

<b>Section:</b>	III.2.6	
<b>Title:</b>	Safety of Minors on Campus (Interim)	
<b>Effective Date:</b>	June 1, 2019	
<b>Approved By:</b>	President	
<b>Responsible Unit:</b>	College Advancement (609) 771-2393; advancementsservices@tcnj.edu	
<b>Related Documents:</b>	<ul style="list-style-type: none"> <li>• <a href="#">Protection of Children on Campus Policy</a></li> <li>• <a href="#">Use of Campus Property Policy</a></li> <li>• Working with Minors Guidelines and Acknowledgement Form</li> <li>• Waiver, Release, Indemnity, and Medical Authorization to Treat</li> <li>• Medical Information Form</li> </ul>	
<b>History:</b>		
<u>Version</u>	<u>Date</u>	<u>Notes</u>
1.0	April 24, 2019	New policy; initial release

## I. INTRODUCTION

The College of New Jersey (“TCNJ” or “the College”) welcomes the presence of minors who participate in College programs and visit and participate in activities on our campus. The College encourages safe, supervised campus visits by non-matriculated Minors for the purposes of making decisions about their academic future; attending educational, cultural, or sporting events, programs and camps; and participating in the authorized use of College facilities.

This policy sets forth the requirements for permitting these visits to be carried out in a safe and responsible manner. This policy includes the obligation to report known or suspected abuse or neglect of a Minor under applicable New Jersey law. In addition, this policy establishes certain screening, training and conduct requirements for Authorized Responsible Adults who are involved in College programs and activities that include Minors on campus.

## II. DEFINITIONS

**“Authorized Responsible 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) College faculty, staff, volunteers, graduate and undergraduate students, or interns; and (ii) non-College affiliated third party staff and volunteers (e.g., staff of a Licensee). The Authorized Responsible Adult role may include, but is not limited to, positions as counselors,

chaperones, coaches, instructors, etc. An Authorized Responsible Adult must be at least eighteen (18) years of age. A Participant in a Covered Program is not an Authorized Responsible Adult for the purposes of this policy.

**"Covered Program"** - A program, activity, or other event conducted on the College campus or by or on behalf of the College (on or off campus), whether for academic, administrative, athletic, recreational or other purpose that serve and/or include the participation of Minors. A Covered Program includes events that are hosted by external entities and use College facilities.

A Covered Program does not include events that are open to the public, and which Minors may attend at the discretion of or with their parent(s) or guardian(s) (for example, a College athletic team event, a ticketed performance at Kendall Hall, etc.).

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 in private spaces, such as locker rooms, bathrooms or dorm room, or involve an overnight visit.

**"Licensee"** - Any outside entity that enters into a license agreement with the College for purposes of hosting a Covered Program.

**"Minor"** - A person under the age of eighteen (18) years, provided, however, that for purposes of this policy, a matriculated student at the College under the age of eighteen years ("Underage Student") shall not be considered a Minor.<sup>1</sup>

**"One-on-one contact"** - Personal, unsupervised interaction between any Authorized Adult and a Minor participant without at least one other Authorized Responsible Adult, parent or legal guardian being present.

**"Recognized Student Organizations"** - A TCNJ student group recognized by the Student Government or Inter Greek Council; annually registered with the Division of Student Affairs; and in good standing in accordance with Student Organization Privileges and Responsibilities.

**"Sponsoring Unit"** - The College academic, administrative or athletic unit, or (with the approval of the Division of Student Affairs) Recognized Student Organization; or Outside Entity or Licensee that uses campus space or facilities, for a Covered Program.

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<sup>1</sup> For other purposes, the Underage Student may still be considered a minor (e.g., regarding the reporting of sexual abuse or rendering of certain medical care).

### III. POLICY

#### A. Protection of Children on Campus

1. Anyone who has an imminent concern for the safety of a Minor on campus or in a College Program must immediately call 911 or the Office of Campus Police Services and otherwise comply with the TCNJ Protection of Children on Campus Policy (<http://policies.tcnj.edu/policies/digest.php?docId=9776>).

#### B. Registering a Covered Program

1. Sponsoring Units must register a Covered Program with the College through the Minors on Campus Database (“MoCD”) at least two weeks prior to the beginning of the program. On-going Covered Programs must register at least annually.
2. Upon registration, and as determined by Conference and Events Services (“CES”), Sponsoring Units must complete a license agreement to use campus space or facilities through CES and comply with all requirements stated within that license agreement and within this policy for each Covered Program.

#### C. Requirements for Covered Programs Operated by an Academic, Administrative or Athletic Sponsoring Unit of the College

Sponsoring Units involved in Covered Programs shall ensure that Authorized Responsible Adults are properly screened and trained as detailed in this section. The Covered Program must comply with the following requirements:

1. Sponsoring Units must coordinate a background investigation for each Authorized Responsible Adult in a Covered Program. The background investigation must include both a criminal background check and a sex offender registry check.<sup>2</sup> 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 Vice President (or other highest level manager) of the Sponsoring Unit and the Vice President of Human Resources or designee. An Authorized Responsible Adult must have an initial background investigation

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<sup>2</sup> Background checks must be coordinated with Human Resources and its third party vendor.

completed (or have had a background check within the last three years) and agree to promptly self-report 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 and the background investigation must be repeated every 3 years if the Authorized Responsible Adult continues to affiliate with the Covered Program.

2. All Authorized Adults participating in a Covered Program are required to complete annual training on the conduct requirements of this policy and on required reporting of incidents of potential misconduct and/or abuse of a minor. All Authorized Adults must annually also read, understand, and sign a Working with Minors Guidelines and Acknowledgement Form (“Guidelines”).
3. Whenever feasible, all activities involving Minors (with the exception of academic classroom activities) should be supervised by at least two or more Authorized Responsible Adults or by the Minor’s parent(s) or legal guardian(s) at all times. Factors to consider in determining “adequate supervision” are the number and age of the Minors; the activity involved; type of housing, if applicable; and, the age and experience of the supervising Authorized Responsible Adults.
  - a. In some situations, private one-on-one instruction is the accepted standard in certain settings. In those situations, the Covered Program shall take reasonable and appropriate measures to ensure the safety of Minors.
4. All Authorized Responsible Adults must comply with the behavior expectations included in the Guidelines, including the following:

An Authorized Responsible Adult must not:

- a. Engage in intentional One-on-one Contact in a residential room, bathroom facility or similar area without an accompanying Authorized Responsible 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.

- b. Share residential room accommodations with the Minor, unless the Authorized Responsible Adult is the Minor's parent or guardian.
  - c. Engage in abusive conduct of any kind toward, or in the presence of, a Minor. Further, an Authorized Responsible Adult must not strike, hit or administer physical punishment, or touch a Minor in an otherwise inappropriate manner, or use foul or sexually explicit language.
  - d. Provide tobacco, smoking or vaping products; alcohol; or illegal drugs to a Minor.
5. The College 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 Responsible 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 Responsible Adults must include a third party (for example a second Responsible Authorized Adult or parent/guardian) as part of the conversation, when/if, electronic communications occur with Minors.

#### D. Medical and Emergency Care Requirements

1. Sponsoring Units must ensure that all Minors in a Covered Program have a completed Waiver, Release, Indemnity, and Medical Authorization to Treat and Medical Information form<sup>3</sup> on file. This information will be maintained by the Sponsoring Unit. Minors shall not be permitted to participate in a Covered Program until all required forms are submitted.
2. 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 The Office of Campus Police Services.

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<sup>3</sup> Both a Universal Health Record form and TCNJ Medical Information form are permitted for use.

3. A Covered Program may elect, but is not required, to distribute prescription or over-the-counter medications to minor participants. A Covered Program may permit minors to self-administer medications provided such medications are disclosed and parent/guardian permission is provided in the Medical Authorization to Treat and Medical Information form. Minor participants' medication, prescription or over-the-counter drugs may only be distributed by Covered Program staff under the following conditions:
  - a. A parent or guardian has executed a Waiver, Release, Indemnity, and Medical Authorization to Treat form as being required for the Minor's care or for emergency treatment. All necessary medication must be listed in the completed Medical Information form. All such medication must be provided in its original pharmacy container labeled with the participant's name, medicine, dosage and timing of consumption. Over-the-counter medication must be provided in the manufacturer's original container.
  - b. Covered Program staff shall keep the medicine in a secure, climate controlled location, and at the appropriate time for distribution shall meet with the Minor.
  - c. Covered Program staff shall allow the Minor to self-administer the appropriate dose as shown on the container.
  - d. Any medicine which the Minor cannot self-administer must be stored and administered by a licensed healthcare professional. Arrangements must be made with a healthcare professional in advance of the Minor's arrival.
  - e. The Covered Program must consult with Disability Support Services and, if needed, the Office of General Counsel to discuss reasonable accommodations in the situation addressed in this section D.3.d.

E. Covered Programs Operated by Outside Entities on College Property (including Licensees)

1. Any Covered Program operated by third parties on College property must be operated consistent with the requirements of this policy. All contracts for the use of College facilities by outside parties for programs involving

Minors must reference this requirement. The College maintains the right to require proof of compliance with the above noted policy requirements.

2. Outside Entities must utilize TCNJ's preferred vendor, or another College approved company, to complete required background checks under this policy and provide written assurance that all background checks were completed. If as part of the required background investigation for Authorized Responsible Adults indicates a record of sexually based offenses, crimes against minors, or any other adverse information, the Covered Program supervisor or administrator must contact CES which shall review the information with the Vice President of Advancement or designee. The College may exclude any external Covered Program employee, volunteer, or other representative who does not successfully pass a background check as determined by the College.

#### F. Disciplinary

1. If an allegation of inappropriate conduct has been made against an Authorized Responsible Adult participating in a Covered Program, s/he shall immediately stop participating in the program unless or until the allegation has been satisfactorily resolved by the Sponsoring Unit and the Office of Campus Police Services (as applicable).
2. Any individual who violates this policy may be subjected to discipline, up to and including termination from employment, or suspension/expulsion for students and/or criminal proceedings, or barred from the use of College facilities.