



SUNY Child Protection Policy

Covered Activity Decision Tree

Are participants “children” under the Policy definition?

under 17 and not matriculated students under policy definition

YES

(a) sponsored or approved by

- University; ***OR***
- University-affiliated organization; ***OR***
- Vendor – Licensee - Permittee for which a license or permit for use of University facilities has been approved; ***AND***

occurring on or off campus.

YES

(b) for the duration of the activity, custody, control and supervision of children is vested in the University, University affiliate or the approved vendor, licensee or permittee.

YES

COVERED ACTIVITY

NO

NO

NO

POLICY
NOT
APPLICABLE



SUNY Child Protection Policy

Covered Activity Test

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

**SPONSORED/
APPROVED by**

Third Party:

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

Overall responsibility for custody, control and supervision of children

COVERED ACTIVITY

*Activity/
Program
Involving
Children*

CHILD PROTECTION POLICY

Category: Equity and Campus Diversity**Date Established:** 09/02/2016**Responsible Office:** Equity and Campus Diversity Office**Date Last Revised:** 3/14/23**Date Posted to Library:** 09/27/2016

A. POLICY SUMMARY

Individuals must conduct themselves appropriately with children who participate in university-related programs and report instances or suspicion of physical or sexual abuse of children.

B. POLICY

SUNY Buffalo State ("University") is committed to protecting the safety and well-being of children who participate in university-related programs and activities, whether on or off campus, or utilize campus facilities for activities including, but not limited to, sports camps, academic and personal enrichment programs, and research studies.

C. DEFINITIONS

Child - An individual under the age of seventeen years, who is participating in a Covered Activity. The term "child" shall not include a matriculated student at the University, or a person accepted for matriculation. For purposes of this policy, "matriculation" means accepted by the University as a student into a university course that is listed in the University catalog.

Children's Camp - A camp defined under New York Public Health Law §1392.

University-Affiliated Organization: The Research Foundation for the State University of New York, campus foundation, campus alumni association, campus auxiliary services corporation, or any other entity so designated by the Campus President or their designee.

Covered Activity - A program or activity sponsored or approved by the University or a University-affiliated organization, or an activity conducted by a vendor, licensee, or permittee for which a license or permit for use of University facilities has been approved, occurring on or off campus, for the duration of which the responsibility for custody, control, and supervision of children is vested in the University, University-affiliated organization or the vendor, licensee or permittee so approved. This policy is not applicable to university on-campus childcare centers.

Covered Person - A person who is responsible for the custody, control, or supervision of children participating in the Covered Activity and who is:

- i. an employee of the University or University-affiliated organization;
- ii. a University student;
- iii. a volunteer of the University or University-affiliated organization; or
- iv. a 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 (4) above.

Child Protection Policy

Physical Abuse - Physical contact with a child by a covered person which is intended to cause, or causes, pain or physical injury, including punching, beating, shaking, throwing, kicking, biting and burning, or directing a child, outside the norm of the supervised activity, to perform physical activity which is intended to cause physical injury.

Responsible University Official: The employee of the University or University-affiliated organization, who has been designated by the Campus under Section G, Campus Responsibilities.

Sexual Abuse - Engaging in a sexual offense with a child and/or encouraging or promoting sexual performance by a child. Pursuant to the NYS Penal Law Articles 130, 263, and Sections 260.10 and 260.25, sexual offenses include: sexual misconduct, rape, criminal sex acts, forcible touching, persistent sexual abuse, sexual abuse, aggravated sexual abuse, course of sexual conduct against a child, facilitating a sex offense with a controlled substance, sexually motivated felony, predatory sexual assault against a child, and sexual performance by a child. This also includes Penal Law offenses relating to children including endangering the welfare of a child and unlawfully dealing with a child in the first degree. Sexual performance by a child, as defined by the Penal Law, is any behavior which results in touching of the sexual or other intimate parts of a child for the purpose of sexual gratification of the child and/or adult, including touching by the child and/or adult with or without clothing, and all acts as defined by New York State Penal Law Articles 130, 263 and Section 260.10.

D. PROHIBITED CONDUCT

A Covered Person shall not:

1. 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 Section G.2 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 restroom, locker room, shower, sleeping area or vehicle.
2. Engage in physical abuse or sexual abuse of a child.
3. Engage in the use of alcohol or illegal drugs or be under the influence of alcohol or illegal drugs during Covered Activities.
4. Enable, facilitate, or fail to address a child's use of alcohol or illegal/non-prescribed drugs.
5. Contact a child through electronic media, including social media, for the purpose of engaging in any prohibited conduct, including sexual conduct.
6. Offer or make a gift to a child for the purpose of engaging in any prohibited conduct, including sexual conduct.
7. Release a child from a Covered Activity without a written authorization from the child's parent or guardian.

E. REQUIRED CONDUCT

A Covered Person shall:

1. Take all reasonable measures to prevent physical and sexual abuse of a child, including immediately removing a child from potential physical abuse, sexual abuse or prohibited conduct as defined herein.
2. Report immediately any suspected physical abuse or sexual abuse of a child to the campus University Police Department and the Equity and Campus Diversity Office and provide to the campus University Police Department a written report of suspected physical or sexual abuse of a child. When working in

Child Protection Policy

an off-campus location, suspected child abuse should be reported to local law enforcement officials and the Equity and Campus Diversity Office. Other reporting requirements not addressed in this Policy may apply, such as the obligations of mandated reporters under New York Social Services Law, who are required to report suspected child abuse or maltreatment when they are presented with a reasonable cause to suspect such abuse or maltreatment has occurred.

3. Comply with the [Policy on Mandatory Reporting and Prevention of Child Sexual Abuse, SUNY policy No. 6504](#).
4. Complete all required training required for Covered Persons (i) – (iii) developed pursuant to this Policy.
5. Wear and display prominently at all times during the Covered Activity a lanyard or other form of identification that identifies the individual as having the responsibilities of a Covered Person.

F. RESPONSIBLE UNIVERSITY OFFICIAL

A Responsible University Official shall:

1. Confirm that the requirements of this Policy have been communicated to Covered Persons (i) – (iii) prior to the commencement of a Covered Activity.
2. Confirm that New York Sex Offender Registry and National Sex Offender Public Registry searches (as described in Campus Responsibilities, below) have been obtained and reviewed for Covered Persons (i) – (iii) prior to the commencement of a Covered Activity.
3. Confirm that the completed Acknowledgement of the University's Child Protection form has been obtained from Covered Persons (iv) – (v) prior to the commencement of a Covered Activity. All Acknowledgement forms will be part of a Revocable Permit prepared and executed by the Events Management Office.
4. Immediately report allegations of physical abuse or sexual abuse of a child to the campus University Police Department, and complete and provide to the campus University Police Department a written report for each allegation of physical abuse or sexual abuse of a child. Other reporting requirements not addressed in this Policy may apply, such as the obligations of mandated reporters under New York Social Services Law, who are required to report suspected child abuse or maltreatment when they are presented with a reasonable cause to suspect such abuse or maltreatment has occurred.
5. Notify and coordinate with appropriate campus offices to ensure that allegations of suspected physical abuse or sexual abuse are investigated and addressed appropriately.
6. Confirm that required training on this Policy has occurred prior to the commencement of a Covered Activity for all Covered Persons who are employees, volunteers, students or agents of the University or a University-affiliated organization.
7. Confirm that the University has provided Covered Persons (i) – (iii) with identification that identifies the individual as having the responsibilities of a Covered Person.

G. CAMPUS RESPONSIBILITIES

The University Administration, and University-affiliated organizations shall develop procedures to:

1. Designate a Responsible University Official for each Covered Activity.
2. Determine on a limited basis that the first sentence of Section D.1. of this Policy, which prohibits a Covered Person from being alone with a child, shall not apply to certain Covered Activities when the pedagogical or health-related nature of the Covered Activity requires such one-on-one contact with a child. Examples may include tutoring, music lessons, speech therapy, and medical, dental, or optical services.

Child Protection Policy

3. Communicate the requirements of this Policy to Covered Persons (i) – (v).
4. Provide for and require training on this Policy for all Covered Persons (i) – (iii) prior to the commencement of a Covered Activity.
5. Obtain New York Sex Offender Registry and National Sex Offender Public Registry searches for Covered Persons (i) – (iii) and complete a review of such searches not more than ninety (90) days prior to the commencement of a Covered Activity.
 - a. A search of the NY Sex Offender Registry means:
 1. 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](http://www.criminaljustice.ny.gov/nsor/800info_cdsubmit.htm) [url: http://www.criminaljustice.ny.gov/nsor/800info_cdsubmit.htm]; and
 2. retention of the records of the results of such search. Note that an internet search alone will not meet the requirements of this Policy.
 - b. 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 this link: <http://www.nsopw.gov/>; and
 - retention of the records of the results of such search.
6. Provide for the prompt investigation and preparation of written findings by the campus University Police Department of reports of suspected physical abuse or sexual abuse, and if there is reasonable cause to believe a crime has been committed, coordination by the campus University Police Department with other law enforcement officials.
7. Provide a mechanism to report and respond to allegations of retaliation (as described below).
8. Retain documentation of the search results from the New York and National Sex Offender registries for Covered Persons who are employees, volunteers, students or agents of the University or a University-affiliated organization for six (6) years after the covered person has separated from the University.
9. Provide identification for Covered Persons (i) – (iii) that identifies the individual as having the responsibilities of a Covered Person.

H. RETALIATION

Retaliatory action against anyone acting in good faith, who has reported alleged physical abuse or sexual abuse in accordance with this Policy, or 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 a violation of this Policy. 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; and
- any action affecting the campus environment, including harassment and intimidation.

I. THIRD-PARTY USE OF UNIVERSITY FACILITIES

The use of University facilities by vendors, licensees or permittees for commercial and non-commercial Covered Activities shall be accomplished pursuant to a revocable permit. All revocable permits will be prepared and executed by the Events Management Office. The following minimum terms shall be included in all such revocable permits:

Child Protection Policy

A specific definition of the areas accessible to the Covered Activity. For example, revocable permits for sporting events held on athletic fields should include the athletic field, as well as any ancillary areas or structures where minors will be permitted, such as adjacent grounds, parking lots, restrooms, locker rooms, accessory structures, etc.

1. A provision requiring insurance coverage in accordance with the State University of New York's current requirements.
2. If the Covered Activity is a Children's Camp as defined in Section B of this policy, a provision requiring permittee to provide the University with a copy of its camp operator permit issued by the New York State Commissioner of Health, either upon execution of the permit or not later than two weeks (14 days) before the scheduled use of University facilities.
3. A representation and warranty from permittee that for all of its employees and volunteers, and employees and volunteers of its sub-permittees, who shall enter upon university facilities for purposes related to Covered Activity, permittee has conducted within the ninety (90) day period preceding the use of University facilities (i) a search of the NY Sex Offender Registry; and (ii) a search of the National Sex Offender Public website.
4. A representation and warranty from permittee that for all Covered Activities: (i) it shall adhere to the American Camp Association standards for minimum staff-to-child supervision ratios, minimum staff age and minimum staff accreditation requirements (available at: <http://www.acacamps.org/accreditation/stdsglance>); and (ii) that the overall supervisor for each Covered Activity is an adult with certification or documented training and experience in the Covered Activity.
5. A representation and warranty from permittee that any transportation it provides for participating minors to and from the University grounds shall conform to the American Camp Association's transportation standards (available at: <http://www.acacamps.org/accreditation/stdsglance>).
6. A provision requiring written acknowledgment from permittee that it has received a copy of the University's Child Protection Policy and agrees to abide by all of its terms, including its requirement that any suspected physical or sexual abuse be immediately reported to the campus University Police Department.

CONTACT INFORMATION

University Police Department
Chase Hall, Room 110
Buffalo, New York 14222
Phone: 716 878-6333
Email: police@buffalostate.edu

Office for Equity and Campus Diversity
Cleveland Hall, Room 517
Buffalo, New York 14222
Phone: 716 878-620
Email: eeoequity@buffalostate.edu

Child Protection Policy

For revocable permits:

Events Management Office
Cleveland Hall, Room 319
Buffalo, New York 14222
Phone: 716 878-6114
Email: eventmgt@buffalostate.edu

RELATED INFORMATION

[State University of New York Policy No. 6504, Policy on Mandatory Reporting and Prevention Child Sexual Abuse, 2012.](#)

[SUNY Compliance webpage on Child Protection](#), for additional information, including [training modules](#).

[Child Protection Policy – Guidance](#), prepared by the Office of General Counsel and the Compliance Office.

REVISIONS:

Date of change: 03/14/2023

Brief description of edit: Updated campus designation of the university and reformatted to standard template.

APPROVAL

President's Cabinet, 09/20/2016

**SUNY CHILD PROTECTION POLICY TRAINING
LINKS TO DOWNLOADABLE RECORDINGS**

Module 1: Introduction & Background

Streaming Link	https://suny.webex.com/suny/ldr.php?RCID=d4a579264683ce7bd32f6e7f421d5a8e
Download Link	https://suny.webex.com/suny/lsr.php?RCID=3d83a5e335c97fb0b07de52b1b958d7d

Module 2: Defining and Recognizing Child Abuse and the Threshold for Reporting

Streaming Link	https://suny.webex.com/suny/ldr.php?RCID=dca2d140dfbc5324a57640ff7ed5d31e
Download Link	https://suny.webex.com/suny/lsr.php?RCID=d8ed81bd9946f0b9a5f1cf15793a378d

Module 3: Overview of SUNY's two Child Protection Policies; Policy Resources

Streaming Link	https://suny.webex.com/suny/ldr.php?RCID=3567300d4217a2a0fcad7fc5c9bba2df
Download Link	https://suny.webex.com/suny/lsr.php?RCID=238ea1920bf89a0887988b6a73e1e09e

Module 4: Requirements of the Mandatory Reporting Policy; Impact of the Child Protection Policy

Streaming Link	https://suny.webex.com/suny/ldr.php?RCID=4055cda254c669244585c343c5d20079
Download Link	https://suny.webex.com/suny/lsr.php?RCID=cc8cc41e9c5212d7d37bbeb85746e180

Module 5: Child Protection Policy: Policy Definitions

Streaming Link	https://suny.webex.com/suny/ldr.php?RCID=3ed64f6f614046c938736c1266e1a3ba
Download Link	https://suny.webex.com/suny/lsr.php?RCID=93d6305f1f8e7d709177038738092027

Module 6: Child Protection Policy: Responsibilities of Campuses, University Affiliates and System Administration

Streaming Link	https://suny.webex.com/suny/ldr.php?RCID=ea144b9e4ea9811da6f9f2a196b3a912
Download Link	https://suny.webex.com/suny/lsr.php?RCID=a7bb3d4e6f8106e0c38cb2e13f653a97

Module 7: Child Protection Policy: Conduct of “Covered Persons”

Streaming Link	https://suny.webex.com/suny/ldr.php?RCID=3b4a62c41ae6de5cb601162af01deafb
Download Link	https://suny.webex.com/suny/lsr.php?RCID=30875514ddc3c5f26e9e296156e2e5bb

Module 8: Child Protection Policy: Duties of “Responsible University Officials”

Streaming Link	https://suny.webex.com/suny/ldr.php?RCID=b9c9a085c785b9e60544a6c8ffe0731
Download Link	https://suny.webex.com/suny/lsr.php?RCID=eb93596bd414ef69c8c5102c3fdcf71

Module 9: Child Protection Policy: Third Party Use of University Facilities

Streaming Link	https://suny.webex.com/suny/ldr.php?RCID=8c49649c6dc2679f3a123712ed49769e
Download Link	https://suny.webex.com/suny/lsr.php?RCID=67e439577b56ee2b851f32090f349b74

Module 10: Child Protection Policy: Review of Policy Resources

Streaming Link	https://suny.webex.com/suny/ldr.php?RCID=e917e7bf9f7df2722f7a40b025a680b2
Download Link	https://suny.webex.com/suny/lsr.php?RCID=c56989af51189766f077142785fcf846



The State University
of New York

Child Protection Policies Training

Module 1: Introduction & Background

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

2015

Child Protection Policies Training Outline

This training program will cover the following topics:

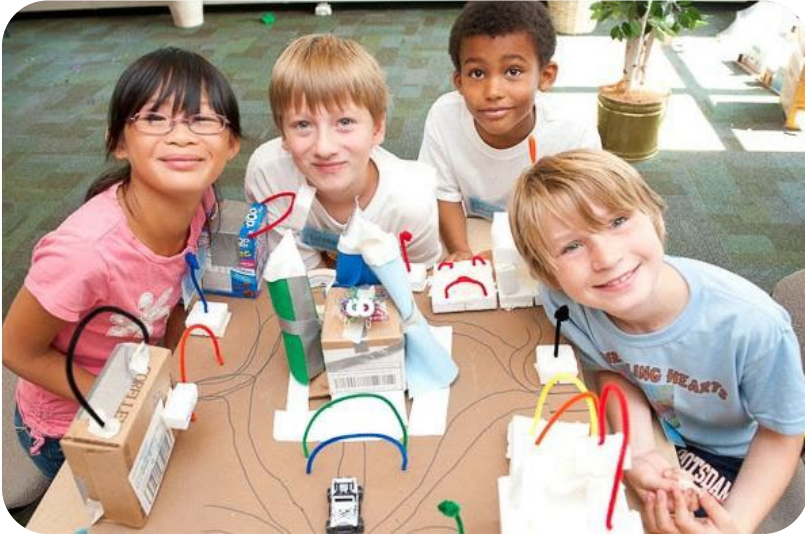
- **Overview of two SUNY System-wide Child Protection Policies:**
 - (1) Policy on Mandatory Prevention and Reporting of Child Sexual Abuse
and
 - (2) Child Protection Policy
- **Defining and Recognizing Child Abuse**
- **In-Depth Review of the SUNY Child Protection Policy, including:**
 - Policy Application
 - Policy Definitions
 - Campus, University Affiliates, and System Administration Responsibilities
 - Required and Prohibited Conduct by “Covered Persons”
 - Duties of “Responsible University Officials”
 - Third Party Use of University Facilities

Child Protection Policies Training Outline

Training Program Modules

1. Introduction and Background
2. Defining and Recognizing Child Abuse and the Threshold for Reporting
3. Overview of SUNY's two Child Protection Policies; Policy Resources
4. Requirements of the Mandatory Reporting Policy; Impact of the Child Protection Policy
5. Child Protection Policy: Policy Definitions
6. Child Protection Policy: Responsibilities of Campuses, University Affiliates and System Administration
7. Child Protection Policy: Conduct of "Covered Persons"
8. Child Protection Policy: Duties of "Responsible University Officials"
9. Child Protection Policy: Third Party Use of University Facilities
10. Child Protection Policy: Review of Policy Resources

SUNY CAMPUSES HOST CHILDREN



SUNY campuses **host programs** for children and **provide space to third parties** for events involving children.

Child programs may include:

- Summer camps
- Academic programs
- Athletic programs
- Community Outreach activities
- Volunteer Programs
- Student Instruction Programs

Background on SUNY's Policies and Actions

- The 2012 report of special investigative counsel concerning child sexual abuse at **Penn State University** (the “Freeh Report”) reviewed egregious instances of long term, undetected child sexual abuse.
- The Freeh Report made recommendations and cited best practices for unaccompanied children at university facilities, housing and university programs.
- Higher education institutions across the country, including SUNY, have enacted policies and best practices to protect children.

SUNY's Commitment to Child Protection

- SUNY has two System-wide policies to protect children at SUNY facilities and in SUNY programs.
- Both policies were adopted by the SUNY Board of Trustees upon the Chancellor's recommendation and both policies affirm SUNY's commitment to making the protection of children a System-wide priority.

Policy on Mandatory Prevention and Reporting of Child Sexual Abuse

Adopted by Board on Dec. 17, 2012

Mandates reporting of child sexual abuse for all University activities on and off University property.

Child Protection Policy

Adopted by Board on June 17, 2014

Sets policy for local procedures to protect children on campus.

Defining and Recognizing Child Abuse

Child Protection Policies Training

SUNY

Defining and Recognizing Child Abuse

Before we discuss SUNY's policies in detail, let's first take a **step back** to define child sexual abuse and child physical abuse and what it means within the context of SUNY's policies.



STEP BACK

Child Protection Policy

Definition of Physical Abuse

(Definition from the SUNY Child Protection Policy)

Physical Abuse: Physical contact with a child by a covered person which is intended to cause, or causes, pain or physical injury, including punching, beating, shaking, throwing, kicking, biting and burning, or directing a child, outside the norm of the supervised activity, to perform physical activity which is intended to cause physical injury.

Defining and Recognizing Child Abuse

Indicators of Child Physical Abuse

- **Frequent injuries of any kind (bruises, cuts, burns), especially if the child is unable to provide an adequate explanation of the cause.**
 - Injuries may appear in distinctive patterns such as grab marks, human bite marks, cigarette burns, or impressions of other instruments.
 - Human bites compress flesh causing bruises; animal bites normally tear the flesh.
- **Injuries to both sides of the head or body.**
 - Accidental injuries typically only affect one side of the body.

Source: New York State Office of Children & Family Services

Defining and Recognizing Child Abuse

Indicators of Child Physical Abuse

- **Injuries to the nose**
 - Bleeding
 - Swelling
 - Deviation of the bone
- **Injuries to the mouth**
 - Bleeding
 - Swelling
 - Loose or missing teeth
 - Bruises from gags
- **Injuries to the eyes**
 - Hemorrhages

Source: New York State Office of Children & Family Services

Defining and Recognizing Child Abuse

Indicators of Child Physical Abuse

- **Skin Injuries - Burns**
 - Burns in geometric shapes.
 - Contact burns involving both palms.
 - Burns or blisters on the backs of the hands.
 - Immersion burns (sock-like; glove-like).
 - Cigarette burns.
 - Burns on areas typically protected by clothing.
 - Blistering from chemical burns.

Source: New York State Office of Children & Family Services

Defining and Recognizing Child Abuse

Indicators of Child Physical Abuse

- **Skeletal Injuries without Fracture**
 - Tenderness at joints (from pulling, jerking or dislocation).
 - Tenderness in the ribs.

Source: New York State Office of Children & Family Services

Defining and Recognizing Child Abuse

Behavioral Indicators of Child Physical Abuse

- **Destructive, aggressive or disruptive behavior.**
 - Aggression towards peers or siblings
 - Apprehensive when other children cry
 - Destruction of property; vandalism
- **Passive, withdrawn, or emotionless behavior.**
 - Child shies away from touch; flinches at sudden movement; is wary of adults
- **Behavioral extremes: aggressiveness – withdrawal.**
- **Fear of going home; of parent(s); of caregiver(s).**
- **Seeks affection from any adult.**
- **Wears long-sleeved or similar clothing to hide injuries.**

Source: New York State Office of Children & Family Services

Defining and Recognizing Child Abuse

Physical Indicators of Child Sexual Abuse

- **Injury to genital area.**
 - Pain or itching in genital area
 - Difficulty in walking or sitting
 - Bruises or bleeding in external genitalia
- **Symptoms of sexually transmitted diseases.**
 - Including oral venereal infections
- **Torn, stained or bloody underclothing.**
- **Pregnancy, especially in early adolescent years.**

Source: New York State Office of Children & Family Services

Defining and Recognizing Child Abuse

Behavioral Indicators of Child Sexual Abuse

- **Unwillingness to change clothing for athletic/physical activities.**
- **Withdrawal, fantasy or infantile behavior.**
- **Sexually suggestive, inappropriate, promiscuous or seductive behavior or verbalization.**
- **Poor peer relationships.**
- **Expression of age-inappropriate knowledge of sexual relations.**
- **Sexual victimization of other children.**
- **Exaggerated fear of closeness or physical contact.**
- **Self-injurious behavior.**

Source: New York State Office of Children & Family Services

Reporting Physical or Sexual Abuse

When to Report

**REASONABLE
CAUSE TO SUSPECT
=
REPORT**

Reporting Physical or Sexual Abuse

Reasonable Cause to Suspect

“Reasonable cause to suspect” means that based on your rational observations and experience, you have a suspicion that the child is being physically or sexually abused.

Reporting Physical or Sexual Abuse

Reasonable Cause to Suspect

Report each instance of physical or sexual abuse that you have reasonable cause to suspect.

Retaliation is Prohibited

The SUNY Child Protection Policy prohibits retaliatory action against anyone acting in good faith, who has reported alleged physical abuse or sexual abuse in accordance with the policy, or who is involved in investigating or responding to allegations of physical or sexual abuse.

Don't be silent



REPORT

Retaliation is Prohibited

Report whenever you have reasonable cause to suspect physical or sexual abuse of a child.

The Child Protection Policy prohibits:

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



Child Protection at SUNY: Overview of two SUNY System- wide Child Protection Policies

Child Protection Policies Training

SUNY

SUNY's Policies on Protection of Minors: How Are the Two Policies Different?

Mandatory Prevention and Reporting of Child Sexual Abuse Policy

Aimed at **DETECTION** and **REPORTING** of **CHILD SEXUAL ABUSE**

Leaves most implementation decisions to the campus

Applies in **ALL** circumstances where children are present, on or off University property if University business or University sponsored events are involved.

Requires reporting of sexual abuse by all members of University community.

Child Protection Policy

Aimed at **PREVENTION**, **DETECTION**, and **REPORTING** of **CHILD SEXUAL** and **PHYSICAL ABUSE**

SPECIFIC directives and action items for all campuses, SYSAdmin and University Affiliates

Applies when University, University Affiliates or third parties is responsible for custody, control, and supervision of children.

Requires reporting of sexual and physical abuse .

VS.

VS.

VS.

SUNY's Child Protection Policies: Application

Both policies apply directly to all SUNY
State-Operated Campuses



Child Protection Policy Resources

Policies

[Policy on Mandatory Prevention and Reporting of Child Sexual Abuse](#)

[Child Protection Policy](#)

SUNY Websites

[SUNY Policies and Procedures Website](http://www.suny.edu/sunyp) www.suny.edu/sunyp

[Compliance Website](http://www.suny.edu/compliance), pages devoted to Child Protection at SUNY

www.suny.edu/compliance

[Suny.edu/compliance](http://www.suny.edu/compliance) → Topics → Child Protection

[URL: http://system.suny.edu/compliance/topics/childprotection/](http://system.suny.edu/compliance/topics/childprotection/)

Child Protection Policy Resources

Guidance Material and Templates

Child Protection Policy Guidance document

- Available in the '[Other Related Information](#)' section of the [Child Protection Policy](#) → Available on the [SUNY Policies and Procedures Website](#)
- Guidance clarifies specific topical areas of the Child Protection Policy and its applicability in various circumstances
- Updated regularly to include the latest information and policy clarifications

Revocable Permit Template (available in policy appendices)

- For Use of University Facilities for Covered Activities under the State University of New York Child Protection Policy

Child Protection Listserv

- Listserv established to allow campuses to ask questions of Counsel's Office and one another on issues related to implementation of Child Protection Policies
- To join listserv, send email to the [Director of Compliance](#)

Mandatory Reporting Policy

Any employee or student of or volunteer for the State University of New York who witnesses or has reasonable cause to suspect any sexual abuse of a child occurring on State University property or while off campus during official State University business or University-sponsored events shall have an affirmative obligation to report such conduct to the relevant University Police Department immediately. Such report should include the names of the victim and assailant (if known), other identifying information about the victim and assailant, the location of the activity, and the nature of the activity. Upon receiving such a report, the applicable University Police Department shall promptly notify the Commissioner of University Police at SUNY System Administration who shall report such incidents to the Chancellor for periodic reporting to the Board of Trustees.

In addition, to aid in the prevention of crimes against children on property of the State University of New York and/or during official State University business at events sponsored by the State University of New York, relevant employees should be trained on the identification of such crimes and proper notification requirements. Vendors, licensees or others who are given permission to come onto campus or to use University facilities for events or activities that will include participation of children shall ensure that they have in place procedures for training, implementation of applicable pre-employment screening requirements and reporting of child sexual abuse.

For purposes of this policy, the applicable definitions of child sexual abuse are those used in the NYS Penal Law in Articles 130 and 263 and Section 260.10 and “child” is defined as an individual under the age of 17.

Mandatory Reporting Policy

Mandates Reporting to University Police

Employees + Students + Volunteers



have an AFFIRMATIVE DUTY to report Child Sexual abuse to University Police when abuse occurs

On university property

OR

Off university property during official university business or during university-sponsored events

Mandatory Reporting Policy

Threshold for Reporting

“Reasonable cause to suspect” means that based on your rational observations and experience, you have a suspicion that the child is being sexually abused* **on SUNY property** or **off campus** during official SUNY business or during SUNY-sponsored events.

**REASONABLE
CAUSE TO SUSPECT
=
REPORT**

* Adapted from the NYS Office of Children & Family Services.

Mandatory Reporting Policy

- Policy creates mandated reporting requirement for SUNY.



**ALL SUNY STAFF, STUDENTS & VOLUNTEERS
have an affirmative duty to report incidents
ONLY related to
activities on University property
or
University-sponsored events off campus**

- “Mandated reporting” has different meaning than “Mandated Reporters” under New York State law, who are ALWAYS required to report.

Mandatory Reporting Policy

Police Investigation

- Upon receiving such a report, the applicable University Police Department will promptly notify the Commissioner of University Police at SUNY System Administration, who will report such incidents to the Chancellor for periodic reporting to the Board of Trustees.



Mandatory Reporting Policy

Application

Example: SUNY employee at the grocery store learns of child sexual abuse unrelated to SUNY.

→ Not obligated to report under SUNY policy.

Example: SUNY employee at the grocery store learns of child sexual abuse at SUNY program.

→ Affirmative duty to report under SUNY policy.

Example: SUNY employee participating in a campus-sponsored volunteer event off-campus learns of child sexual abuse during the event.

→ Affirmative duty to report under SUNY policy.



Mandatory Reporting Policy

Training

RELEVANT employees must be trained **recognizing child sexual abuse**; on their **obligation to report** such abuse, and on proper reporting protocols.

Third Parties

Vendors and others using University facilities for activities involving children must have **procedures in place to screen their employees and to train their employees to recognize and report child sexual abuse.**

Mandatory Reporting Policy

Campus Local Procedures

1. Must include affirmative duty for **students, employees and volunteers** to report.
2. Must include **training** on identification of sexual abuse and proper notification requirements for relevant employees and students; AND
3. Ensure that **third parties and others using University facilities**, where children will be participating, **have procedures** in place **aimed at preventing child sexual abuse**.

Child Protection Policy

Summary: *Individuals must conduct themselves appropriately with children who participate in University-related programs and report instances or suspicion of physical or sexual abuse of children*

[“Summary” Statement is Section A of the policy.]

Child Protection Policy



Appropriate
Conduct with
Children



Reporting
instances or
suspicion of child
physical and
sexual abuse



***Child
Protection
Policy***

Child Protection Policy

“Covered Activity” Definition

Custody, Control and Supervision Threshold

Children attending a University sponsored event with their parent/ guardian?



→ **NO**, because **Custody, Control and Supervision threshold not met; parents retain responsibility**

Child Protection Policy

“Covered Activity” Definition

Custody, Control and Supervision Threshold

Children attending a sports camp, where they are transported to campus by bus?



→ YES, at sports camp, Custody, Control and Supervision of the child has been transferred to the camp operator.

Child Protection Policy

Exception to “Covered Activity” Definition

The Child Protection Policy is **not** applicable to University on-campus child care centers.



Daycare providers are heavily regulated by State law. Many campuses have local policies and procedures for daycare centers.

In writing procedures to implement the Child Protection Policy, campuses should consider whether to coordinate/integrate any related local policies and procedural requirements.

Child Protection Policy

Covered Activity Review

Are participants “children” under the Policy definition?
under 17 and not matriculated students under policy definition

YES

(a) sponsored or approved by

- University; **OR**
- University-affiliated organization; **OR**
- Vendor – Licensee - Permittee for which a license or permit for use of University facilities has been approved; **AND** occurring on or off campus.

YES

(b) for the duration of the activity, custody, control and supervision of children is vested in the University, University affiliate or the approved vendor, licensee or permittee.

YES

COVERED ACTIVITY

NO

NO

POLICY
NOT
APPLICABLE

NO

Campus, University Affiliate, and System Administration Responsibilities

Module 6: Campus, University Affiliate & System Administration Responsibilities

SUNY

Child Protection Policies Training

Campus, University Affiliate and System Responsibilities

“Campus Responsibilities” is Section G in the Policy

- 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.**
- 9. Provide for appropriate identification of Covered Persons.**

Campus, University Affiliate and System Responsibilities

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.



Campus, University Affiliate and System Responsibilities

2. Identify any applicable exceptions to 1-on-1 prohibition

Pedagogical exceptions:

- tutoring
- music lessons

Health related exceptions:

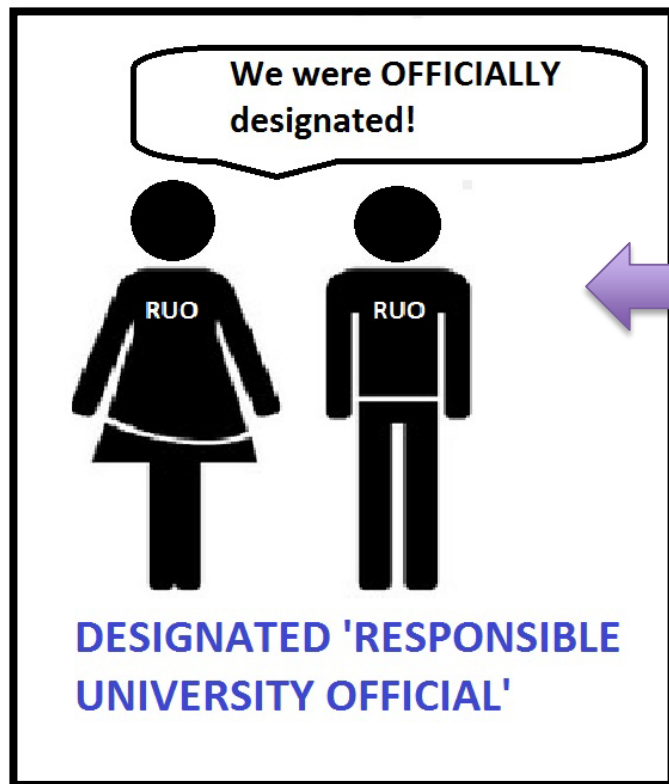
- speech therapy
- medical, dental or optical services



Campus, University Affiliate and System Responsibilities

3. Designate Responsible University Officials

Formally designate a Responsible University Official for each Covered Activity



**Responsible
University
Official**

Campus, University Affiliate and System Responsibilities

3. Designate Responsible University Officials

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

Campus, University Affiliate and System Responsibilities

3. Designate Responsible University Officials

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”

Campus, University Affiliate and System Responsibilities

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.



Campus, University Affiliate and System Responsibilities

5. Develop Training and Conduct Training

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.

Campus, University Affiliate and System Responsibilities

6. Implement Sex Offender Registry Searches

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.**



Campus, University Affiliate and System Responsibilities

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](http://www.criminaljustice.ny.gov/nsor/800info_cdsuubmit.htm)
url: http://www.criminaljustice.ny.gov/nsor/800info_cdsuubmit.htm

Campus, University Affiliate and System Responsibilities

6. Implement Sex Offender Registry Searches

POLICY DEFINITION

A search of the National Sex Offender Public Registry means:

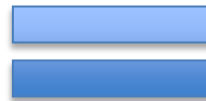
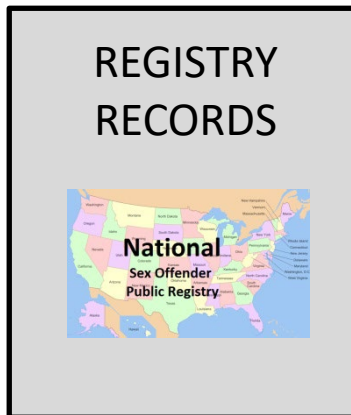
- A search by first and last name of the National Sex Offender Public Website maintained by the United States Department of Justice at <http://www.nsopw.gov/>

Campus, University Affiliate and System Responsibilities

6. Implement Sex Offender Registry Searches

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 **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 **must be retained** on persons who are employees, volunteers or students of the University or University Affiliate **for six (6) years** after the individual has separated from employment or the University.



**RETAIN FOR 6 YEARS
AFTER SEPARATION OF
“COVERED PERSON”**

Campus, University Affiliate and System Responsibilities

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.”

Campus, University Affiliate and System Responsibilities

6. Implement Sex Offender Registry Searches

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.



Campus, University Affiliate and System Responsibilities

6. Implement Sex Offender Registry Searches



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.

Campus, University Affiliate and System Responsibilities

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

Campus, University Affiliate and System Responsibilities

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.



Campus, University Affiliate and System Responsibilities

8. Implement a Mechanism for Investigation

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 .

Campus, University Affiliate and System Responsibilities

9. Provide for Appropriate Identification of Covered Persons

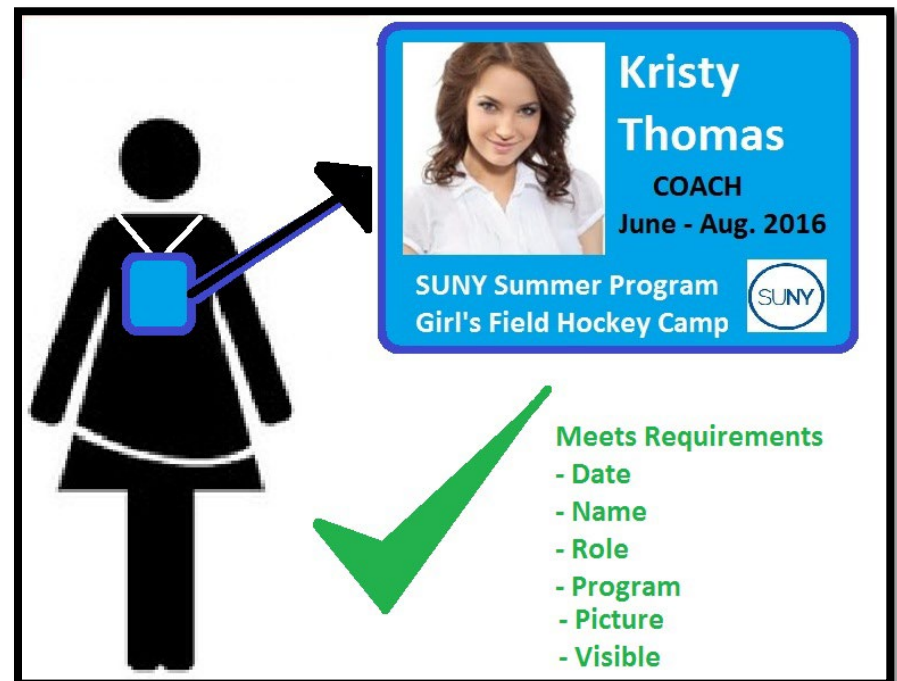
Covered Persons must wear and display prominently at all times during the Covered Activity a lanyard or other form of identification that identifies the individual as a Covered Person in the program or activity.

ID should be event-specific and include:

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

Why a picture ID?

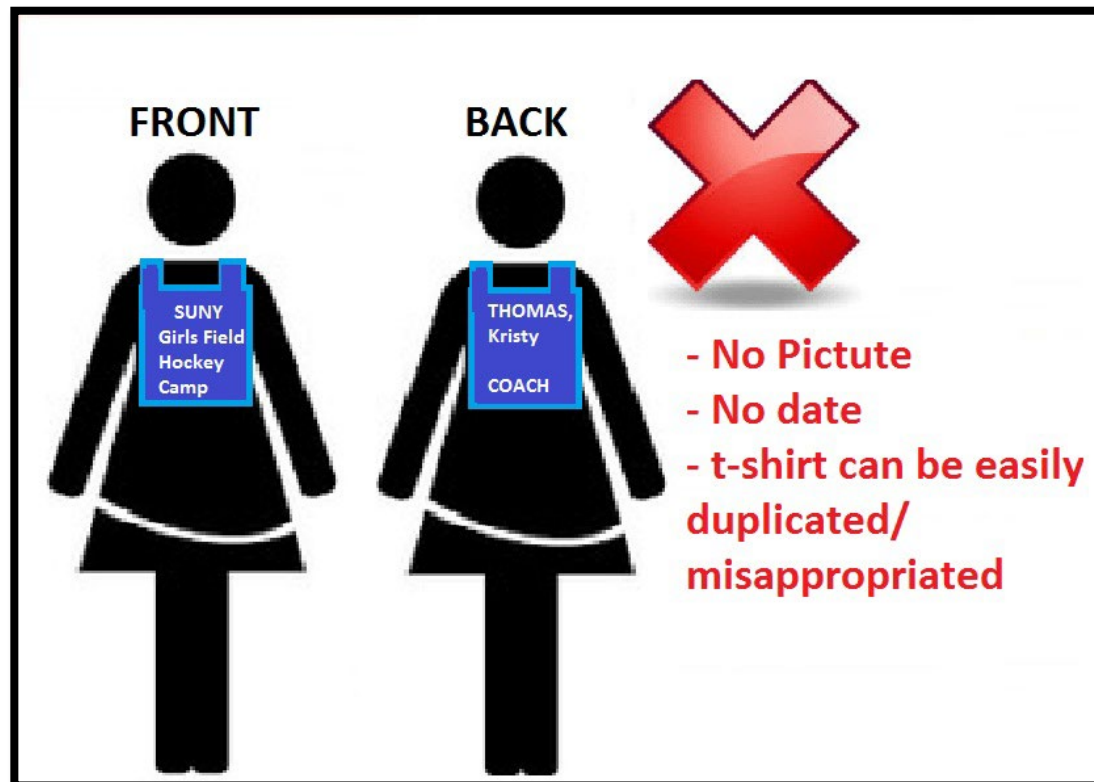
- Shirts, uniforms, hats and other attire, and non-photo IDs may be duplicated or misappropriated.



Campus, University Affiliate and System Responsibilities

9. Provide for Appropriate Identification of Covered Persons

What is NOT appropriate identification?



REQUIRED CONDUCT of a “Covered Person” Under the Child Protection Policy

Module 7: Required Conduct of Covered Persons

Child Protection Policies Training

SUNY

Required Conduct of a Covered Person

“Required Conduct” is Section E of the Child Protection Policy



“Covered Persons” are **REQUIRED** by the Policy to take **4 REASONABLE MEASURES** to prevent physical and sexual abuse of a child.



Required Conduct of a Covered Person

Required Conduct of a Covered Person Under the Policy

Reasonable measures of a “Covered Person” to prevent physical and sexual abuse of a child:

- 1. GET TRAINED**
- 2. WEAR IDENTIFICATION**
- 3. REMOVE THE CHILD FROM ABUSE**
- 4. REPORT SUSPECTED ABUSE**

Required Conduct of a Covered Person

1. GET TRAINED

Complete all required **TRAINING** on the Child Protection Policy.



Required Conduct of a Covered Person

2. WEAR IDENTIFICATION

At all times during a “Covered Activity,” wear and display prominently a lanyard or other form of identification that identifies you as a “Covered Person” in the specific program or activity

ID should be event-specific, to include:

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

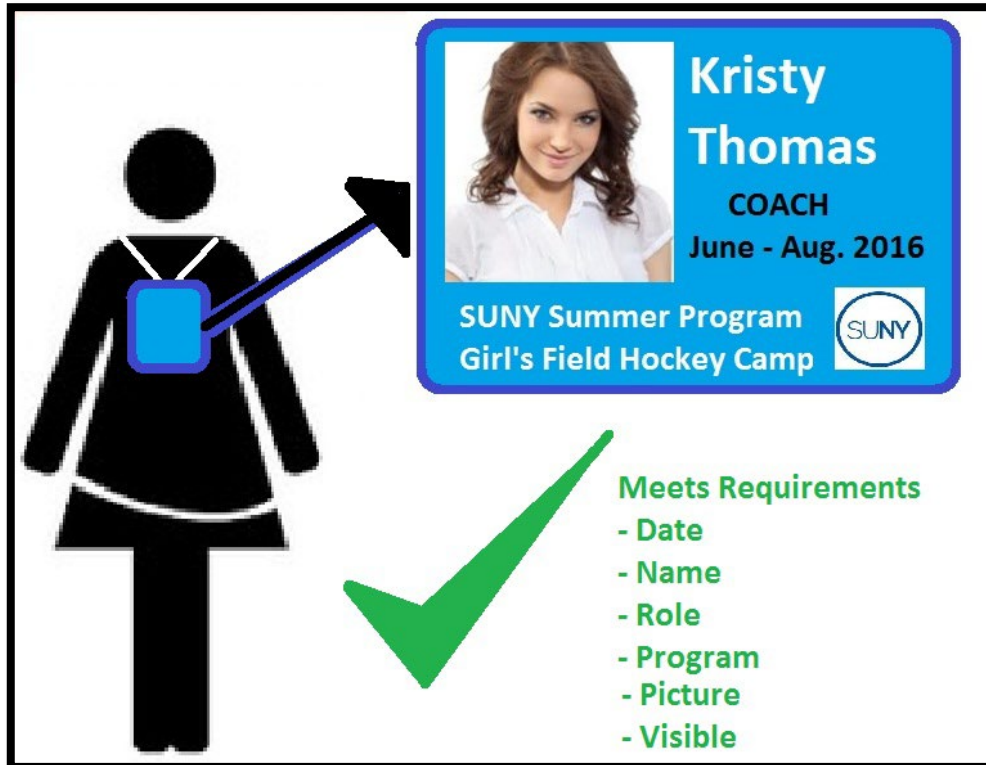
Why a picture ID?

- Shirts, uniforms and such attire, and non-photo IDs may be duplicated or misappropriated
- For active sports an arm or wrist band *may* be appropriate



Required Conduct of a Covered Person

Appropriate Identification



A black silhouette of a person with a large blue identification badge on their back. An arrow points from the badge to a larger, detailed version of the badge. A large green checkmark is positioned below the badge.

Kristy Thomas
COACH
June - Aug. 2016

SUNY Summer Program
Girl's Field Hockey Camp

SUNY

Meets Requirements

- Date
- Name
- Role
- Program
- Picture
- Visible



A black silhouette of a person with a small blue identification badge on their wrist. An arrow points from the badge to a larger, detailed version of the badge.

Kristy Thomas
COACH
June - Aug. 2016


SUNY Summer Program
Girl's Field Hockey Camp

SUNY

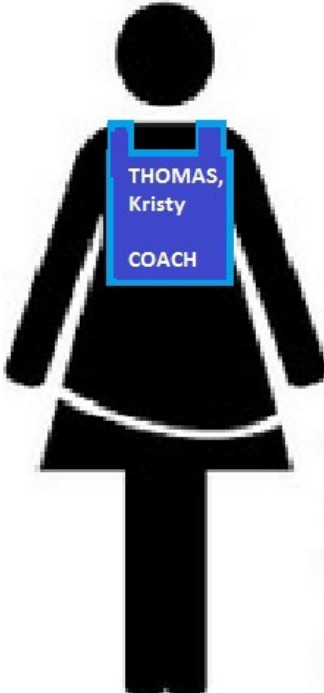
Required Conduct of a Covered Person

Inappropriate Identification


FRONT



BACK



WHAT IS WRONG WITH THIS PICTURE?



- No Picture to identify individual
- No date to identify time frame for activity
- T-Shirt can be easily duplicated or misappropriated

Required Conduct of a Covered Person

3. REMOVE THE CHILD FROM THE ABUSE

Immediately **REMOVE** a child from potential or actual physical abuse, sexual abuse or any conduct prohibited by the policy.

4. REPORT ANY SUSPECTED ABUSE

Immediately **REPORT** any **suspected** physical abuse or sexual abuse of a child to the **campus University Police Department (UPD)** in accordance with local procedures.

PROHIBITED CONDUCT by a “Covered Person” Under the Child Protection Policy

Child Protection Policies Training

SUNY

Prohibited Conduct by a Covered Person

“Prohibited Conduct” is Section D of the Child Protection Policy



“Covered Persons” are prohibited from engaging in specific actions to prevent physical or sexual abuse of children.



Prohibited Conduct by a Covered Person

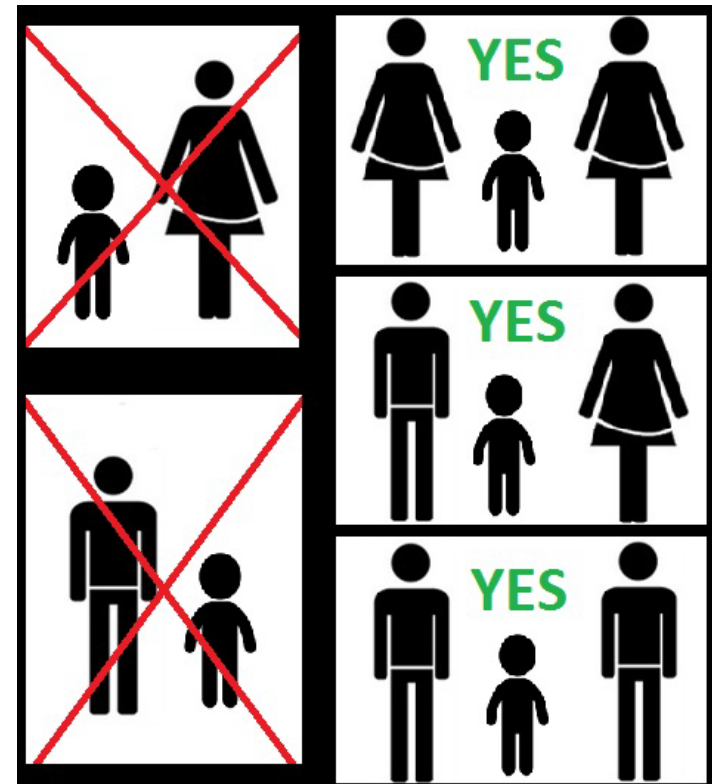
1. No 1-on-1 Interaction (except in limited circumstances)

“Covered persons” cannot be alone with a child unless:

- the Covered Person is a relative or guardian of the child;

OR

- 1-on-1 contact is pre-approved by the campus when pedagogical or health-related circumstances apply.



Prohibited Conduct by a Covered Person

2. Being Alone With a Child

- In no event can 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.**



Prohibited Conduct by a Covered Person

3. Engage in Physical or Sexual Abuse of a Child

- A Covered Person cannot engage in physical abuse or sexual abuse of a child.



4. Use Alcohol or Illegal Drugs Or Be Under Their Influence During a Covered Activity

- A Covered Person cannot engage in the use of alcohol or illegal drugs, or be under the influence of alcohol or illegal drugs, during Covered Activities.



Prohibited Conduct by a Covered Person

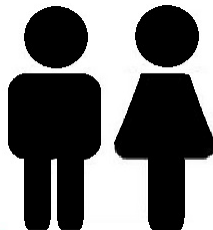
5. Enable, Facilitate or Fail to Address a Child's Use of Alcohol or Illegal/ Non-Prescribed Drugs

- A Covered Person cannot enable, facilitate, or fail to address a child's use of alcohol or illegal/ non-prescribed drugs



6. Contact a Child For the Purpose of Engaging in Prohibited Conduct

- A Covered Person cannot contact a child through electronic media, including social media, for the purpose of engaging in any prohibited conduct, including sexual conduct



Prohibited Conduct of a Covered Person

7. Offer or Make a Gift to a Child for the Purpose of Engaging in Prohibited Conduct

- A Covered Person cannot offer or make a gift to a child for the purpose of engaging in any prohibited conduct, including sexual conduct



8. Release a Child From a Covered Activity Without Authorization

- A Covered Person cannot release a child from a Covered Activity without a written authorization from the child's parent or guardian



Duties of the designated “Responsible University Official”

END

Module 8: Duties of the Responsible University Official

Child Protection Policies Training

SUNY

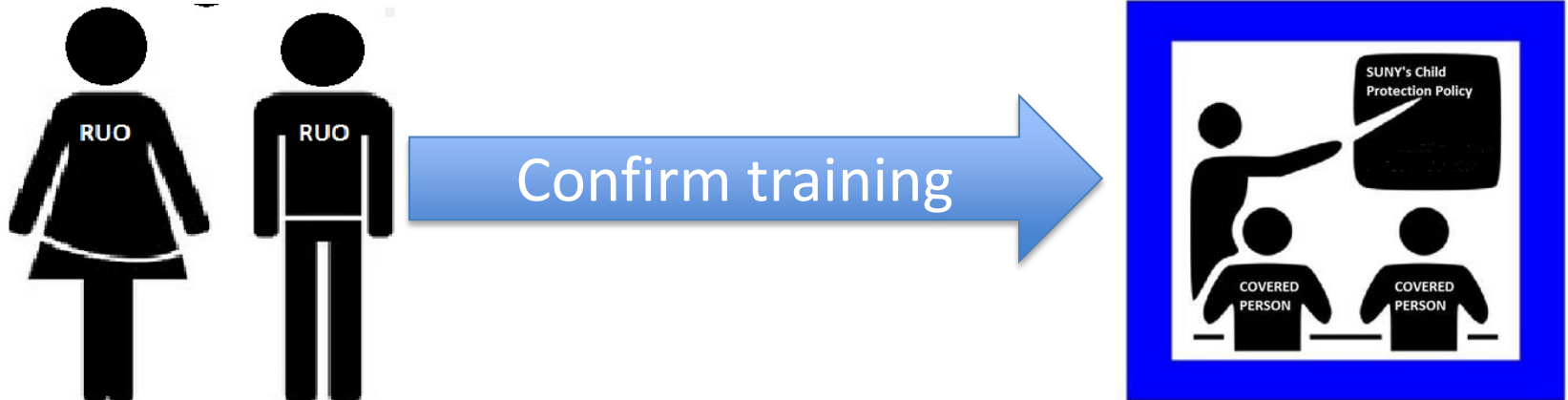
Duties of a Responsible University Official

2. CONFIRM TRAINING COMPLETION



CONFIRM that the required training on this Policy has been conducted with “Covered Persons” before the commencement of a “Covered Activity.”
“Covered Persons” whose training must be confirmed:

- Employees of the University and University affiliate;
and
- University students;
and
- Volunteers of the University and University affiliate.



Duties of a Responsible University Official

3. CONFIRM SEX OFFENDER REGISTRY SEARCHES

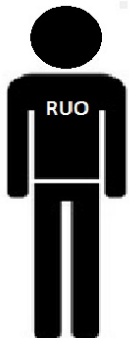


Confirm that State and National Sex Offender Registry searches have been completed for **specific “Covered Persons”** not sooner than 90 days before the commencement of a “Covered Activity”



Registry Searches must be completed for:

- Employees of the University and University affiliate;
and
- University students;
and
- Volunteers of the University or University affiliate.



Confirm Searches



Duties of a Responsible University Official

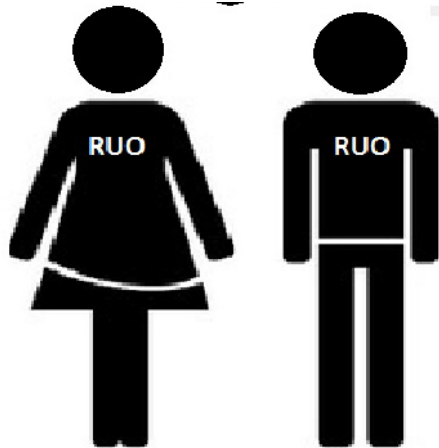
4. CONFIRM RECEIPT OF THIRD PARTY ACKNOWLEDGEMENTS



Confirm that “Covered Persons” (iv):

vendors, licensees, permittees or other persons
who are given permission to come onto campus
or to use University facilities for Covered Activities

Have completed and submitted the Acknowledgement of Receipt of SUNY Child Protection Policies form [[Exhibit D](#)] to the Revocable Permit



Confirm
Acknowledgment

THIRD PARTIES
USING
UNIVERSITY FACILITIES

Duties of a Responsible University Official

5. REPORT ALLEGATIONS OF CHILD ABUSE



IMMEDIATELY REPORT allegations of physical abuse or sexual abuse of a child to the campus **University Police Department (UPD)**.

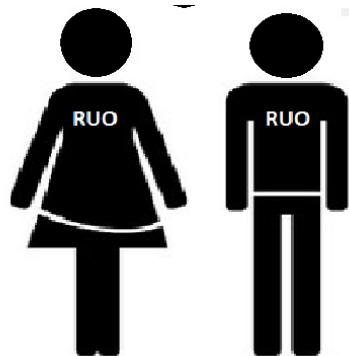


COMPLETE AND PROVIDE a written report to UPD for each allegation.



COMPLY with any other applicable reporting requirements, including:

- SUNY's [Policy on Mandatory Reporting and Prevention of Child Sexual Abuse, Document No. 6504](#) (Mandatory Reporting Policy)



Like “Covered Persons,” we have an obligation to report physical and sexual abuse.

Duties of a Responsible University Official

6. NOTIFY AND COORDINATE WITH OTHER CAMPUS OFFICES

Notify and coordinate with appropriate campus offices to ensure that allegations of suspected physical abuse or sexual abuse are investigated and addressed appropriately.



Required Conduct of a Responsible University Official

7. ENSURE IDENTIFICATION

Ensure that “Covered Persons” participating in “Covered Activities” have the appropriate identification and are wearing and displaying their identification prominently at all times during the Covered Activity.

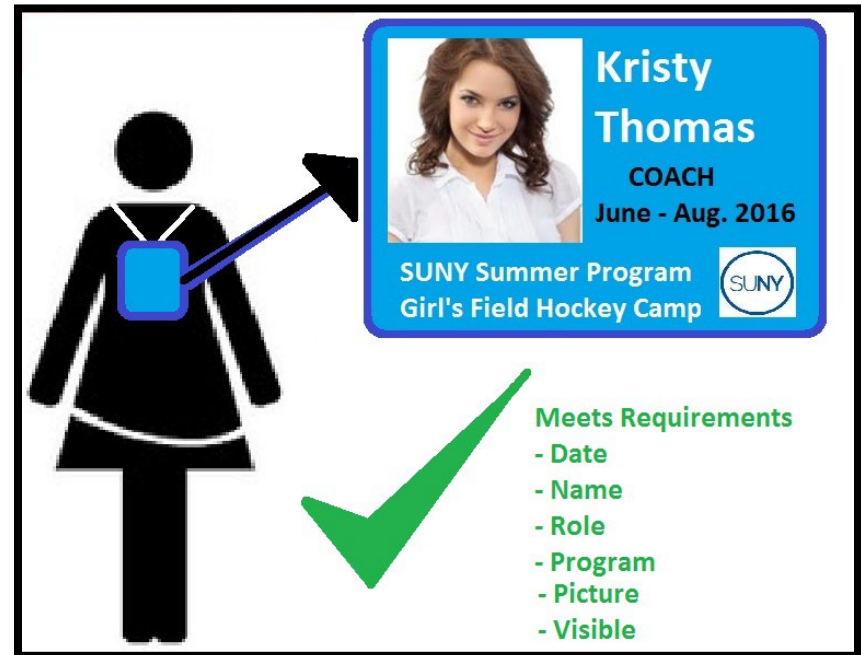
- **Acceptable ID:** a lanyard or other form of identification that identifies the individual as a Covered Person in the program or activity.

ID should be event-specific, to include:

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

Why a picture ID?

- Shirts, uniforms and such attire, and non-photo IDs may be duplicated or misappropriated



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.