



SUNY Orange Policies and Procedures

Policy Number	Policy Title
BP2.23	Minors on Campus; Prevention and Reporting of Child Sexual Abuse

Orange County Community College's facilities and properties are primarily designed for an adult population of students, faculty and staff. However, the College is committed to protecting the safety and well-being of children who participate in College-related programs and activities.

With the exception of the Lab Schools (childcare centers), students enrolled in credit-bearing courses and, on special occasions, when minors visit a campus for a College-sponsored educational event or youth camp, visitors under the age of 18 years must be accompanied and supervised by a parent, guardian or another adult who has been so designated by a parent or guardian. At no time are minors allowed in classrooms or laboratories, except when attending an educational event intended specifically for minors and under the supervision of an appropriately trained and screened College employee. This policy is intended to protect the visiting child from harm and to prevent disruptions to classroom and laboratory activities. Under no circumstances, supervision notwithstanding, will a child be allowed to enter any campus space that the President deems unsafe.

All College faculty, staff, volunteers, interns and students who participate in or supervise College-sponsored events or programs involving minors or who interact with minors in such contexts will be required to receive training and pass appropriate background screenings and approvals. College employees who witness or have reasonable cause to suspect any sexual abuse of a child occurring on SUNY Orange property--or occurring off-campus during official College business or College-sponsored events--shall have an affirmative obligation to report such conduct to SUNY Orange Safety and Security or any relevant local police department immediately.

Any third-party organization overseeing a program that involves minors on one of the College's campuses or at a College-sponsored event must provide proof of insurance, training at a level acceptable to the College, and background screening acceptable to the College for all individuals who will interact with minors in the context of such a program.

This policy provides 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 provide for a standard of conduct at or above what is provided for here.

Definitions:

"Minor" - Any person who is under 18 years of age.

"Covered Activity" – Any event taking place on campus or at a College sponsored off-campus event. These activities include, but are not limited to conferences, academic workshops, camps and clinics, one-on-one tutoring programs, and research opportunities. "Covered Activities" do not include undergraduate academic programs in which minors are enrolled for academic credit; events on campus which are open to the general public and which minors attend at the sole discretion of their parents or guardians; campus tours or visits by minors considered to be prospective students, and occasions when faculty, staff and students voluntarily bring their own children to campus.



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“Authorized Person” - Any individual paid or unpaid, who instructs, supervises, chaperones or otherwise oversees minors in connection with a Covered Activity. This includes, but is not limited to, faculty, staff, students, volunteers, interns, independent contractors, consultants, and staff of third-party entities who participate in a Covered Activity. Authorized Persons are subject to the training and background screening.

“Mandated Reporter” - Individuals required to report physical or sexual abuse to the New York Statewide Central Register of Child Abuse and Maltreatment. Such individuals include, but are not limited to social workers, nurses, physicians, guidance counselors, teachers, college administrators, public safety officers, substance abuse counselors, and psychologists.

“Physical Abuse” - Physical abuse occurs when a caregiver inflicts serious physical injury upon a child, creates a substantial risk of serious physical injury. Evidence of physical abuse includes injuries to the eyes or both sides of the head or body (accidental injuries typically only affect one side of the body); frequent injuries of any kind (these may appear in distinctive patterns such as grab marks, human bite marks, cigarette burns, or impressions of other instruments); destructive, aggressive, or disruptive behavior; or passive, withdrawn, or emotionless behavior.

“Sexual Abuse” – Sexual abuse occurs when a caregiver engages in a sexual act with a minor and/or encourages or promotes sexual performance by a minor. Sexual abuse may also include non-contact abuse, such as taking or sharing obscene pictures or videos, exposing oneself, exposing youth to pornography, or sending obscene messages digitally. Indicators of sexual abuse include symptoms of sexually transmitted diseases; injury to the genital area; difficulty and/or pain when sitting or walking; sexually suggestive, inappropriate, or promiscuous behavior or verbalization; expression of age-inappropriate knowledge of sexual relations; and sexual victimization of other children.

“Third party entity” – Any organization or institution that is not directly affiliated with the College.

“Reasonable Cause” - Reasonable cause means that, based on your rational observations, professional training, and experience, you have a suspicion that a guardian or other person responsible for a minor harmed the minor or placed the minor in imminent danger of harm. Your suspicion can be as simple as distrusting an explanation for an injury.

Certain Prohibited Interactions with Minors

To ensure a safe environment for all those involved, one-on-one interactions with minors should be kept to a minimum. In cases where one-on-one instruction is pedagogically necessary (e.g., tutoring, mentoring activities, etc.), the activity should be conducted whenever possible in a space that is open to the public or that provides adequate visibility. Doors should remain open and must be unlocked at all times.

The following actions are examples of conduct prohibited when engaging with a minor (this is not to be considered a complete list):

- Be alone with a child, unless the Covered Person is a relative or guardian of the child, unless one-on-one contact is approved in accordance with a determination pursuant to of this policy. In no event shall a Covered Person, who is not a relative or guardian of a child, be alone with the child in a rest room, locker room, shower, sleeping area or vehicle.
- Engage in abusive conduct of any kind, either verbal, sexual or physical, toward or in the presence of minors.
- Participate in bullying (including cyberbullying), hazing or initiations.



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- Contact a child through electronic media, including social media, for the purpose of engaging in any prohibited conduct, including sexual conduct.
- Allow minors the use of, or provide minors with, alcohol, drugs or other illegal substances.
- Discipline minors in any manner involving isolation, humiliation or corporal punishment. Any form of discipline must be constructive and appropriate, given the age of the minor and the circumstances of the situation.
- Transporting Minors, except if (1) specifically authorized in writing by the minors' parents or legal guardians and (2) the terms of the transportation have been expressly pre-approved by the appropriate college office.
- Give gifts of any kind to minors outside of gifts expressly pre-approved by the College as part of the Covered Activity.
- Engage in sexual activity or other inappropriate deliberate physical contact or horseplay with, or in the presence of, minors.
- Make sexual materials or pornography in any form available to minors or assisting them in any way in gaining access to such materials.
- Photograph or make videos of minors for reasons other than program-related purposes. (For program-related purposes, photos or videos may be taken only after the minor's parent or guardian has signed an appropriate media release). Use of any device capable of recording or transferring visual images is forbidden in showers, restrooms, locker rooms, dressing rooms or other areas where privacy is reasonably expected.
- Release a child from a Covered Activity without a written authorization from the child's parent or guardian.

Duty to Report

Any Authorized Person who has reasonable cause to believe that a minor participating in a Covered Activity has been physically or sexually abused must report his or her concerns to the Orange County Community College Safety and Security Office (845-341-4070) as soon as possible. Safety and Security will coordinate the institution's response to the report of suspected abuse. If the Authorized Person is a Mandated Reporter, he or she **must** also report suspected abuse to the Office of Child and Family Services for the State of New York by calling (800) 635-1522.

Where an allegation of physical or sexual abuse of a minor is made against an Authorized Person, the College will remove the accused individual from all Covered Activities until the allegation is investigated and resolved. The allegation, and all related information, will be kept confidential to the extent permitted by law.

No Retaliation

Retaliatory action against anyone acting in good faith, who has reported alleged physical or sexual abuse in accordance with this Policy, who has been involved in investigating or responding to allegations of physical or sexual abuse, or who has reported a failure to comply with this Policy, is strictly prohibited. Retaliatory acts may include, but are not limited to:

- employment actions affecting salary, promotion, job duties, work schedules and/or work locations
- actions negatively impacting a student's academic record or progress
- any action affecting the campus environment, including harassment and intimidation

The Board of Trustees directs the President to develop such procedures as to fairly implement this policy.



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Amended: Jan. 19, 2022