

UNIVERSITY POLICY

SUBJECT:	Minors on Campus	TITLE:	Instructional Programs and Events Policy on Minors		
CATEGORY: Check One	Board of Trustees <input type="checkbox"/>	University <input checked="" type="checkbox"/>	Functional <input type="checkbox"/>	School/Unit <input type="checkbox"/>	
Responsible Executive:	V.P. of Student Development		Responsible Office:	Student Development	
CODING:		ADOPTED:	06/24/12	AMENDED:	
			LAST REVIEWED:		

I. PURPOSE

William Paterson sponsors many activities that result in the presence of minors on campus. Minors regularly are invited to participate in programs such as child development centers, admissions open houses and overnights, athletic events, sponsored camps, academic sponsored concerts and events. In some cases they stay overnight in the residence halls as part of a college experience program. In order to ensure the safety of minors and that the University's mission is best served, we adopt the following policy.

II. ACCOUNTABILITY

The Vice President of Student Development shall ensure compliance with this policy. Department heads of the Office of Residential Life, Director of Public Safety, Center for Continuing and Professional Development, Department of Human Resources, Department of Athletics and Director of Risk Management, or their designees shall implement this policy; ensuring that all minors, University members and outside third parties coming into contact with minors on campus or by virtue of a University sponsored Program or Event or a Third-Party sponsored Program or Event approved by the University, abide by its terms and conditions.

III. APPLICABILITY

This policy applies to all University members and outside third parties, (including but not limited to Sponsoring Units and Third-Party Groups) coming into contact with minors on campus or by virtue of a University sponsored Program or Event or a Third-Party sponsored Program or Event approved by the University. This policy also applies to all Minor Participants in Programs or Events notwithstanding the fact that some Minor Participants may have reached their 18th birthday.

This Policy does not apply to minors who are students at the University and also does not apply to those listed under Section VII B (2) of this Policy.

IV. DEFINITION(S)

Minor-

A person under the age of eighteen (18).

Programs-

Workshops, sport camps, academic camps, conferences, pre-enrollment visits and similar activities, offered by various academic or administrative units of the University, or by a Third-Party Group

using University facilities with the written approval of the University that are designed to provide instruction to the same designated group of minors for one or more consecutive days and in which all Minor Participants are required to pre-register.

Event-

An activity on campus opened to the general public, including minors, that does not require minors to pre-register and is not focused on providing instruction to the same designated group of minors for one or more consecutive days.

Pre-Registration-

Required registration prior to commencement of any instructional Program focused on the same designated Minor Participants, rather than minors from the general public, and that last for one or more consecutive day.

Third-Party Group-

A group not a part of the University who conducts a Program on the University Campus with the formal written permission of the University whose use is consistent with existing policies.

Sponsoring Unit-

The academic or administrative unit of the University which offers a Program or gives approval for a Program offered to minors.

Program Coordinator-

The person designated as the lead contact person for a Program who is also concurrently responsible for ensuring the obligations of the Sponsoring Unit or Third-Party Group under this policy are fully met. The Project Coordinator must meet the requirements of Section VII A (9) of this policy.

One-On-One Contact-

Personal, unsupervised interaction between any individual staff members and a Minor Participant without other staff members being present.

Program Assistants-

Employed staff or volunteer staff who oversee or instruct minors in Program activities and/or University Housing.

University Housing-

Dormitory facilities owned by, or under the control of, the University.

Minor Participant-

A minor who is on the campus for the purpose of participating in a University sponsored Program or a Program sponsored by a Third-Party Group with University approval.

Minor Guest -

A minor whose presence on the University Campus is the result of an Event or other use of the campus open to the general public.

VI. REFERENCE(S)

Residential Life Policy- Residence Life Handbook - <http://www.wpunj.edu/reslife/handbook.dot>

VII. POLICY

A. PROGRAMS

A sponsoring unit offering or approving a Program which involves minors or provides University Housing to minors participating in a Program, or a non-University Third-Party Group sponsoring a Program for minors on campus, with University approval, whether utilizing University Housing or not, shall:

1. Establish a procedure for the notification of the minor's parent or legal guardian in case of an emergency, including medical or behavioral problems, natural disasters, or other significant Program disruptions. Program Coordinators, Program Assistants and others who have a supervisory role with the Program, as well as Minor Participants and their parents and legal guardians are to be made aware of this procedure and given a written copy.

2. Provide a list of all Program Minor Participants and a directory of Program staff, including the designated Program Coordinator, to the Office of Student Development and University Police. This list shall include participant's name, campus room assignment (if applicable), name, address, and phone number of parent or legal guardian, a completed Medical Treatment Authorization Form, Exhibit A, if applicable, and emergency contact information. The Medical Treatment Authorization Form shall include the following:

- a. A statement informing the parent/legal guardian that the University does (or does not, as applicable) provide medical insurance to cover medical care for the minor.
- b. A statement authorizing the release of medical information (HIPAA) and emergency treatment in case the parent/legal guardian/emergency contact cannot be reached for permission.
- c. A list of any physical, mental or medical conditions the Minor Participant may have, including any allergies that could impact his/her participation in the Program, required medication, and all emergency contact information including name, address and phone number of the emergency contact.
- d. Disclosure of the Sponsoring Unit's relation to the University or Third-Party Groups lack of association with the University and in either case affirmatively states the following:

Although guidelines for participation in this Program have been established, each child is different. Ultimately, it is the responsibility of the parent or legal guardian to assess whether their child's participation is appropriate.

- e. A statement whether the Minor Participant has had all required immunizations required by the State of New Jersey for a child his or her age.

A Medical Treatment Authorization Form shall be required for any Program involving overnight University Housing, or that focuses on providing instruction to the same designated group of Minor Participants for two or more consecutive days, or that involves instruction in any sport or physical activity or where the Minor Participant or his/her parent or legal guardian have disclosed a physical or medical condition that could negatively affect the minors participation in a Program or ability to perform.

3. Provide information to the parent or legal guardian concerning the manner in which the Minor Participant can be contacted during the Program, if applicable, and the time and manner of retrieving the minor upon completion of the Program.

4. Adopt, follow, distribute to all Program personnel, Minor Participants and their parent or legal guardian the “Minor Program Rules and Regulations”, “Minors Program Code of Conduct”, and the “Emergency Program Guidelines” annexed hereto as Exhibit B, C, and D, respectively.

5. Follow guidance from University Counseling, Health and Wellness Center concerning communicable diseases. The Minor Participants in all Programs must be able to administer any required medication by themselves without the aid of staff. It is the responsibility of the parent or legal guardian to provide all the medication, instructions to the minor, and any equipment, refrigeration, etc. required.

a. Any University Sponsoring Unit or Third-Party Group sponsoring a Program must ensure that off-campus medical services have been contracted for prior to arrival of minors on campus and proof of such submitted to the Office of Conference Services prior to the start of the Program.

6. The Program Coordinator, or his/her designee, is responsible for ensuring that any dietary restrictions or food allergies of a minor that are listed on the Medical Treatment Authorization Form are discussed with the appropriate food service personnel and evaluated in connection with any meal served on campus that the Minor Participant is entitled to under the Program and that the Minor Participant is counseled consistently with the listed dietary restriction or food allergy. This obligation to counsel will only arise if the Minor Participants dietary restrictions or food allergies are clearly listed on the Medical Treatment Authorization Form.

7. Ensure adequate supervision of minors while they are on University property. Some of the factors to consider in determining “adequate supervision” are the number and age of participants, the activities involved, type of housing, if applicable, and age and experience of the counselors and Minor Participants.

a. The ratio of counselors to Program participants should generally reflect the gender distribution of the participants, and should meet the following guidelines:

Resident Camps:

One staff member for every five campers ages 4 and 5

One staff member for every six campers ages 6 to 8

One staff member for every eight campers ages 9 to 14

One staff member for every ten campers ages 15 to 17

Day Camps:

One staff member for every six campers ages 4 and 5

One staff member for every eight campers ages 6 to 8
One staff member for every ten campers ages 9 to 14
One staff member for every twelve campers ages 15 to 17

- b. Any, deviation from the above ratio must be approved in advance by the Vice President of Student Development.
- c. The ratios' contained in section A(7)(a) do not apply to on campus tours of prospective students not otherwise associated with a Program.

8. Require the Program to provide and supervise Program assistants who must be at least 18 years old, trained in accordance with the following requirements:

- a. Training for the counselors must include, at a minimum, information about responsibilities and expectations; policies, procedures, and enforcement; appropriate crisis/emergency responses; safety and security precautions; confidentiality issues involving minors; and University responsibility/liability. Counselors must know how to request local emergency services and how to report suspected assault or child abuse.
- b. Responsibilities of the Program assistants must include, at a minimum, informing Program participants about safety and security procedures, University rules, rules established by the Program, and other behavioral expectations. Program assistants are responsible for following and enforcing all rules and must be able to provide information included herein to Program participants and be able to respond to emergencies.

9. Must designate and assign a staff member who is at least 21 years of age to be accessible to Minor Participants during the Program. This staff member must be also meet the minimum requirements of section A(8) and reside in the housing unit, if housing is provided as part of the program. . This designated staff member must also successfully complete a background clearance check, including sexual crimes and assaults prior to the Program's start. The results of these background checks shall be approved by the Human Resources Representative of the unit sponsoring the Program and forwarded to the V.P. of Student Development.

The designated staff member may be the Program Coordinator but there must be a sufficient number of designated staff members to be available to the Minor Participants and to oversee the instruction provided by the Program Assistants. There shall be at least one designated staff member for each Program or Event and at least one per 50 minors. Any deviation from the above ratio must be approved in advance by the Vice President of Student Development.

10. If utilizing University housing, adopt and agree to abide by all University rules and regulations for residing in a campus facility (See Residential Life policy in Student Handbook-Exhibit E) except that the age restriction and rules concerning visitors shall be those proscribed by this policy under section A(4).

11. Prohibit all one-on-one contact between staff and Minor Participants, during and immediately after the Program and or Event. This ban includes, rides to and from the Program without the express written consent of the parent or legal guardian of the minor. All instruction by staff members to Minor Participants must be in the presence of at least one other staff member.

12. Require that, if a Program Coordinator or any member of the Program staff learns or has reason to believe, either directly from the Minor Participant or from any other source, that a Minor Participant has been subject to assault or sexual abuse, any injury, physical altercation, bullying, drug or alcohol involvement, has been a victim of a crime, or is missing, this knowledge must be immediately reported to the Program Coordinator AND the University Police (973-720-2300)

- a. Upon learning of such information, the Program Coordinator must cooperate fully with University Police and all University officials and fully disclose all relevant information.
- b. Upon learning of such a report, University Police will notify the Vice President of Student Development and supply any available reports.

13. Obtain all media and liability releases as part of the Program registration process. All data gathered is considered confidential, is subject to records retention guidelines, and may not be disclosed.

14. Program participants and staff must abide by all University policies and regulations and with any applicable laws enforce in the State of New Jersey

15. All non-University sponsors or Third Party Groups sponsoring a Program on Campus shall agree to indemnify the University for all liability, including but not limited to, injury and abuse of minors, arising from the Program related activities and shall secure General Liability insurance in the amount of \$1,000,000 per occurrence, \$3,000,000 aggregate, naming the University as an insured and provide proof of same prior to the commencement of the Program.

16. Sponsoring Units and Third-Party Groups sponsoring Programs with the approval of the University facilities must provide to the V.P. of Student Development satisfactory evidence of compliance with all of the requirements of this Policy at least (30) days prior to the scheduled start of the program.

B. Events and Other Activities.

1. A Sponsoring Unit offering or approving an Event which involves minors, or a non-University Third-Party Group sponsoring an Event for minors on campus, with University approval, shall comply with sections VII A(3, 8,9,11,13, 14 and 15) and VII C of this policy. In addition, the requirements of VII A(4) and (7, (excluding 7(a, b, and c)) shall also be followed. For Events, the designated staff member under Section VII A(9) shall serve as the Program Coordinator and be concurrently responsible for ensuring that the event is in compliance with section B(1) of this Policy. Satisfactory evidence of compliance with this policy must be provided to the V.P. of Student Development at least (10) days prior to the scheduled start of the program.

2. Activities that involve minors that do not fall into the category of a Program or Events are not covered by this Policy. Such Activities are subject to the "Minors Utilizing Campus Facilities and Campus Visitation Policy. " By way of example, the following activities are excluded from this Policy.

- a. licensed professionals, psychologist, speech therapist, etc., providing counseling services to minors
- b. faculty or students engaged in providing clinical services to minors at the University or at another institution.

- c. Third Party Groups renting out university facilities to engage in artistic performances, even if those performances include minors. Such groups however, must comply with all the terms and conditions of the University's facilities rental agreement.
- d. interaction with (non-student) minors by faculty members that is part of :
 - i. an approved classroom curriculum or coursework,
 - ii. minors participating in approved research
 - iii. high school aged minors participating in an approved independent study projects.

C. Duty to Report

1. In addition to the obligations established in section A(12) of this policy, if a University member observes or has reason to believe that while on University property and/or under the control of an authorized University representative or approved Third-Party Group, a minor has been subject to assault or sexual abuse, any significant injury, physical altercation, bullying, drug or alcohol involvement, has been a victim of a crime, or is missing, this knowledge must be immediately reported to the University Police, who shall have the obligation to notify the appropriate University Official under this policy.

2. Any violation of this policy involving a minor who had been the subjected to assault or sexual abuse, any significant injury, physical altercation, bullying, drug or alcohol involvement, has been a victim of a crime, or is missing must be reported to the parents, legal guardian or responsible adult of the minor by the Program Coordinator of the Sponsoring Unit or Third-Party Group sponsor of the Program the minor is involved in or, if no Program is involved, by University Police.

3. If any violation of the Policy occurs or is suspected and the person[s] to whom the report is to be given is unavailable, believed to be engaged in the violation of the policy or fails to take appropriate and immediate action, a report should be made directly to the Vice President of Student Development, the Director of Public Safety & University Police and/or the Provost and Senior Vice President of Academic Affairs. There is no requirement to attempt to report up the chain of command prior to reporting to the above University officials.

D. Violation of Policy, Failure to Comply and Sanctions

- 1. Any Program or Event that fails to comply with the requirements of this Policy and provide proof of same prior to the commencement of the Program or Event shall be barred from going forward.
- 2. Any person failing to obtain and supply proof of a successful required background check, shall be excluded from any participation in any Program or Event falling under this policy
- 3. Any report received pursuant to Section VII A (12) or VII (C) of this Policy will result in an investigation by the University as directed by the Vice President of Student Development, the Director of Public Safety and University Police, and the Provost and Senior Vice President of Academic Affairs, in consultation with the General Counsel for the University and the Board of Trustees. The result of that investigation must be reported to the President and Board of Trustees.
- 4. Once evidence or suspicion that a violation of this Policy has occurred, the following action may be taken:
 - a. the immediate suspension and barring from campus the individual[s] involved from the

- Program and Event, pending the outcome of an investigation
- b. the immediate cancellation and barring from campus the Program or Event and the barring of the Third Party Group sponsor from Campus, pending an investigation
 - c. Discipline up to and including termination of employees for the violation of the policy, including the failure to report a violation
 - d. Suspected violations of law will be referred to law enforcement and may result in criminal penalties
 - e. Any other action consistent with University Policy and Procedures.

Approved by the Board of Trustees
Dated June 24, 2012