



New Jersey Institute of Technology
University Policies and Procedures

DATE: July 29, 2019

Subject: HUMAN RESOURCES –Minors on Campus Policy

PURPOSE:

NJIT provides a number of educational, athletic, performing arts, and other activities or host venues for these activities, which involve the participation and/or attendance of minor children. As a result, this policy establishes the guidelines and safeguards for ensuring the safety and well-being of these minors and those who work with or interact with them. As such, the NJIT's Minors on Campus policy is designed to ensure the safety and well-being of minors who participate in NJIT programs and activities, or program and activities conducted on NJIT facilities by a third party.

This Minors on Campus policy will be reviewed periodically for effectiveness and accuracy.

APPLICABILITY:

This policy applies to all NJIT employees, students, volunteers, and third party entities who conduct minor children focused activities on NJIT premises, or off-campus activities under the auspices of NJIT, and interact with minor children, in any capacity. A minor child is a person who has not reached their 18th birthday and, by definition is, 17 years old or younger.

This policy does not apply to NJIT matriculated students, who may also be a minor, due to age. This policy also does not apply to minors attending or participating in NJIT programs, events, or activities which are open to the public and/or while in the presence of and supervision of a parent, legal guardian, or other authorized and responsible adult.

POLICY:

This policy establishes that:

1. All programs and activities, including NJIT or third party sponsored activities, involving participation by minors must be registered with and approved by the appropriate sponsoring function or department (i.e., Athletics, Pre-College, etc.) and by NJIT's Department of Risk Management, at least thirty (30) calendar days prior to the program's start. In extraordinary situations where thirty days' notice

is not feasible, an expedited approval process can be requested by the sponsoring department.

2. All individuals, excluding NJIT employees who have undergone a criminal background check upon or after hire, who are involved in any manner with minors participating in the above programs are required to complete a successful criminal background check. This includes a check of state and national criminal records and sexual offender databases or registries. It is the responsibility of the program director or coordinator to ensure all program staff, paid and unpaid, complete the background check prior to interacting with any minors. If the individual has had a recent (within 12 months) criminal background check that satisfies the above, that documentation will suffice. It is the responsibility of the program director or coordinator to arrange, through NJIT's Department of Human Resources, for the required paperwork and any related fees. Background check results will be forwarded to and maintained in NJIT's Department of Human Resources.
3. All individuals interacting with minors are required to complete the specified training program which may be online or instructor led concerning the supervision of, and protection of minors. The training must be successfully completed before the individual begins any interaction with minor program participants.
4. Private, personal, or one-on-one contact between adult program staff and minors is prohibited in non-public areas, including offices, locker rooms, and athletic training rooms, except when required by an exigent circumstance or situation. All interactions must be conducted with the knowledge and in full view of other adults or program participants. Licensed healthcare providers, in carrying out their medical or healthcare responsibilities, are exempted from this prohibition.
5. In reference to #4 above, except in an emergency or where the communication is protected by law, program directors or their designees, are prohibited from any outside the program communications with minor participants. This prohibition includes, email, telephone, texting, and any form of social media or communication applications. Exception to the above is permitted when there is a bona fide emergency or the content relates to the program application and acceptance process, and where the minor's parent or guardian is copied or participates (e.g., Skype, conference call, etc.) in the communication.
6. Additional prohibited activities involving minors include, but are not limited to, the following: inappropriate or illegal use of cell phones and other recording devices and/or picture taking and transmittal; sexual abuse¹, physical and psychological hazing or bullying; possessing, using, or providing alcohol, tobacco, or any illicit and/or over-the-counter (OTC) drugs (reference/link to Human Resources policy on– Alcohol & Drug Use in the Workplace Policy);

socializing with minor participants outside the bounds of the program the minor is participating in; engaging in inappropriate, sexually oriented or explicit behavior or conversation (comments, jokes, romantic matters, etc.) or sharing sexually explicit material.

7. As we are committed to providing a safe learning and working environment for minors on campus we strive to protect the health and safety of program participants and minimize the environmental risks potentially emanating from these programs. As minor aged participants may be more susceptible to the health effects of certain potentially hazardous agents and are less aware of potential risks and hazards present in laboratories and workshops, they therefore require heightened supervision and oversight by program coordinators and instructors. There are many departments that may be potentially involved in programs at NJIT, and as such, following the EHS Pre-College Summer Program SOP guidelines is imperative. While it is primarily the responsibility of the Environmental Health and Safety Department, program coordinators and instructors, have a shared responsibility in the implementation of this SOP. All minors who are participating in research related activities must also sign the NJIT Voluntary Student Research Release of Liability, Promise Not To Sue, Assumption of Risk waiver.

<http://www.njit.edu/environmentalsafety/sites/environmentalsafety/files/EHS005%20Voluntary%20Student%20Research%20Releases.pdf>

8. All programs, including NJIT or third party sponsored activities, involving participation by minors must also comply with all relevant state standards and regulations, including NJ Youth Camp Safety Standards and their staffing guidelines.
https://www.nj.gov/health/ceohs/documents/phss/youth_camp.pdf
9. Violations of, or failure to comply with, this policy, including the reporting requirements, will result in disciplinary action, up to and including termination of employment and/or removal from participation in the current or future third party paid or volunteer activities associated with NJIT or events and activities conducted on NJIT property.

PROCEDURE:

1. All programs and activities, internal and external, which involve minor children participation are to be registered and approved by the sponsoring department and NJIT's Department of Risk Management, at least thirty (30) calendar days prior to the program beginning. Reoccurring or annual programs must be registered each year. Approved programs must follow the NJIT Facilities Use Policies and Procedures and External Users Facility Policy guidelines and the NJIT Environmental Health and Safety Policy especially if the approved program involves working in or

around laboratories or other potentially dangerous environments (e.g., machine shop, Makerspace and like areas).

2. All individuals involved in these programs, with or without direct interaction with minors, must complete the online Protection of Minors Training Program prior to interacting with minor program participants. This training is administered through the Department of Human Resources and will be refreshed and retaken every two years.
3. Any allegations or complaints of any inappropriate behavior or conduct by any individual involved in an approved program or activity must be reported to the program director, who must contact, within twenty-four (24) hours the NJIT Department of Public Safety, for investigation and resolution. The individual shall be removed from their program role and will not have any further program involvement until such time as the matter has been investigated and recommended actions agreed to. The Department of Public Safety will, in turn, notify both the NJIT Department of Human Resources and Risk Management of all allegations and recommended actions. The Chief of Police, Department of Public Safety (or their designee), will confidentially, to the extent possible, notify parents and the General Counsel, as appropriate.
4. It is the responsibility, by law, of all individuals involved in any program or activity where minors are participating to report suspected abuse (physical, sexual, or emotional harm or risk of harm) or neglect (failure to provide adequate food, shelter, education or medical care) to the NJIT Department of Public Safety (973-596-3111) or 9-1-1 in case of an emergency.

Further, any person having reasonable cause to believe that a child has been subjected to child abuse or acts of child abuse shall report the same immediately to the NJ State Division of Children and Families Division of Child Protection and Permanency, by telephone (Hotline: 800-792-8610)². Additional reporting requirements and information can be found at:

<https://www.nj.gov/dcf/reporting/how/index.html>.

Anyone acting pursuant to this act in the making of a report under this act shall have immunity, per the act, from any liability, civil or criminal, that might otherwise be incurred or imposed. Any such person shall have the same immunity with respect to testimony given in any judicial proceeding resulting from such report.

5. Any individual involved in any approved program or activity that involves minors, who is charged/arrested for a crime, external to, or not associated with, the approved program, requires that information be reported, within twenty-four (24) hours by the program director or coordinator, verbally and in writing, to NJIT's Department of Public Safety. The charged/arrested individual shall be

immediately removed from further contact with the program, activity, and/or the minor participants. The Department of Public Safety will, in turn, notify both the NJIT Department of Human Resources and Risk Management.

6. In cases of medical emergency, authorization and approval for medical treatment, release of medical information, and waiver from medical liability must be completed by the minor's parent or guardian. Approved programs must have access to and procedures in place to handle medical emergencies, for both on campus and off-campus events and activities. In case of medical emergency, 9-1-1 should be called.
7. In cases where minor participants require administration of medication, authorized adults may distribute required medication, only with written authorization from the minor's parent or legal guardian, and only in accordance with pharmacy instructions as to dosage and timing³. All medication is to be stored in a secure location, labeled by participant name and medication and in original containers. In cases where the minor participant is unable to administer the medication on their own, a licensed healthcare professional, as arranged for prior to the minor participant's program start, must maintain and administer the medication. As appropriate, a completed self-medication form must be on file for participants intending to self-administer medication, as prescribe by a doctor.
8. A "Notice of Violation" will be issued by NJIT's Department of Risk Management to program directors that do not comply with the NJ Youth Camp Safety Standards staffing guidelines. Program directors will have five (5) calendar days to correct the violation. A second notice of violation will result in a program review by NJIT's Department of Risk Management for potential loss of program approval resulting in removal or termination from the NJIT campus.

Footnotes:

¹ Sexual abuse is defined as any illegal or otherwise wrongful sexual contact with a minor. Further, sexual abuse of a minor is any interaction between a minor and another individual in which the child is used for the sexual stimulation of the perpetrator or an observer. Sexual abuse can include both touching and non-touching behaviors. Non-touching behaviors can include voyeurism, exhibitionism, or exposing the child to pornography. (Adapted from The National Child Traumatic Stress Network)

² "Child Abuse Hotline" (New Jersey State Central Registry)
1-877 NJ ABUSE
(1-877-652-2873)
TTY 1-800-835-5510

Department of Public Safety can answer questions about the State of New Jersey reporting requirement.

³ While not required it is good practice to ask for a note from the treating physician, not just the parent, stating the dosage and timing of prescribed or over the counter medications.

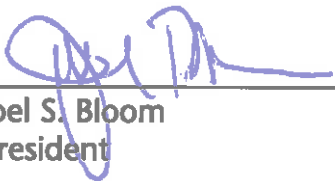
Cross References:

1. NJIT Safety and Environmental Policy: Guidelines for Minors and Volunteers in Laboratories and Shops
http://www.njit.edu/environmentalsafety/sites/environmentalsafety/files/EHS006%20Minors%20in%20Laboratories%20and%20Shops-Research%20Labs%20%281%29_0.pdf
2. NJIT Environmental Health and Safety Department Guidelines for Minors and Volunteers in Laboratories and Shops Non-Research Oriented Pre College Programs
<https://www.njit.edu/environmentalsafety/sites/environmentalsafety/files/Minors%20in%20Laboratories%20and%20Shops-Non%20Research%20Pre%20College%20Programs%20%2B.pdf>
3. Pre-College Summer Program, USEMS SOP, June 2016
<https://www.njit.edu/environmentalsafety/sites/environmentalsafety/files/5.n%20NJIT%20Pre-College%20Programs.pdf>
4. Facilities Use Policies and Procedures—External Users Facility Policy
(<https://www.njit.edu/policies/sites/policies/files/lcms/pdf/Facilities-Use-Policies-Procedures-10172008.pdf>)
5. NJ Department of Children And Families (<https://www.nj.gov/dcf/>)
6. NJDCF: How and When to Report Childs Abuse/Neglect:
(<https://www.nj.gov/dcf/reporting/how/index.html>)
7. New Jersey Youth Camp Safety Standards:
(https://www.nj.gov/health/ceohs/documents/phss/youth_camp.pdf)
8. New Jersey law (NJSA 9:6-8.10): Report of Abuse
(<https://www.nj.gov/dcf/reporting/links/>)
9. NJIT Voluntary Student Research Release of Liability, Promise Not To Sue, Assumption of Risk waiver.
<http://www.njit.edu/environmentalsafety/sites/environmentalsafety/files/EHS005%20Voluntary%20Student%20Research%20Releases.pdf>


REVIEW:

7/29/19
Holly C. Stern, Esq. Date
Vice President for Legal Affairs/
General Counsel / Interim VP of HR

APPROVAL:

8.15.19
Joel S. Bloom Date
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Fadi P. Deek Date
Provost & Sr. Executive Vice President

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Edward J. Blshof, Sr. Date
Senior Vice President for Finance &
Chief Financial Officer

7/30/19
Andrew P. Christ Date
Vice President for Real Estate
Development & Capital Operations

7/30/2019
Donald H. Sebastian Date
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Simon Nynens Date
Vice President, Chief Commercial Officer

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Kenneth Alexo, Jr. Date
Vice President for Development & Alumni Relations
President, Foundation at NJIT