasonable efforts to remove minors from dangerous or potentially dangerous situations, irrespective of any other limitation or requirement.
2. Background investigations of Authorized Adults and those who hold Direct Contact Positions or Job Titles who have interaction with minors must be conducted.

Such investigation must include both a criminal background check and a sex offender registry check. If such a background investigation indicates a record of sexually based offenses or crimes against minors, that individual may not participate in the Program. If other offenses are revealed

by such a background investigation, the Program must contact Public Safety, in consultation with Risk Management, to determine whether, in compliance with relevant federal and state statutes and regulations, participation in the Program by that individual is permissible. Background investigations of employees who continue in employment in the Program must be repeated at least every 3 years.

3. Authorized Adults participating in programs and activities covered by the policy must not, unless required by exigent circumstances:
 - a. Have contact with minors in seclusion: when feasible, there should be two or more Authorized Adults present during activities when minors are present.³
 - b. Enter a minor's room, bathroom facility, or similar area when that minor is staying overnight in University housing without another Authorized Adult in attendance, except under emergency circumstances.
 - c. Share accommodations with minors with the exception of minors' parents or guardians sharing accommodations with their own children.
 - d. Engage in abusive conduct of any kind toward, or in the presence of, a minor.
 - e. Strike, hit, administer corporal punishment to, or touch in an inappropriate or illegal manner any minor.
 - f. Pick up minors from or drop off minors at any location, other than the driver's child(ren), except as specifically authorized in writing by the minor's parent or legal guardian.
 - g. Provide alcohol or illegal drugs to any minor. Authorized Adults also must not provide prescription drugs or any medication to a minor unless specifically authorized in writing by the parent or legal guardian as being required for the minor's care or the minor's emergency treatment. See Section C(2) for additional information.
4. All Authorized Adults participating in a program covered by this Policy are required to attend annual training on the conduct requirements of this Policy, on protecting participants from abusive emotional and physical treatment, and on appropriate or required reporting of incidents of improper conduct to the proper authorities.
5. If an allegation of inappropriate conduct has been made against an Authorized Adult participating in a program s/he shall discontinue any further participation in that program unless or until such allegation has been satisfactorily resolved by the Program Director or designee. Rutgers employees who violate this policy 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) at all times. Some of the factors to consider in determining "adequate supervision" are the number and age of participants; the activity(ies) involved; type of

³ Private one-on-one instruction is the accepted standard in certain educational settings, such as music lessons. In those situations, the Program shall take reasonable and appropriate measures to ensure the safety of minors.

housing, if applicable; and age and experience of the supervisors.

2. Students who are at minimum 18-years-old and are participating in the program as either employees or volunteers may supervisor 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 included:
 - a. Guidelines on adequate number of staff for supervision of minors in particular activities.
 - b. Written permission signed by the parent/guardian for the minor to reside in University housing, including contact information for parents 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 by University Housing Services and RUPD.
 - e. Pre-enrollment visit programs for High School students housed overnight in residence halls must be registered with the Office of Residence Life.

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 guardian of each 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 Public Safety, Risk Management or Health Services. In case of emergency, individuals must call 9-1-1.
 - c. This section does not apply to programs such as Summer Session / Winter Session which involve only academic classroom activities.
4. Distribution or administration of medications
 - a. Medication may be distributed to the participant by program staff only in accordance with written authorization from the participant's parent or legal guardian. All such medication must be provided in its original pharmacy container labeled with the participant's name, name of the medication, dosage and timing of consumption. Over-the-counter medications must be provided in the manufacturers' original container.
 - b. Staff shall keep medication in a secure location, and at the appropriate time for distribution shall meet with the participant, as appropriate given the nature of the program.
 - c. Any medication which the participant cannot self-administer must be stored and administered by a licensed healthcare professional associated with the University. If no one is available,

arrangement must be made with another health care professional in advance of the participant's arrival.

3. Safety measures for laboratory or research activities

All programs which include laboratory or research activities must follow appropriate safety measures approved by the Rutgers Office of Environmental Health & Safety.

4. Notification of parents 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.

IV. Policy for Programs Involving Minors Operated by Outside Parties on Rutgers University Property

Any program involving minors operated by outside parties on Rutgers property must be operated consistent with the guidelines of this Policy. All contracts for the use of University facilities by outside parties for programs involving minors must reference this requirement and provide a link to this Policy.