



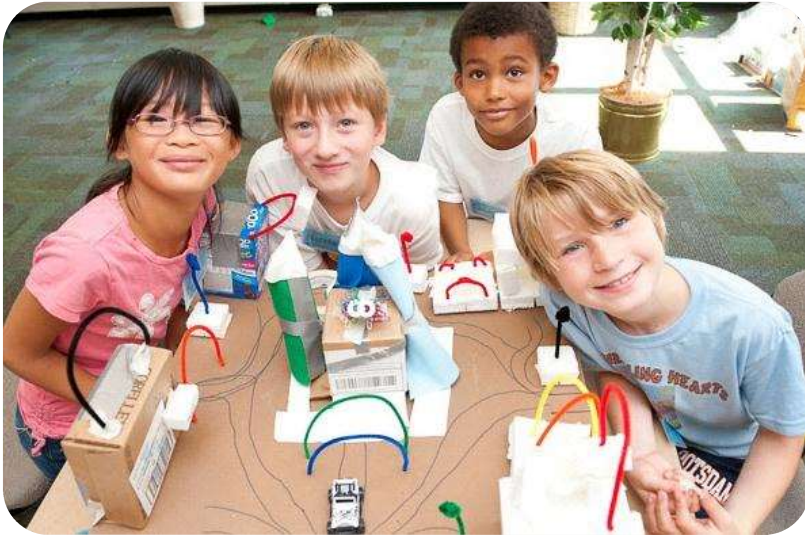
UNIVERSITY^{AT}ALBANY

State University of New York

CHILD PROTECTION POLICIES TRAINING FOR COVERED PERSONS

Prepared by: Office of Enterprise Risk Management and Compliance

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.

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.

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Defining and Recognizing Child Abuse

Child Protection Policies Training

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.

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

- **Injuries to the ears**
 - Bleeding
 - Twisting injuries of the lobe
 - Bruises
- **Injuries to the head**
 - Bald patches caused by hair pulling
 - Paralysis of facial muscles
 - Bruises on the face
- **Injuries to the abdomen**
 - May cause vomiting

Source: New York State Office of Children & Family Services

Defining and Recognizing Child Abuse

Indicators of Child Physical Abuse

- **Skin Injuries**
 - Lacerations, bruises and welts resembling the shape of the instrument used (strap marks, belt buckles, looped cords; electrical cords).
 - The presence of multiple skin injuries in various stages of healing.
 - Presence of multiple old and new bruises.
 - Choke marks on the neck.
 - Rope burns or blisters, especially around the wrists or ankles.
 - Bruises on the back of the legs.

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

Child Protection Policy

Definition of Sexual Abuse

(Definition from the SUNY Child Protection Policy)

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.

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



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SUNY System-wide Policy on Mandatory Reporting and Prevention of Child Sexual Abuse

[the “Mandatory Reporting Policy”]

Effective Dec. 2012

Child Protection Policies Training

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

- 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**

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.

Adapted from: NYS Office of Children & Family Services Summary Guide for Mandated Reporters

Reporting Physical or Sexual Abuse

Reasonable Cause to Suspect

- **“Reasonable cause to suspect” means you have a logical basis to suspect.**
- **You do not need proof or certainty.**
- **“Reasonable cause” can be doubt or distrust of a child’s explanation for injuries.**

Adapted from: NYS Office of Children & Family Services “Summary Guide for Mandated Reporters”; and “Concerned Citizen’s Guide.”

Reporting Physical or Sexual Abuse

Reasonable Cause to Suspect

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

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**.



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SUNY Child Protection Policy

Adopted June 2014

Child Protection Policies Training

Child Protection Policy

POLICY:

The State University of New York 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.

["Policy" Statement is Section B of the policy.]

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***

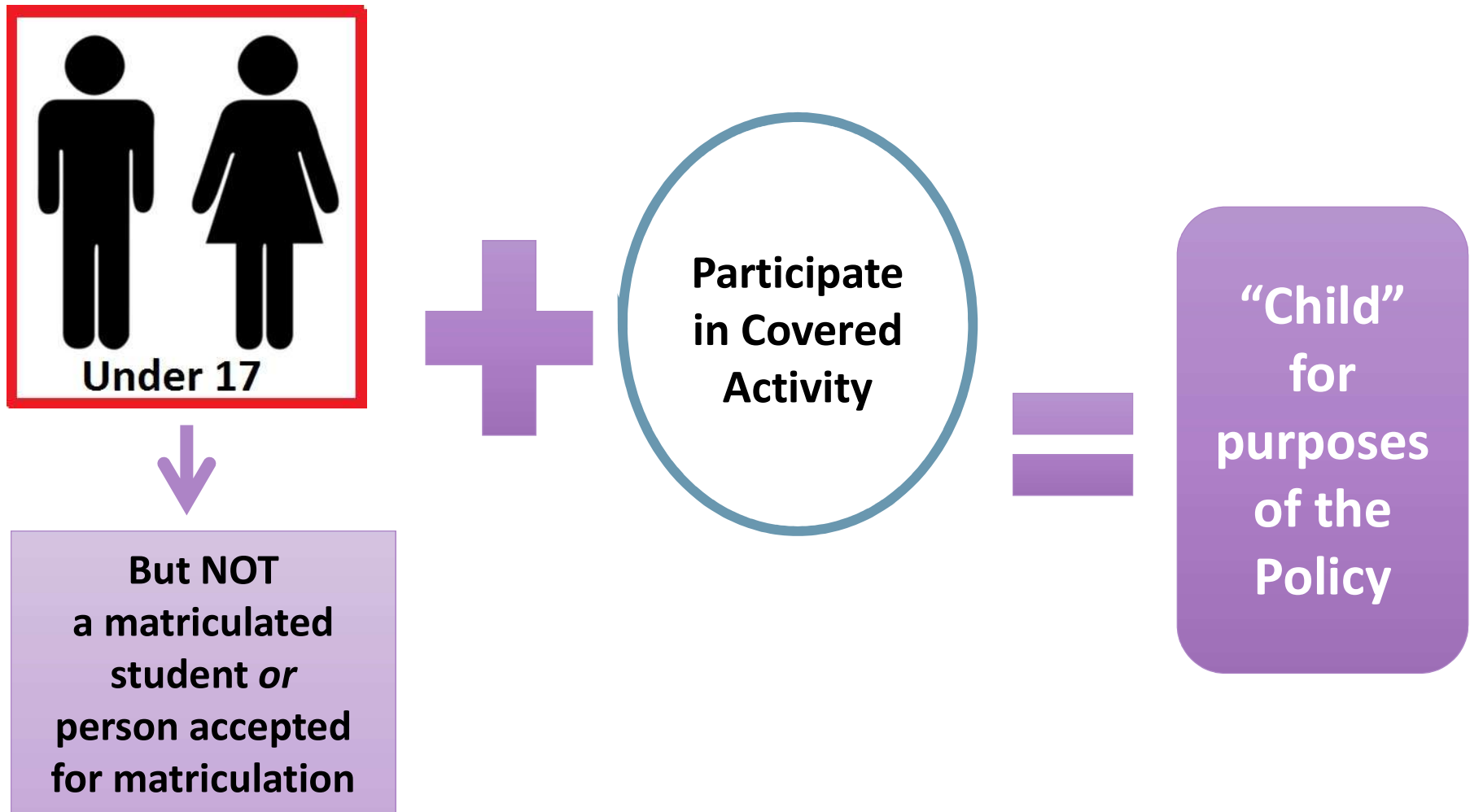
Child Protection Policy

Definition of Child

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 of the University or a person accepted for matriculation.

Child Protection Policy

Definition of “Child”



Child Protection Policy

Definition of “Child”

Policy distinguishes among children under 17 based upon their matriculation status as defined in the policy.

- Policy applies to children under 17 participating in a “Covered Activity.”
- Policy does not apply to children under 17 who are “Matriculated.”

Definition of Matriculation:

- For Policy purposes, a “child” is “matriculated” if accepted by the University as a student into an actual college course listed in the college catalog .

Child Protection Policy

Definition of Child

What does this mean for students under 17?



Child Protection Policy

Definition of “University-Affiliated Organization”

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 Chancellor or Campus President.

Child Protection Policy

Definition of “University-Affiliated Organization”

4 Entities are University Affiliates under the policy



Campus Alumni
Association

Campus
Foundations

Campus Auxiliary
Services Corp.



...any other entity
so designated by
the Chancellor or
Campus President

Child Protection Policy

Definition of “Covered Person”

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 (iv) above.

Child Protection Policy

Definition of “Covered Activity”

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 (**Third Party**) 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.

Child Protection Policy

Definition of “Covered Activity”

An activity is only “covered” if it meets the 2-part Policy definition:

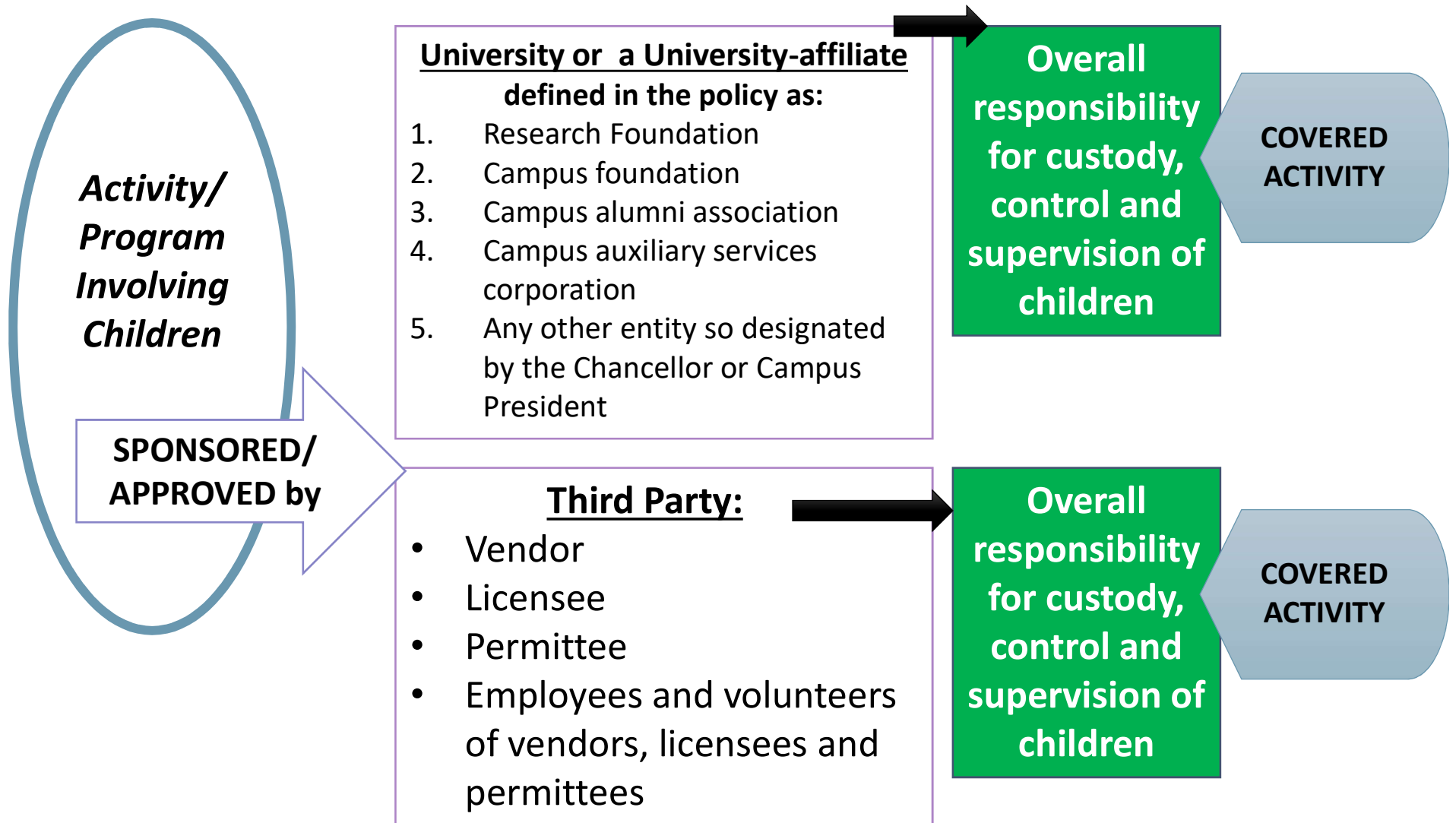
(1) it is sponsored or approved by University, University-affiliated organization, or by vendor, licensee or permittee, to whom a permit for use of University facilities has been issued;

AND

(2) for the duration of the activity, custody, control and supervision of children is vested in the University, the University-affiliated organization or the approved vendor, licensee or permittee.

Child Protection Policy

Covered Activity Test



Child Protection Policy

Covered Activity Test

Custody, Control and Supervision

- Parent or legal guardian has ***placed the child in the care of the University, University affiliate or third party*** for a ***duration of time*** and ***for a specific covered activity***.
- The University/ affiliate/ third party ***is exercising its own authority*** to guide, manage and supervise the child, ***in the place of*** the parent or legal guardian.

Child Protection Policy

Covered Activity Decision Tree

Are participants “children” under the Policy definition?

under 17 and not matriculated students under policy definition

YES

NO

(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.

NO

POLICY
NOT
APPLICABLE

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.

NO

YES

COVERED ACTIVITY

Child Protection Policy

“Covered Activity” Definition

Custody, Control and Supervision Threshold

Children attending a sporting event with a parent/ guardian?



→ **NO**, because Custody, Control and Supervision remains with the parent/guardian.

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.**



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

Child Protection Policies Training

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

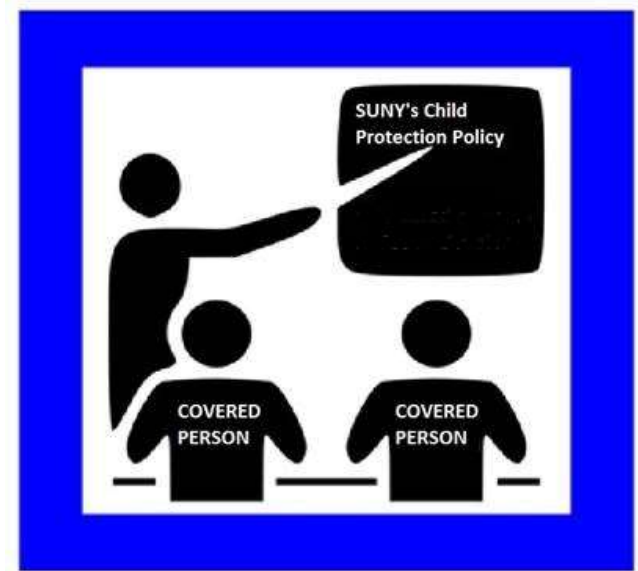
Reasonable measures of a “Covered Person” to prevent physical and sexual abuse of a child:

- 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
- for active sports an arm or wrist band *may* be appropriate



Required Conduct of a Covered Person

Appropriate Identification



The example ID meets the requirements:

- ✓ **Date**
- ✓ **Name**
- ✓ **Role**
- ✓ **Program**
- ✓ **Visible**

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.



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

Child Protection Policies Training

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.

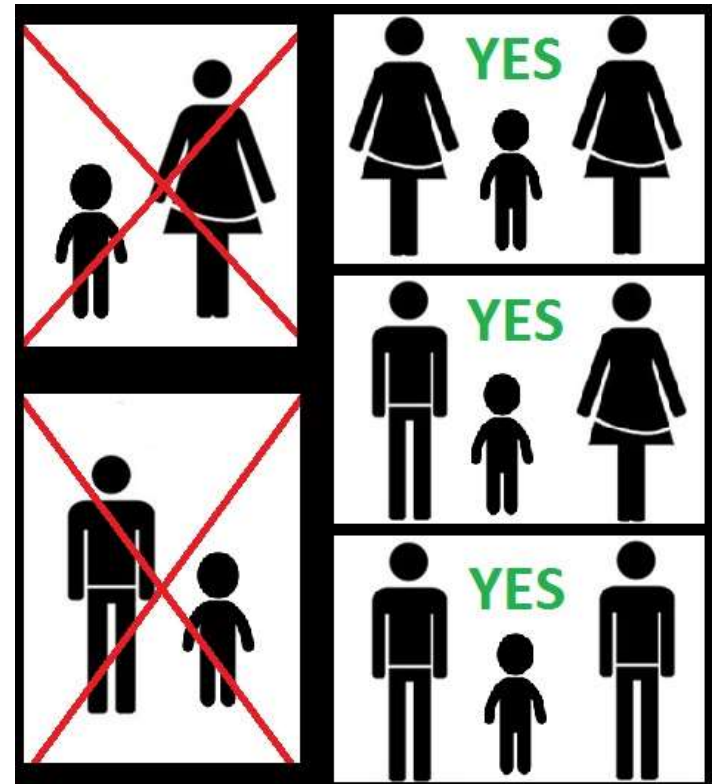


Prohibited Conduct by a Covered Person

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





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Child Protection Resources

Child Protection Policies Training

Child Protection Policy Resources

SUNY Policies

Policy on Mandatory Prevention and Reporting of Child Sexual Abuse

Child Protection Policy

SUNY Websites

SUNY Policies and Procedures Website www.suny.edu/sunypp

Compliance Website, 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/>