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Policy for the Protection of Minors on Campus

I. Purpose

Kean University is committed to the safety of all individuals in its community. Kean University has particular concern for those who are particularly vulnerable, including minor children, who require special attention and protection. This Policy establishes guidelines for those in the Kean University community who may work or interact with individuals under eighteen (18) years of age, with the goal of promoting the safety and wellbeing of Minors.

II. Scope

This Policy provides the guidelines that apply broadly to interactions between Minors and Kean University students, faculty, staff and volunteers in Kean University-run or –affiliated programs, events or activities. This Policy also establishes requirements for non-Kean University organizations and entities that operate programs or activities involving Minors in Kean University facilities, and Kean University agreements with such organizations and entities shall reflect those requirements. All Kean University faculty, staff, students, contractors and volunteers are responsible for understanding and complying with this Policy. Appendices to this Policy set forth specific requirements and procedures and may be updated from time to time.

III. Definitions

Abuse – The physical, sexual or emotional harm or risk of harm to a child under the age of 18 caused by a parent or other person who acts as a caregiver for the child. Sexual abuse includes engaging in or attempting to engage in sexually explicit conduct or exposing a person under the age of 18.

Authorized Adult – An individual, paid or unpaid, who interacts with, supervises, chaperones, or otherwise oversees Minors as part of a Covered Program. This includes but is not limited to (i) Kean University faculty, staff, volunteers, graduate and undergraduate students, or interns; and (ii) non-Kean University affiliated third-party staff and volunteers. An Authorized Adult must be at least eighteen (18) years of age. A

participant in a Covered Program is not an Authorized Adult for the purposes of this Policy.

Campus – All buildings, facilities, and properties that are owned, operated, managed, or controlled by Kean University.

Covered Programs – Kean University-run or –affiliated programs, activities, or other events conducted on Kean University Campus or by or on behalf of Kean University (on or off Campus), whether for academic, administrative, athletic, recreational or other purposes that serve and/or include the participation of Minors. A Covered Program includes events that are hosted by external entities and use Kean University facilities.

A Covered Program does not include events on Campus that are open to the public and/or which Minors may attend at the discretion of or with their parent(s) or guardian(s).

A Covered Program also does not include admissions tours and events or other public events of a short duration; provided, however, that the program does not involve potential one-on-one contact with a Minor.

The Kean University Child Care and Development Center is accredited by the National Association for the Education of Young Children and is licensed and regulated by the State of New Jersey, Department of Children and Families, Office of Licensing and is not considered a Covered Program for purposes of this Policy.

Minor – Any person under the age of 18. Kean University students who are under the age of 18 are treated by this Policy similarly to all other students for the purposes of their interactions with Minors in Kean University-run or –affiliated programs or activities and are subject to the requirements that apply to other students. **A matriculated Kean University student who is under the age of 18 is not considered a Minor for purposes of this Policy.**

Neglect - Neglect occurs when a parent or caregiver fails to provide proper supervision for a child or adequate food, clothing, shelter, education or medical care although financially able or assisted to do so.

Outside Entity/External Agency – Non-affiliated third-party organizations or agencies that utilize Kean University Campus space or facilities to host Covered Programs through a contractual relationship or other partnership with a Kean University department or unit where the Minors are supervised by non-affiliated Authorized Adults.

Sponsoring Unit – The academic, administrative, or athletic unit of Kean University that uses Campus space or facilities for a Covered Program.

IV. Reporting Potential Harm to Minors

1. Emergencies

In case of an emergency or a situation where a Minor is in immediate danger, one should immediately call 911.

2. All Other Reports of Known or Suspected Abuse or Neglect of Minors

Anyone participating in a Kean University-run or –affiliated program or activity involving Minors or a non-Kean University program or activity operating on Campus involving Minors who knows, suspects, or receives information indicating that a Minor has been or may be Abused or Neglected, or who has other concerns about the safety of Minors MUST immediately notify the Kean University Police Department (KUPD) at (908) 737-4800.

New Jersey law (N.J.S.A. 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 Department of Children and Families (DCF) at 1-877-NJABUSE (1-877-652-2873).

Kean University prohibits retaliation against any person who in good faith makes or participates in making a report of child Abuse or Neglect under this Policy. Kean University also prohibits the intentional filing of a false report of Abuse or Neglect.

V. Guidelines and Responsibilities for Kean University-run or –affiliated Covered Programs

Sponsoring Units operating a Covered Program must operate the program in accordance with the following guidelines:

1. Always be vigilant in protecting the well-being and safety of Minors with whom they interact on Campus and elsewhere.

2. Review the informational material about the signs of Abuse and Neglect of Minors provided in Appendix A, watch for such signs and promptly report suspected instances of Abuse or Neglect, or violations of this Policy or law, as provided in Section IV.

3. Before engaging in any Kean University-run or –affiliated program, activity or event involving contact with Minors, all Authorized Adults must complete appropriate training, which includes basic warning signs of Abuse and Neglect of Minors, guidelines for protecting Minors from emotional and physical Abuse and Neglect, and requirements and procedures for reporting incidents of suspected Abuse or Neglect or improper conduct. Training may be expanded depending upon the program, activity or event and the person's role in the program, activity or event.

4. Sponsoring Units must coordinate a background investigation for each Authorized Adult in a Covered Program before they begin working with Minors at Kean University. The background investigation must include both a criminal

background check and a sex offender registry check[1]. If the background investigation or a self-report by an individual indicates a record of sexually-based offenses or any other crimes against Minors, that individual will not participate in the program. Other offenses will be reviewed on a case by case basis by the Executive Director of Human Resources or designee. An Authorized Adult must have an initial background investigation completed (or have had a background check within the last three (3) years) and agree to promptly self-report to the Office of Human Resources any arrest or conviction for sexually-based offenses or any other crimes against Minors and other felonies and misdemeanors once associated with a Covered Program. Background investigations must be repeated every three (3) years and sex offender registry checks must be repeated annually if the Authorized Adult continues to be affiliated with the Covered Program. Except where required by law, criminal background checks of Kean University faculty, staff, students and volunteers that are conducted pursuant to this Policy will be used only for purposes consistent with this Policy and will otherwise be kept confidential. Records of background checks will be maintained separately from an individual's personnel or student file.

5. All Authorized Adults must comply with the behavior expectations included in the Guidelines attached as Appendix B.

6. Supervision Policy - Sponsoring Units must ensure adequate supervision of Minors at all times. Whenever feasible, all activities involving Minors (with the exception of academic classroom activities and academic tutoring/advisement) 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 housing, if applicable; and age and experience of the supervisors.

7. Sponsoring Units must ensure that a parent/guardian permission slip or consent form is received for each Minor participating in a Covered Program.

Residential Student Services shall adopt and implement rules and procedures for proper supervision of minors in University housing, which must be followed by the Sponsoring Unit. Likewise, Kean Athletics shall adopt and implement rules and procedures for minors in certain areas of the athletic facilities, such as locker rooms, which must be followed by the Sponsoring Unit.

Kean University faculty and others on Campus who only interact in classes or other normal academic settings with matriculated Kean University students under the age of eighteen (18) are not obligated to undergo the training or background checks required by this Policy. Anyone covered by this Policy who knows or suspects that a student

[1] Background checks must be coordinated with Human Resources and its third party vendor.

under the age of eighteen (18) has been Abused or Neglected must, however, make reports as required by Section IV.

Programs that are discrete, occasional events, for which a large number of volunteers are essential, may elect to adopt measures and safeguards instead of training and background checks for one-time volunteers (for example, large athletic tournaments or clinics, community fairs, etc.). The measures adopted must include requirements that the volunteers be working in public places, not alone with children, and be supervised by a background-checked person. Programs adopting this method must have the approval of the Sponsoring Unit's Senior Vice President or Executive Director of Human Resources or designee.

VI. Medical and Emergency Care Requirements

Sponsoring Units must ensure that all Minors in a Covered Program have completed immunization, medical information record, authorization for emergency medical treatment, and release of medical information forms on file. This information will be maintained by the Sponsoring Unit or uploaded to the Student Health Portal, as appropriate. Minors shall not be permitted to participate in a Covered Program until all required forms are submitted.

1. Sponsoring Units must arrange for access to emergency medical services as appropriate. Medical care appropriate for the nature of the events, expected attendance, and other applicable factors should be taken into consideration. Consultation and guidance may be obtained from KUPD.

2. Sponsoring Units must ensure that First Aid kits are present at all times during Covered Program activities.

3. A Covered Program may not administer medication to any Minor participant. A Covered Program may permit Minors to self-administer medications provided such medications are disclosed and parent/guardian permission is provided on the Health Permission Slip and Waiver form. This provision is not applicable to youth camps established under regulations of the State of New Jersey, which require a health director to be on duty at all times and may be authorized to administer prescription medication.

4. Kean University's Student Health Services does not provide medical care to Minors who are not enrolled as Kean University students.

5. Covered Programs must maintain safeguards and precautions appropriate for the Minors in their care and must have a plan in place in the event of a natural disaster, active threat, or other 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, active threat, or other significant program disruptions.

6. All Covered Programs which include laboratory or research activities must follow appropriate safety measures approved by the Office of Environmental Health and Safety.

VII. Guidelines and Responsibilities for Covered Programs Operated by Outside Entities on Kean University Campus

Any Covered Program involving Minors operated by Outside Entities on Kean University Campus must be operated consistent with the requirements of this Policy. All contracts for the use of University facilities by Outside Entities for programs involving Minors must reference this requirement. Kean University maintains the right to require proof of compliance with the above noted Policy requirements, including the behavior expectations included in the Guidelines in Appendix B. Additional requirements may be imposed on Outside Entities by Kean University, especially for high-risk activities and activities involving the use of University labs by Minors.

Outside Entities that wish to operate programs or activities involving Minors on Campus must provide documentation upon request to Kean University that all individuals who will be interacting with Minors (and anyone who supervises such individuals) have received training that meets or exceeds the minimum requirements of this Policy.

Outside Entities that operate programs or activities involving Minors on Campus must conduct criminal background checks for their employees, volunteers, and representatives that meet Kean University standards. If any background check conducted by a non-Kean University program returns a conviction or otherwise adverse information, the Outside Entity must inform their Kean University contact person in writing. Kean University may exclude any employee, volunteer, or representative of an Outside Entity who does not successfully pass a background check. Outside Entities must also submit, upon request, a certification of compliance with the background check rules described herein, including that they have conducted background checks as set forth in this Policy and that they have disclosed all convictions revealed by background checks, prior to the start of any Covered Program involving Minors on Campus. Kean University may request any additional information it deems necessary to meet the requirements of this Policy.

VIII. Special Guidelines and Responsibilities for Employees Bringing Children to Work

Kean University policy prohibits the presence of children in the workplace for other than official University activities involving children, such as holiday parties and Take Your Child to Work Day. Even under these circumstances, parents must supervise children closely. Employees with dependent children are expected to make regular arrangements for proper care of their children while they are at work. Violation of this policy is subject to possible disciplinary action.

For official University activities involving children, the following additional guidelines and responsibilities must be adhered to by the employee:

- Minor children should be five (5) years or older and the number of children is limited to two (2) at any given time
- Participation is limited to children of University employees only
- Work areas must be cleaned up prior to the actual event to make sure that obvious workplace hazards have been minimized or eliminated
- Line of sight supervision of children by the parent or guardian is required at all times
- The parent or guardian must not leave children unattended or with other employees
- The parent or guardian must assure that the children are not disruptive to others or workplace activities
- Minors are not allowed in high-risk areas, including laboratories and mechanical rooms
- Consider having an early in the day gathering to discuss safety protocols, such as exits, fire alarms, bathrooms, first aid, areas that are off-limit, etc.

IX. Special Guidelines and Responsibilities for Students Bringing Children to Class

Children of students are allowed in the classroom under the supervision of the parent or guardian in the following limited circumstances:

> Those limited occasions when alternative arrangements are impractical or impossible, such as the illness of a daycare provider or family emergency, **AND** the faculty member responsible for the classroom has given specific advance approval.

The following additional guidelines and responsibilities must be adhered to by the student:

- Line of sight supervision of children by the parent or guardian is required at all times
- The parent or guardian must not leave children unattended or with other students or University employees
- The parent or guardian must assure that the children are not disruptive to the classroom activities
- Minors are not allowed in high-risk areas, including laboratories
- Students must avoid bringing children to classrooms on days of examinations and children are not permitted to participate in field trips or retreats

X. Enforcement

1. If an allegation of inappropriate conduct has been made against an Authorized Adult participating in a Covered Program, they shall immediately stop participating in the program unless or until the allegation has been satisfactorily resolved by the Sponsoring Unit and/or KUPD (as applicable).

2. Sanctions for violations of this Policy will depend on the circumstances and the nature of the violation, but may include the full range of available Kean University sanctions including discipline, up to and including termination from employment, suspension/expulsion for students, criminal proceedings, and where appropriate, exclusion from Campus. Kean University may also take the necessary interim actions before determining whether a violation has occurred. Kean University may terminate the relationships or take other appropriate actions against Outside Entities that violate this Policy.

3. This Policy shall take effect immediately with compliance of existing Covered Programs required by June 1, 2022.

Appendix A:

Signs of Childhood Abuse and Neglect

Recognizing Child Abuse

The following signs may signal the presence of child abuse or neglect.

The Child:

• Shows sudden changes in behavior or school performance

• Has not received help for physical or medical problems brought to the parents' attention

• Has learning problems (or difficulty concentrating) that cannot be attributed to specific physical or psychological causes

• Is always watchful, as though preparing for something bad to happen

• Lacks adult supervision

• Is overly compliant, passive, or withdrawn

• Comes to school or other activities early, stays late, and does not want to go home

The Parent:

• Shows little concern for the child

• Denies the existence of—or blames the child for—the child's problems in school or at home

• Asks teachers or other caregivers to use harsh physical discipline if the child misbehaves

• Sees the child as entirely bad, worthless, or burdensome

• Demands a level of physical or academic performance the child cannot achieve

• Looks primarily to the child for care, attention, and satisfaction of emotional needs

The Parent and Child:

• Rarely touch or look at each other

• Consider their relationship entirely negative

• State that they do not like each other

Types of abuse:

The following are some signs often associated with particular types of child abuse and neglect: physical abuse, neglect, sexual abuse, and emotional abuse. It is important to note, however, that these types of abuse are more typically found in combination than alone. A physically abused child, for example, is often emotionally abused as well, and a sexually abused child also may be neglected.

Signs of Physical Abuse:

Consider the possibility of physical abuse when the child:

• Has unexplained burns, bites, bruises, broken bones, or black eyes

• Has fading bruises or other marks noticeable after an absence from school

• Seems frightened of the parents and protests or cries when it is time to go home

• Shrinks at the approach of adults

• Reports injury by a parent or another adult caregiver

Consider the possibility of physical abuse when the parent or other adult caregiver:

• Offers conflicting, unconvincing, or no explanation for the child's injury

• Describes the child as "evil," or in some other very negative way

• Uses harsh physical discipline with the child

• Has a history of abuse as a child

Signs of Neglect:

Consider the possibility of neglect when the child:

• Is frequently absent from school

• Begs or steals food or money

• Lacks needed medical or dental care, immunizations, or glasses

• Is consistently dirty and has severe body odor

• Lacks sufficient clothing for the weather

• Abuses alcohol or other drugs

• States that there is no one at home to provide care

Consider the possibility of neglect when the parent or other adult caregiver:

• Appears to be indifferent to the child

• Seems apathetic or depressed

• Behaves irrationally or in a bizarre manner

• Is abusing alcohol or other drugs

Signs of Sexual Abuse:

Consider the possibility of sexual abuse when the child:

• Has difficulty walking or sitting

• Suddenly refuses to change for gym or to participate in physical activities

• Reports nightmares or bedwetting

• Experiences a sudden change in appetite

• Demonstrates bizarre, sophisticated, or unusual sexual knowledge or behavior

• Becomes pregnant or contracts a venereal disease, particularly if under age 14

• Runs away

• Reports sexual abuse by a parent or another adult caregiver

Consider the possibility of sexual abuse when the parent or other adult caregiver

• Is unduly protective of the child or severely limits the child's contact with other children, especially of the opposite sex

• Is secretive and isolated

• Is jealous or controlling with family members

Signs of Emotional Maltreatment:

Consider the possibility of emotional maltreatment when the child:

• Shows extremes in behavior, such as overly compliant or demanding behavior, extreme passivity, or aggression

• Is either inappropriately adult (parenting other children, for example) or inappropriately infantile (frequently rocking or head-banging, for example)

• Is delayed in physical or emotional development

• Has attempted suicide

• Reports a lack of attachment to the parent

Consider the possibility of emotional maltreatment when the parent or other adult caregiver:

• Constantly blames, belittles, or berates the child

• Is unconcerned about the child and refuses to consider offers of help for the child's problems

• Overtly rejects the child

Resources on the Child Welfare Information Gateway Website:

Child Abuse and Neglect: www.childwelfare.gov/can/index.cfm

Appendix B:

Guidelines for Working with Minors

Authorized Adults should observe the following "dos" and "don'ts" in order to maintain a safe and positive experience for Minor program participants, encourage parental confidence, and avoid mistaken allegations.

DO:

• Maintain the highest standards of personal behavior at all times when interacting with Minors.
• Whenever possible, try to have another adult present when you are working with Minors in an unsupervised setting. Conduct necessary one-on-one interactions with Minors in a public environment where you can be observed.
• Require the parent or legal guardian to be present when instructing a minor privately.
• Listen to and interact with Minors and provide appropriate praise and positive reinforcement.
• Treat all Minors in a group consistently and fairly, and with respect and dignity.
• Be friendly with Minors within the context of the formal program or activity while maintaining appropriate boundaries.
• Maintain discipline and discourage inappropriate behavior by Minors, consulting with your supervisors if you need help with misbehaving youth.
• Be aware of how your actions and intentions might be perceived and could be misinterpreted.
• Consult with other adult supervisors or colleagues when you feel uncertain about a situation.

DON'T:

• Spend significant time alone with one Minor away from the group or conduct private interactions with Minors in enclosed spaces or behind closed doors.
• Engage in intentional one-on-one interactions in a residential room, bathroom facility or similar area without an accompanying Authorized Adult, or parent/guardian, in attendance except (i) under emergency circumstances or (ii) if documented disability accommodation is needed which requires such interaction, provided such accommodation is approved in writing by the Minor’s parent or guardian.
• Share residential room accommodations with a Minor, unless the Authorized Adult is the Minor’s parent or guardian.
• Allow adults and Minors to use the same bathing facilities simultaneously. Separately assigned facilities should be made available, if possible.
• Enter a Minor's room, bathroom facility, or similar area when that Minor is staying overnight in University housing or other residential room accommodations without another Authorized Adult in attendance, except under emergency circumstances.
• Engage in inappropriate touching or have any physical contact with a Minor in private locations.
• Use inappropriate language, tell risqué jokes, or make sexually suggestive comments

around Minors, even if Minors themselves are doing so.
• Give personal gifts to, or do special favors for, a Minor or do things that may be seen as favoring one Minor over others.
• Share information with Minors about your private life or have informal or purely social contact with Minor program participants outside of program activities.
• Strike or hit a Minor, or use corporal punishment or other punishment involving physical pain or discomfort.
• Relate to Minors as if they were peers, conduct private correspondence or take on the role of "confidant" (outside of a professional counseling relationship).
• Date or become romantically or sexually involved with a Minor.
• Show pornography to Minors or involve Minors in pornographic activities.
• 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.
• Provide alcohol, tobacco, smoking or vaping products, or drugs to Minors or use them in the presence of Minors.

Kean University recognizes the evolving reliance on electronic communication (e.g., email, text messaging, social media, etc.) and the interaction between those mediums and Covered Programs. Communication between Minors and Authorized Adults, outside of official program activities, is prohibited except under time-sensitive or other emergency situations (e.g., cancellation of a scheduled event). If there is a legitimate reason for such communication to occur, contact should be limited to topics related to the Covered Program and prior approval must be granted from the Minor’s parent or guardian. Authorized Adults must include a third party (for example a second Authorized Adult or parent/guardian) as part of the conversation, when/if, electronic communications occur with Minors.