

## **10.11 Policy on Minors on Campus**

**Approval Authority:** Cabinet  
**Responsible Officers:** Provost and Vice President for Academic Affairs; Vice President for Student Affairs  
**Responsible Offices:** Office of the Provost; Division of Student Affairs  
**Effective Date:** October 3, 2019

### **I. Purpose of this Policy**

The Trustees of the Stevens Institute of Technology (“Stevens” or the “University”) seeks to provide opportunities for individuals under the age of 18 who are not accompanied by a parent or guardian (“Minors”) to visit the Stevens campus for purposes consistent with its educational mission. This Policy provides for the protection and supervision of Minors on the Stevens campus. The first part of this Policy outlines conduct with Minors which is prohibited and the procedures Stevens will employ to deal with policy violations. The second part of this Policy provides procedures for registering certain events involving Minors to ensure appropriate supervision and support compliance with applicable law.

### **II. Prohibited Conduct**

Members of the University Community<sup>1</sup> are prohibited from engaging in the following conduct on the Stevens campus or at events or activities sponsored by Stevens:

- Sexual Abuse of a Minor;
- Touching a Minor in a manner that could reasonably be interpreted as inappropriate;
- Exposing a Minor to explicit or suggestive materials;
- Engaging in the corporal punishment of a Minor; and
- Providing alcohol, marijuana, or illegal drugs to a Minor or using, possessing, or being under the influence of alcohol, marijuana, or illegal drugs while responsible for supervising a Minor.

### **III. Reporting and Investigations**

#### **A. Reporting Suspected Child Abuse**

Under New Jersey law, “[a]ny 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 New

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<sup>1</sup> Capitalized terms not defined within Sections I-VI of this Policy shall have the meanings set forth in Section VII.

Jersey Division of Child Protection and Permanency” at 1-877-NJABUSE (1-877-652-2873).<sup>2</sup> This legal requirement applies to all persons and with regard to activities occurring on or off campus.

Members of the University Community must immediately notify Stevens Campus Police of suspected child abuse (or evidence of such abuse) occurring on or observed on the Stevens campus (201-216-5105 or, in an emergency, 201-216-3911).

## **B. Reporting Violations of This Policy**

Members of the University Community must report all conduct in violation of this Policy to Stevens Campus Police or the Division of Human Resources. Members of the University Community may also report such concerns anonymously through the University’s EthicsPoint Compliance Hotline at (855) 277-4065 or on the EthicsPoint [website](#).<sup>3</sup>

In certain circumstances, Members of the University Community may also be directed to report conduct which violates this Policy to the New Jersey Division of Child Protection and Permanency or the Title IX Coordinator.

Failure by any Member of the University Community to provide a timely report of suspected misconduct involving a Minor may result in discipline and other consequences, including potential dismissal from University employment or expulsion.

## **C. Investigation, Conclusion and Appeal**

Allegations made under this Policy will be investigated by the Division of Human Resources (or its designee), in consultation with Stevens Campus Police and the Office of General Counsel.

Where the conduct under investigation constitutes a potential crime, Stevens Campus Police will forward all relevant information to appropriate law enforcement agencies, which may commence a concurrent investigation. The Division of Human Resources may determine, in consultation with Stevens Campus Police and the Office of General Counsel, that allegations made under this Policy are appropriately investigated and adjudicated via the procedures set forth in Stevens’ [Policy on Gender-Based and Sexual Misconduct](#)<sup>4</sup> or the [Student Conduct Process](#)<sup>5</sup> and, accordingly, refer such allegations for investigation under the appropriate procedure.

Following an investigation under this Policy, the Division of Human Resources will communicate a summary of its factual conclusions to the alleged victim and respondent. The Division of Human Resources will use the “preponderance of the evidence” standard in

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<sup>2</sup> N.J.S.A. 9:6-8.10

<sup>3</sup> <https://secure.ethicspoint.com/domain/media/en/gui/31028/index.html>

<sup>4</sup> Stevens Policy No. 50.4/70.2.4 ([https://www.stevens.edu/sites/stevens\\_edu/files/files/Policy\\_on\\_Gender-Based\\_and\\_Sexual\\_Misconduct.pdf](https://www.stevens.edu/sites/stevens_edu/files/files/Policy_on_Gender-Based_and_Sexual_Misconduct.pdf))

<sup>5</sup> <https://stevens-institute-of-technology.dcatalog.com/v/Student-Handbook>

generating its conclusions. Where the Division of Human Resources concludes that a violation of this Policy has occurred, the University, via appropriate administrators, will take prompt and appropriate remedial action, which may include disciplinary action up to and including dismissal from University employment or expulsion. Each finding of responsibility will be reported to the President.

If the complainant or respondent is dissatisfied with the decision of the Division of Human Resources, the decision may be appealed by the complainant or respondent within 10 business days to the Provost and Vice President for Academic Affairs (if the complaint involves an allegation occurring during academic, laboratory, shop or other research work) or the Vice President for Student Affairs (all other complaints), whose decision shall be final. The limited grounds for appeal are as follows: (1) new evidence is available that could affect the investigation that was unavailable at the time of the investigation; (2) procedural error(s) that had a material impact on the fairness of the investigation; and (3) the sanction(s) imposed were grossly disproportionate to the violation committed. Dissatisfaction with the outcome of the investigation is not grounds for appeal.

#### **D. Interim Measures**

The Division of Human Resources, in consultation with Stevens Campus Police and the Office of General Counsel, will review the facts and circumstances of each complaint in deciding whether interim measures, such as changes to the respondent's participation in an ongoing event or activity pending the outcome of the investigation, are appropriate. Such changes may include restriction from campus or participation in the event or activity until the allegation has been satisfactorily investigated and resolved.

#### **IV. Policy Review; Training**

All Members of the University Community must review this Policy. In addition, faculty and staff must successfully complete training provided by Stevens.

All Adults supervising a Youth Program (as defined below), or working directly with a Minor in a Youth Program, will receive additional training coordinated by the Division of Human Resources and the Office of Environmental Health and Safety and Insurance Risk Management ("EHS-IRM") prior to the start of the Youth Program.

#### **V. Youth Programs**

A "Youth Program" is an event or activity held on the Stevens campus, or an off-campus event or activity sponsored by Stevens, in each case that is designed to serve Minors and is attended by at least one Minor not accompanied by a parent, guardian or other chaperone. Youth Programs may be operated by a Stevens office ("Sponsor") or by a third party utilizing Stevens' facilities ("Third Party").

Youth Programs include pre-college programs, sports camps and clinics, and other instructional or experiential activities designed to serve Minors such as swim lessons, research

work, internships, and volunteer assignments.<sup>6</sup>

Youth Programs must be registered and certain individuals participating in Youth Programs must receive background checks, which must be conducted in accordance with Section V.A.2 or Section V.B.2 of this Policy, as appropriate. Individuals whose only contact with Minors is brief or conducted entirely in public (e.g., a speaker or performer; a food service worker) are not required to undergo background checks.

#### **A. Registration of Youth Programs Operated by Stevens**

Sponsors must take the following steps for each Youth Program that they operate:

- 1. Registration.** Sponsors must register each Youth Program at least 45 days prior to the start of the Youth Program and must re-register recurring Youth Programs.

All Youth Programs that involve academic, laboratory, shop, or other research work, and do not involve an overnight stay must be registered with the Office of the Provost and Vice President for Academic Affairs. All other Youth Programs must be registered with the Division of Student Affairs. Sponsors must complete the forms and procedures required by each office.

Following registration, the applicable office will provide the date and location of each Youth Program to Stevens Campus Police.

Sponsors must ensure that Minors participating in Youth Programs involving laboratory, shop, or other research work complete all safety training mandated by EHS-IRM, and submit all forms required by EHS-IRM (including the signature of the Minor's parent or guardian), in each case prior to participating in the Youth Program. Sponsors must also ensure that Youth Programs involving laboratory, shop, or other research work follow Stevens' Chemical Hygiene Plan and any other appropriate safety measures required by EHS-IRM.

- 2. Background Checks.** Sponsors must ensure that each Adult who will supervise a Youth Program, or work directly with a Minor, undergoes a satisfactory background check before teaching, leading, or participating in a Youth Program. All background checks must include both a criminal history check, which must be renewed every three years, and a sex offender registry check, which must be renewed each year. Background

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<sup>6</sup> This list is not exhaustive; Sponsors and Third Parties should contact the Office of the Provost and Vice President for Academic Affairs or the Division of Student Affairs with questions concerning whether an event or activity is a Youth Program. Events and activities exempted from the Youth Program registration requirements are listed in Section V.C of this Policy.

checks need not include education or employment verifications or credit checks.

Background checks will be arranged on a confidential basis by the Division of Human Resources. The results will be shared only with Stevens Campus Police, the Office of General Counsel, and the Sponsor.

If an Adult's background check reveals a sexually-based offense or crime against an individual under the age of 18, the Adult may not participate in the Youth Program. If an Adult's background check reveals any other crime, the Division of Human Resources will consult with the Sponsor, Stevens Campus Police, and the Office of General Counsel to consider all circumstances and determine whether the Adult may participate in the Youth Program.

If a Sponsor learns that an Adult is charged with an offense or crime after the Adult has commenced participation in a Youth Program, the Sponsor must immediately disclose this information to the Division of Human Resources and restrict the Adult from further participation in the Youth Program until approval is granted by the Division of Human Resources.

## **B. Registration of Youth Programs Operated on the Stevens Campus by Third Parties**

Third Parties must take the following steps for each Youth Program operated on Stevens' campus:

- 1. Registration.** Third Parties must register each Youth Program with the Division of Student Affairs at least 45 days prior to the start of the Youth Program and must re-register recurring Youth Programs. Third Parties must complete the forms and procedures required by the Division of Student Affairs.

All Youth Programs operated by Third Parties must be operated pursuant to a written contract between Stevens and the Third Party that expressly references this Policy. As part of the registration process, the contract must be reviewed and approved by the Office of General Counsel and the Division of Student Affairs.

Following registration, the Division of Student Affairs will provide the date and location of each Youth Program to Stevens Campus Police.

- 2. Background Checks.** Third Parties must ensure that each of their employees, volunteers, or independent contractors who will be supervising a Youth Program, or working directly with a Minor, undergoes a satisfactory background check before teaching, leading or participating in a

Youth Program. Third Parties must perform background checks using their own procedures which, at a minimum, include both a criminal history check, which must be renewed every three years, and a sex offender registry check, which must be renewed each year.

Third Parties must submit documentation confirming the successful completion of a background check for each employee to the Division of Student Affairs prior to the commencement of the Youth Program.

### **C. Excluded Events and Activities**

The following events and activities do not require registration:

- Events that are open to the public (e.g., concerts, festivals, lectures, exhibits);
- Events where Minors are under the care, custody, or supervision of parents or other guardians (including teachers or other chaperones);
- Stevens classes;
- Events or programs organized, administered, or intended solely for Stevens students, faculty, or staff;
- Admissions or pre-enrollment events or visits by incoming and prospective students and their families (including overnight stays);
- Living arrangements in residential facilities operated by the Office of Residential and Dining Services; and
- Off-campus events and activities not operated by Stevens (e.g., work-study programs, volunteer programs at K-12 schools).<sup>7</sup>

Any Sponsor or Third Party who proposes to hold a one-day event or activity that does not include an overnight stay and does not fall into any of the categories listed above, may apply for an exemption from the registration requirements listed in Sections V.A or B by submitting a written request, with supporting detail, to the Division of Human Resources. The Division of Human Resources, in consultation with Stevens Campus Police and the Office of General Counsel, will review each request and determine whether to grant the requested exemption.

## **VI. Statement Against Retaliation**

Retaliation against anyone involved in making a good faith report regarding a potential violation of this Policy, participating in the report or investigation process, or otherwise

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<sup>7</sup> In these instances, the host of the event or activity may require and perform background checks on Adults participating in the program.

providing information regarding allegations of misconduct is prohibited by this Policy and will not be tolerated. The University recognizes that retaliation can take many forms, may be committed by or against an individual or a group, and that a third party may also be the subject of retaliation. Anyone found to have engaged in retaliation shall be subject to discipline, including potential dismissal from University employment or expulsion.

## **VII. Definitions**

An “**Adult**” is a faculty member, staff member, independent contractor (including, but not limited to, those who work in the Sports Medicine Office or the Student Health Center), student, alumnus or volunteer who is 18 years of age or older.

A “**Member of the University Community**” is a faculty member, staff member, independent contractor (including, but not limited to, those who work in the Sports Medicine Office or the Student Health Center), student, alumnus or volunteer.

“**Sexual Abuse**” is illegal or otherwise wrongful sexual conduct. This definition includes, but is not limited to, Sexual Violence, Sexual Harassment, and Sexual Exploitation, all as defined in [Stevens’ Policy on Gender-Based and Sexual Misconduct](#),<sup>8</sup> in addition to child molestation and serial sexual misconduct.

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<sup>8</sup> Stevens Policy No. 50.4/70.2.4 ([https://www.stevens.edu/sites/stevens\\_edu/files/files/Policy\\_on\\_Gender-Based\\_and\\_Sexual\\_Misconduct.pdf](https://www.stevens.edu/sites/stevens_edu/files/files/Policy_on_Gender-Based_and_Sexual_Misconduct.pdf))