



The State University  
of New York

# Child Protection Policies Training

**Prepared by:**  
**SUNY Office of General Counsel**  
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2015

# Third Party Use of University Facilities for “Covered Activities”

Module 9: Third Party Use of University Facilities

Child Protection Policies Training

SUNY

# Third Party Use of University Facilities

## DEFINITION OF THIRD PARTY

- (iv) Vendor, licensee, permittee or other person who is given permission to come onto campus or to use University facilities for Covered Activities; or
- (v) An employee, agent or volunteer of (iv) above

# “Covered Activity” Recap

**Activity/  
Program  
Involving  
Children**

**SPONSORED/  
APPROVED by**

**University or a University-affiliate  
defined in the policy as:**

1. Research Foundation
2. Campus foundation
3. Campus alumni association
4. Campus auxiliary services corporation
5. Any other entity so designated by the Chancellor or Campus President

**Overall  
responsibility  
for custody,  
control and  
supervision of  
children**

**COVERED  
ACTIVITY**

**Third Party:**

- Vendor
- Licensee
- Permittee
- Employees and volunteers of vendors, licensees and permittees

**Overall  
responsibility  
for custody,  
control and  
supervision of  
children**

**COVERED  
ACTIVITY**

# Third Party Use of University Facilities

## REVOCABLE PERMIT REQUIRED

- Third parties must sign a revocable permit for the use of University facilities for a “Covered Activity.”
- Revocable Permit template is appended to the Child Protection Policy.

Revocable Permit  
Template in  
Policy



### Forms

There are no forms relevant to this policy.

### Authority

[NY Education Law Article 8, § 355](#) (Powers of Trustees).

### History

[State University of New York Board of Trustees' Resolution 2014-\\_\\_\\_](#) [Child Protection Policy, adopted June 17, 2014](#)

### Appendices

[Revocable Permit - Use of University Facilities for Covered Activities Under the State University of New York Child Protection Policy \(includes Exhibits B, C & D\)](#) - [Revocable Permit - Use of University Facilities for Covered Activities Under the State University of New York Child Protection Policy \(includes Exhibits B, C & D\)](#)

[Exhibit A - Standard Contract Clauses State University of New York - Exhibit A](#)

# Third Party Use of University Facilities

## REQUIRED TERMS OF REVOCABLE PERMIT

1. IDENTIFY SPECIFIC AREAS OF FACILITIES USE: Specify the areas accessible to the “Covered Activity.”

### EXAMPLE:



Sporting  
event held  
on athletic  
fields

#### Revocable Permit Describes:

- Athletic fields
- Ancillary areas or structures the Permittee may use, including:
  - adjacent grounds
  - parking lots
  - rest rooms
  - locker rooms
  - accessory structures

# Third Party Use of University Facilities

## REQUIRED TERMS OF REVOCABLE PERMIT

### 2. INSURANCE: MINIMUM REQUIREMENTS

A provision requiring insurance coverage in the types and amounts listed in the policy, naming the University as an additional insured, and requiring that evidence of such insurance be provided to the University within five (5) business days of execution of the revocable permit or at minimum two weeks (14 days) prior to the scheduled use of University facilities.

MINIMUM REQUIREMENTS	LIMITS
General Liability insurance	Two Million (\$2,000,000) each occurrence; Two Million (\$2,000,000) in the aggregate.
New York State Workers' Compensation and Disability Insurance	Throughout the term of the Revocable Permit for the benefit of Permittee's employees required to be covered under the NYS Workers Compensation Law and the NYS Disability Benefits Law

# Third Party Use of University Facilities

## REQUIRED TERMS OF REVOCABLE PERMIT

### 2. INSURANCE: SEXUAL MOLESTATION COVERAGE

SEXUAL MOLESTATION INSURANCE	LIMIT
When the Covered Activity is of significant duration or involves the substantial use of campus facilities, the campus may, in its discretion, require Sexual Molestation Insurance (SMI). SMI is generally excluded from Commercial General Liability policies and must be purchased separately.	Not less than One Million (\$1,000,000)



# Third Party Use of University Facilities

## REQUIRED TERMS OF REVOCABLE PERMIT

### 3. CHILDREN'S CAMPS

- For **children's camps** defined under New York Public Health Law §1392, the **Revocable Permit must contain** a provision requiring permittee to provide a copy of its Camp Operator Permit issued by the New York State Commissioner of Health.
- Camp Operator Permit must be submitted either upon execution of the permit or not later than two weeks (14 days) before the scheduled use of University facilities.



# Third Party Use of University Facilities

## REQUIRED TERMS OF REVOCABLE PERMIT

### 4. REPRESENTATIONS AND WARRANTIES

The Revocable Permit Template requires the Permittee to make the following representations and warranties:

- **Sex Offender Registry Searches**

That the permittee has conducted Sex Offender Registry Searches on all of its employees and volunteers, and the employees and volunteers of its sub-permittees, who shall enter upon University facilities for purposes related to Covered Activity, within the ninety (90) day period preceding the use of University facilities.

- **Adherence to Standards**

That the permittee will adhere standards enunciated in the Revocable Permit for minimum staff-to-child supervision ratios, minimum staff age and minimum staff accreditation requirements.

# Third Party Use of University Facilities

## REQUIRED TERMS OF REVOCABLE PERMIT

### 4. REPRESENTATIONS AND WARRANTIES

The Revocable Permit Template requires the Permittee to make the following representations and warranties:

- **Transportation**

That for any transportation the permittee provides for children to and from the SUNY facilities, in addition to the driver of the vehicle, there will be at least one other staff member in the vehicle at all times.

#### **Acknowledgment**

Permittee must sign a written acknowledgement of its receipt of SUNY's Child Protection and Mandatory Reporting policies and its agreement to abide by the terms of these policies.

# Third Party Use of University Facilities for “Covered Activities”

END

Module 9: Third Party Use of University Facilities

Child Protection Policies Training

The SUNY logo is located in the bottom left corner. It features the word "SUNY" in a light blue, sans-serif font. The letters are partially enclosed by a large, light blue arc that starts from the left and curves upwards and to the right, resembling a stylized 'S' or a protective shield.

SUNY