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& Treasurer
Responsible Office:
Compliance
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MINORS ON CAMPUS

POLICY

1. Policy Summary

Molloy College (the “College”), an independent Catholic college, rooted in the Dominican tradition, values the safety and well-being of its community and is committed to providing a safe environment for Minors who come onto the College campus for any reason and/or who participate in off-campus Programs that are under the authority of the College. In furtherance of these goals, this Policy establishes guidelines and procedures for members of the College community who take part in Programs that involve Minors.

2. Policy Scope

This policy is for any person under the age of eighteen (18) in a College-sponsored Program or a Program held at College Facilities. It applies to all students, faculty, staff, administrators, 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. The geographic scope of this Policy extends to all College Facilities, which includes 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.

This Policy does not apply to:

- General public events to which Legal Guardians are invited and expected to provide supervision of Minors.
- Minors enrolled or accepted for enrollment in credit-granting courses at the College.
- Prospective students staying with College students.
- Junior and senior high school students who are prospective students and are attending a recruitment Program run by the College.

3. Policy

Approval for Programs Involving Minors

The Sponsoring Department must register the Program with the Office of Compliance in accordance with the guidelines below.

- A. Registration Information. The Sponsoring Department must provide, at a minimum, the following information:
1. The name and purpose of the Program
 2. The date(s) and time(s) of the Program
 3. Approximate number and age ranges of the expected Program participants
 4. The names and number of Program staff
 5. The location of the Program
 6. Whether the Program will involve overnight activities and/or housing
 7. Security and emergency measures for the Program, including, but not limited to:
 - i. Drop-off and pick-up procedures. At a minimum, such measures shall require every Minor to be checked-in and every Minor under the age of thirteen (13) to be checked-out.
 - ii. Containment of Minors in specified areas during free time, mealtimes and before the Program begins;
 - iii. Where Minors should meet if they are separated from the group and/or become lost.
 - iv. Steps to take in the event of an emergency, including medical or behavioral problems, natural disasters, or other significant Program disruptions.
- All Authorized Adults, Minors, and parents/guardians must be advised of these measures in writing prior to the participation of the Minors in a Program
- B. Registration Deadlines. Registration of a Program should occur as early in the planning process as possible, but no later than thirty (30) days before the start of the Program. If the Program involves an overnight stay, registration must be submitted at least sixty (60) days prior to the start of the Program.
- C. Re-registration. The Sponsoring Department must re-register the Program for each new occurrence.

- D. Required Forms. The Sponsoring Department must collect a signed Permission Slip, Waiver of Liability, and Hold Harmless Agreement from the parent or legal guardian of each minor prior to the Minor's participation in the Program. The required form(s) may be obtained from the Office of Compliance.
- E. Accommodations. If a Minor attending a Program needs an accommodation for a disability or other special need, it is the responsibility of the Sponsoring Department to request such an accommodation.

General Guidelines for all Programs involving Minors

- A. Background Checks. All Authorized Adults are required to have a current criminal and sex offender background check successfully completed before beginning work with Minors. A copy of the results of such background check shall be provided to the College. If such background investigation indicates a record of sexually based offenses or crimes against Minors, that Authorized Adult shall be excluded from participating in Programs involving Minors. If other offenses are revealed by such background investigation, the relevant College officials will make a determination as to whether or not participation by the Authorized Adult in any Program involving Minors is permissible.
- B. Training. Each Authorized Adult who is a member of the Molloy community must complete annual, mandatory training offered by the Human Resources Department on child abuse and mandatory reporting. Authorized Adults from non-College organizations must provide certification confirming that they have received comparable training.
- C. Appropriate Supervision of Minors. All Programs involving Minors must be supervised by at least two (2) Authorized Adults or by the Minors' Legal Guardian(s) at all times. The ratio of Authorized Adults to Minors must reflect the gender distribution of the Minors and should meet the following standards:
 - 1. One Authorized Adult for every five Minors under 6 years of age
 - 2. One Authorized Adult for every eight Minors ages 6 to 15
 - 3. One Authorized Adult for every ten Minors ages 15 to 17

If the Program involves overnight activities and/or housing, the requisite number of Authorized Adults must reside in the same residence hall and at least one Authorized Adult who is at least twenty-one (21) years old must be readily accessible to Minors in case of emergency. Additional Authorized Adults may be required based on the needs of the Minor or the activities that are planned.

- D. Rules for Working with Minors:
 - 1. Minors must be supervised at all times by either a legal guardian or an Authorized Adult while participating in a Program.

2. Authorized Adults must maintain professional boundaries at all times. They must not:
 - i. Engage in sexual activity with a Minor;
 - ii. Engage in conversations of a romantic, sexual or intimate nature with a Minor unless in the role of a health care provider or professional counselor;
 - iii. Touch a Minor in a way that could reasonably be interpreted as inappropriate;
 - iv. Make sexual comments or tell jokes of a sexual nature to or in the presence of a Minor;
 - v. Engage in communications with a Minor through any method (email, text message, telephone, social media, etc.) outside of academic or programmatic need;
 - vi. Participate in photographing or making videos of Minors other than for Program-related purposes. For Program-related purposes, photos or videos may be taken only after the Minor's legal guardian has signed the appropriate waiver;
 - vii. Be left alone with a Minor except in emergency or other exigent circumstances. At least two Authorized Adults or two Minors should be in each group at all times;
 - viii. Share a bed or sleeping bag with a Minor;
 - ix. Intrude in situations such as changing clothes, showering or using the restroom, except where health and safety reasons require such intrusion;
 - x. Engage in abusive behavior or conduct of any kind, either verbal or physical, toward or in the presence of Minors, including bullying and cyberbullying;
 - xi. Use a personal vehicle to pick up or drop off Minors participating in a Program unless the Minor's parent or legal guardian has provided written permission;
 - xii. Meet with Minors outside of established times for Program activities;
 - xiii. Dress inappropriately or provocatively;
 - xiv. Engage in the use of, or provide Minors with, alcohol, drugs or other illegal substances, or be under the influence of alcohol, drugs or other illegal substances during a Program involving Minors;
 - xv. Otherwise abuse or neglect a Minor.
3. The Sponsoring Department must ensure that all Minors and Authorized Adults abide by all College regulations and Program rules.
4. Minors must only be released to an authorized parent, legal guardian, or other adult specifically authorized by the custodial parent or guardian and only after confirming their identification.
5. The Sponsoring Department shall provide notification to the Department of Public Safety and the Facilities Department of the location, dates, and times when

Minors will be present in College facilities so that emergency evacuation plans can factor in any special consideration arising out of the presence of Minors.

E. Reporting

1. **Reporting Procedures.** All College employees, as well as all Authorized Adults, shall report any known or reasonably suspected abuse of a Minor to the Public Safety Office (516-323-3500 or 3500 from any campus phone), or to the Title IX Coordinator (516-323-3046) as soon as possible, and no later than twenty-four (24) hours upon learning of the abuse. Upon receiving this report, these offices will contact the local police department. Any College employee who fails to report such abuse to one of the above two offices shall incur disciplinary action, up to and including termination.
2. **Mandated Reporters.** Members of the College community and of outside organizations who are considered Mandatory Reporters pursuant to New York State law are also required to report suspected child abuse and maltreatment to the New York State Office of Child and Family Services (“OCFS”) Hotline at 1-800-342-3720.
3. **Confidentiality.** 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 law and the appropriate College policy.
4. **Anti-retaliation.** The College prohibits retaliation against any person who makes a good faith report of suspected abuse of a Minor.

Insurance Requirements for Programs by Outside Organizations Using College Facilities

Insurance. Non-Molloy organizations seeking to host a Program using College Facilities must ensure they obtain the appropriate insurance coverage prior to the start date of the program. The types and amounts of coverage will vary depending on the exposure, but at a minimum the outside organization must provide evidence of the following:

- A. **Commercial General Liability.** It must provide a one million dollar (\$1,000,000) per occurrence limit for bodily injury and property damage, including products liability, contractual liability, broad form property damage, and all standard policy form extensions. The policy must provide a two million dollar (\$2,000,000) general aggregate and be written on an occurrence form. The policy shall be endorsed to include Molloy College as an additional insured. The definition of additional insured shall include all officers, employees, and agents representing Molloy College. The coverages for an additional insured shall apply on a primary basis irrespective of any other insurance, whether collectible or not. The policy shall contain a waiver of subrogation endorsement in favor of Molloy College.
- B. **Sexual Misconduct Liability.** If the outside organization’s commercial general liability policy does not provide coverage for damages arising out of sexual misconduct or sexual

molestation, the outside organization must maintain a separate sexual misconduct policy that provides a minimum limit of one million dollars (\$1,000,000) per claim and an aggregate of at least two million dollars (\$2,000,000).

- C. Workers' Compensation and Employer's Liability. It must afford coverage subject to a limit of no less than five hundred thousand dollars (\$500,000) each accident and a five hundred thousand dollar (\$500,000) policy limit. The policy shall be endorsed to include a waiver of subrogation endorsement in favor of Molloy College.
- D. Umbrella Liability. This policy must have a limit of not less than five million dollars (\$5,000,000), providing excess coverage over all limits and the general liability and sexual misconduct liability coverage without exception. These limits can be obtained by a combination of primary and excess liability policies, provided that all layers follow form with the underlying policies. The policies shall be endorsed to include Molloy College as an additional insured.

All required insurance shall be written with insurance companies allowed to conduct business in the State of New York and rated no lower than A VIII in the most current edition of A.M. Best's Rating Guide, and "BBB" in Standard & Poors. All policies discussed shall be endorsed to provide that in the event of cancellation, non-renewal, or material modification, Molloy College shall receive thirty (30) days prior written notice by certified mail, return receipt requested.

Enforcement

The Office of Compliance will enforce this Policy in conjunction with other appropriate College offices. Violations of this Policy may result in the non-approval or immediate termination of a Program and disciplinary actions against members of the College (up to and including termination of employment or services, as applicable), consistent with College Policy.

4. 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.

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, who is the parent of, or who is the primary caretaker of a Minor who is participating in a College Program.

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. For additional guidance on Mandated Reporters, see the [Summary Guide for Mandated Reporters in New York State](#).

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. High School students who are receiving College credit through the High School Scholars Program are considered Minors for this Policy.

Program means any organized activity or event that is designed or otherwise includes participants who are Minors, offered by an academic or administrative unit of 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.

Sponsoring Department means the administrative or academic unit of the College which offers a Program, and/or the College unit that sponsors the use of College Facilities by a non-College entity.

5. Related Policies and/or Documents

[Background Check Policy](#)
[Sexual Misconduct Policy](#)

