Child Protection Policies Training

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Campus, University Affiliate, and System Administration Responsibilities

Module 6: Campus, University Affiliate & System Administration Responsibilities

Child Protection Policies Training
Campus Responsibilities

1. Develop local procedures to implement the Child Protection Policy.
2. Identify any applicable exceptions to 1-on-1 prohibition.
3. Designate a Responsible University Official for each Covered Activity.
4. Communicate the policy requirements to Covered Persons.
5. Train upon implementation of the policy and biennially thereafter.
6. Develop procedures to handle Sex Offender Registry searches.
7. Develop a mechanism for reporting child abuse.
8. Develop a mechanism for investigating child abuse.
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1. CAMPUS PROCEDURES

• Develop campus procedures to implement the Child Protection Policy.

• A campus may promulgate policies and procedures that supplement, and are no less stringent than, the Child Protection Policy.
2. Identify any applicable exceptions to 1-on-1 prohibition

Pedagogical exceptions:
• tutoring
• music lessons

Health related exceptions:
• speech therapy
• medical, dental or optical services
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3. Designate Responsible University Officials

Formally designate a Responsible University Official for each Covered Activity.

We were OFFICIALLY designated!

Responsibe University Official
The campus can formally designate **one person responsible for all covered activities**, or **one person for each activity**; Either way, there must be a “Responsible University Official” for each “Covered Activity.”

I have been formally designated as the “RESPONSIBLE UNIVERSITY OFFICIAL” for all covered activities.

OR

We have all been designated as “RESPONSIBLE UNIVERSITY OFFICIAL” for one or more covered activity.
The campus should determine which administrator(s) or office(s) will be responsible for designating the “Responsible University Official” for each Covered Activity.

- An administrator(s) or office(s) should “own” the function of formal designation so it is clear who has the responsibility to do the actual “designating.”

Student Affairs will designate all “Responsible University Officials” for academic programs that are “Covered Activities”

Athletics will designate all “Responsible University Officials” for athletic programs that are “Covered Activities”

OR

The VP and Office of the Vice President will designate all of the “Responsible University Officials”
4. Communicate the Policy Requirements to Covered Persons

COMMUNICATE the requirements of this Policy to “Covered Persons”:

• (i) Employees of the University or Affiliate;
• (ii) University students;
• (iii) Volunteers of the University or University Affiliates;
• (iv) Vendors, licensees, permittees or other person who is given permission to come onto campus or to use University facilities for Covered activities;
• (iv) An employee, agent or volunteer of (iv) above.
The training should include the contents of this training module, plus specific campus location information, including:

- Identification of the Responsible University Officials for Covered Activities;
- The mechanisms for reporting child sexual and physical abuse;
- Contact information for the University Police designated contact;
- Identify local policies and procedures implementing the Child Protection Policy and where they may be accessed.
Both New York Sex Offender Registry and National Sex Offender Registry searches must be conducted on “Covered Persons” who are employees, volunteers, or students of the State University or a University-affiliated organization.
6. Implement Sex Offender Registry Searches

POLICY DEFINITION

A search of the NY Sex Offender Registry means:

- A search of the file of persons required to register pursuant to Article 6-C of the Correction Law maintained by the NY Division of Criminal Justice Services pursuant to NY Correction Law § 168-b for every level of sex offender (Level 1 through Level 3), which requires an email, CD or hard copy submission of names and identifiers to DCJS as described on the DCJS website url: http://www.criminaljustice.ny.gov/nsor/800info_cdsubmit.htm
6. Implement Sex Offender Registry Searches

POLICY DEFINITION

A search of the National Sex Offender Public Registry means:

- A search by first and last name of the National Sex Offender Public Website maintained by the United States Department of Justice at [http://www.nsopw.gov/](http://www.nsopw.gov/)
Local campus procedures must designate an Office(s)/Individual(s) responsible for conducting the New York and National Sex Offender Registry Searches on “Covered Persons” who are employees, volunteers or students of the University or University Affiliate \textit{before} the start of a “Covered Activity.”

- Must also designate an office as the CUSTODIAN of the registry search result records, who must retain the documentation of the search results.
- Sex Offender Registry search records \textbf{must be retained} on persons who are employees, volunteers or students of the University or University Affiliate \textit{for six (6) years} after the individual has separated from employment or the University.
6. Implement Sex Offender Registry Searches

IMPORTANT NOTES

- Sex offender registry searches ARE NOT criminal background checks.
- Sex offender registry websites ARE available to the public.
- **CONSENT** of Covered Persons IS NOT REQUIRED to perform a search.
- If a sex offender registry search yields a positive result, the “Covered Person” **CANNOT** participate in a “Covered Activity.”
Timing:

- Sex Offender Registry searches must be conducted **NOT MORE THAN ninety (90) days before** the commencement of a Covered Activity to assure that the results yield current information.
Person who is responsible for the custody, control or supervision of children participating in the Covered Activity

who is also either

(i) an employee of the University or University Affiliate;

(ii) a University student;

(iii) a volunteer of the University or University Affiliate;

(iv) a vendor, licensee, permittee or other person, who is given permission to come onto campus or to use University facilities for Covered Activities;

(v) an employee, agent or volunteer of (iv) above.

Covered Person for which NY and National Sex Offender Registry searches must be conducted.
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7. Implement a Mechanism for Reporting

- Provide a mechanism to report child sexual abuse and physical abuse
- Provide a mechanism to report retaliation for reporting/investigating claims

Example of Reporting Mechanism

REPORT CHILD PHYSICAL AND SEXUAL ABUSE
If you have any cause to suspect abuse, please use the following means for reporting:

TO REPORT CHILD SEXUAL OR PHYSICAL ABUSE, CONTACT:
University Police: 555-5555
Responsible University Official:
Mary Smith, Campus Responsible University Official
555-1155
University Hall room 220
Coach Bob McDonald, Responsible University Official for Boys Lacrosse Camp
555-1010
Coach Facility Room 204
Visit web: www.sunycampus.edu/report
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8. Implement a Mechanism for Investigation

- Provide a mechanism to investigate reports of child sexual abuse and child physical abuse.
- Provide a mechanism to investigate reports of retaliation.

Police Responsibility in Investigation

- University Police Department must provide for the prompt investigation and preparation of written findings for reports of suspected physical abuse or sexual abuse made to the campus or campus police.
- If investigation finds reasonable cause to believe a crime was committed, the University Police Department must coordinate with other law enforcement officials in accordance with the campuses’ local policy.
The policy prohibits retaliation against:

- Good faith reporting;
- Good faith investigation or response to allegations of physical or sexual abuse; and
- Good faith reporting of noncompliance with the policy

**Examples of Potentially Retaliatory Acts Include:**

- Adverse 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 of those reporting in good faith.
Covered Persons must wear and display prominently at all times during the Covered Activity a lanyard or other form of identification that identifies the individual as a Covered Person in the program or activity.

**ID should be event-specific and include:**

- the event name, date(s);
- covered person’s **name** and **photo**.

**Why a picture ID?**

- Shirts, uniforms, hats and other attire, and non-photo IDs may be duplicated or misappropriated.
9. Provide for Appropriate Identification of Covered Persons

What is NOT appropriate identification?

- No Picture
- No date
- t-shirt can be easily duplicated/misappropriated
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