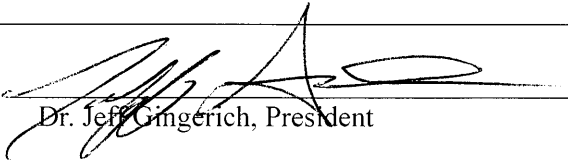




Policy on the Protection of Minors	
Administered By: Human Resources/Student Affairs/Finance & Administration	
Approved By:  Dr. Jeff Gingerich, President	
Policy Effective Date: September 9, 2025	
Policy Number:	New Policy ___ or Revision of Existing Policy <u>X</u> Name of Previous Policy: Policy on the Protection of Minors, Fall 2012

Section I

Scope, Policy Statement and Definitions

Scope

This policy applies to all departments, units, university areas, faculty, staff, volunteers, students, interns, employees of temporary employment agencies, independent contractors/consultants, and third parties who work in connection with any event, program, activity, or project involving the participation of minors on/off campus that is sponsored or offered by the University (i.e., Covered Programs). Individuals and groups who run, operate or work in Covered Programs are responsible for understanding and complying with this policy and any implementing guidance established by the University.

St. Bonaventure University expects parents or legal guardians to provide supervision of Minors on campus at all times except when the Minor is involved in a Covered Program.

Policy Statement

St. Bonaventure University (the “University” or “SBU”) is committed to the safety and protection of Minors while they attend or participate in Covered Programs, whether or off SBU’s campus. The procedures in this policy provide reporting requirements for activities involving Minors participating in University-sponsored programs or events, as well as registration, staffing, and supervision requirements. This policy is intended to enhance and contribute to the protection of Minors participating in Covered Programs.

The Director of Talent Acquisition & Employee Services and the Vice President for Student Affairs will have oversight of this policy for implementation and guidance. The University shall create a Youth Child Protection Advisory Committee to review this policy, provide guidance and support in the determination of any appropriate activities necessary to uphold this policy and its commitment to well-being of youth engaged in Covered Programs.

Program Organizers and/or faculty, staff, or students hosting Covered Programs or activities with Minors must consult with the Director of Talent Acquisition & Employee Services and the Vice President for Student Affairs for advice and guidance regarding compliance with this Policy, including any concerns regarding adjustments or exceptions.

Definitions

1. "*Responsible Adult*" means an individual age eighteen (18) years and older, paid or unpaid, who has completed the University required screening process and is authorized by the University to interact, instruct, supervise, chaperon or otherwise oversee Minors in connection with a Covered Program. This includes: employees of the University or University-affiliated organization; a University student; a Volunteer of the University or University-affiliated organization; a Third Party vendor, licensee, permittee, or other person who has been approved/given permission by the University to come onto campus to use University Facilities for Covered Programs; or an employee, agent, or volunteer of any of the aforementioned.
2. "*Child Abuse*" means any physical contact with a Minor which is intended to cause or causes pain or physical injury by other than accidental means, including punching, beating, slapping, throwing, kicking, burning or being improperly restrained. .
3. "*Child Sexual Abuse*" means engaging in a sexual offense with a minor and/or encouraging or promoting sexual performance by a minor. This includes a wide variety of sexual acts of any kind involving a minor including, but not limited to, offenses prohibited by NYS Penal Law Articles 130, 263, and Sections 260.10 and 260.25
4. "*Employees*" means part-time, full-time faculty/staff and seasonal workers (minors and non-minors).
5. "*Mandated Reporter*" means an individual required to report suspected Child Abuse, Child Sexual Abuse, or Neglect to the New York State Office of Children and Family Services (OCFS) as required by New York state law. Mandated reporters are those persons who by virtue of their position and/or licensure are obligated by state law to report abuse or maltreatment. The policy does not alter a Mandated Reporter's obligations established in New York state law, but rather it establishes a policy-based reporting duty for Responsible Adults to report abuse or suspected abuse to the University. For information regarding who is a Mandated Reporter, and a more detailed explanation of the Mandated Reporter's reporting obligations visit the New York State Office of Children & Family Services website at <https://www.ocfs.ny.gov/main/cps>.

6. “*Matriculated students*” are degree-seeking students (e.g., certificates, bachelors, masters) who enroll at St. Bonaventure University on either a full- or part-time basis. Matriculated students are eligible for financial aid (as awarded by federal and state regulations), access to campus health and counseling services, and may use services supported by the University’s comprehensive fee.
7. “*Minor*” means a person under the age of eighteen (17 years old or younger) who is participating in a Covered Program. The term “minor” shall not include a matriculated student of SBU or a person accepted for matriculation. .
8. “*Covered Program*” includes any program, activity, event run by the University or third party entities where Minors attend and are supervised by one more Responsible Adults that is:
 - a. Sponsored or approved by the University, regardless of whether it is held on or off campus or as a Virtual Program;
 - b. Sponsored by a Third Party licensee, vendor, or permittee in St. Bonaventure Facilities; or
 - c. Sponsored by a Third Party licensee, vendor, or permittee at an off-campus location which is approved by the University.

For purposes of this policy, the following are not considered “Covered Programs”: General undergraduate and graduate academic courses and programs offered to the matriculated St. Bonaventure student body in which Minors may be enrolled; events on campus which are open to the general public; events attended by Minors who are accompanied by their parents/guardians; the placement of students with external entities (such as externships); campus tours or visits by Minors considered to be prospective students; and occasions when University faculty or staff voluntarily bring their own children to campus.

Covered Programs include programs run by the University or by third-party entities and may include, but are not limited to, one-time events (e.g. conferences), day-camps , sports camps/clinics, a laboratory experience or internship for high school students, workshops for high school students, private or group lessons for children, youth team practices, or other field trips.

9. “*Program Organizer*” means the Responsible Adult with overall supervisory responsibilities for a Covered Program involving Minors. The Program Organizer is the Responsible Adult who oversees the day-to-day Covered Program operations, which includes interacting with and supervising the Minors involved in the Covered Program. Examples of Program Organizers include, among others, a camp director; a staff member coordinating a tutoring Program; faculty or staff who bring a Minor to campus for an opportunity to intern, volunteer, or shadow outside of a formal program; or the faculty advisor of a student group sponsoring a youth-serving activity.
10. “*Program Staff*” means all Responsible Adults who have successfully completed the Program Staff screening process who are designated by a Program Organizer to be involved with a Covered Program.

11. “*St. Bonaventure University Community*” means any individual authorized or legally permitted to be on the University campus including administrators, faculty, staff, students and student organizations, alumni, and external organizations and individuals in their operations with St. Bonaventure University.
12. “*St. Bonaventure Facilities*” means any physical location owned or leased by the University, its subsidiaries, or affiliates, wherever located.
13. “*Sexual Harassment*” has the same meaning as set forth in the St. Bonaventure University Gender-Based Discrimination and Sexual Misconduct Policy.
14. “*Students*” means SBU’s undergraduate students, graduate students, non- matriculated students, and students in not-for-credit Programs.
15. “*Third Party*” means an external organization or individual not affiliated with the University, including but not limited to, organizations using St. Bonaventure University’s Facilities under an approved facility and service use contract, as well as contractors, vendors and other service providers with whom the University has an approved contract or other use agreement. This includes, for example, contracted services for dining services and facilities operations.
16. “*Virtual Program*” means any Program, event, or activity for Minors conducted entirely or partially remotely by utilizing an online platform(s) for electronic communication and participation.
17. “*Volunteers*” means individuals who are not St. Bonaventure University’s Employees or Students but provide uncompensated assistance to the University or to St. Bonaventure University’s Employees or Students as part of St. Bonaventure University Covered Programs involving Minors and are subject to some or all of the requirements of the policy depending on their level of contact with Minors as defined by the policy.

Section II

Preventing the Abuse of Minors on Campus

Policy Requirements and Expectations and Prohibited Conduct

1. All Responsible Adults must comply with the following requirements:
 - a. Immediately remove a child from situations where there is suspected or potential Child Abuse, Child Sexual Abuse, and Sexual Harassment or any other situations where Prohibited Conduct (as defined below) is occurring.
 - b. Immediately report any suspected or known Child Abuse or Child Sexual Abuse following the procedures outlined in Reporting and Investigating Suspected Abuse of Minors on Campus – Duty to Report.

- c. Comply with all aspects of this Policy, including any guidance issued by the Director of Talent Acquisition & Employee Services and/or the Vice President for Student Affairs as well as all aspects and procedures required by the University for Covered Programs generally or any approved Covered Program specifically.
 - d. Complete any required training prior to participation in a Covered Program.
2. Program Organizers must comply with the following requirements:
- a. Properly register and receive approval for any Covered Program prior to the start of any such Covered Program.
 - b. Ensure that all Responsible Adults who will be engaging or participating in the Covered Program and interacting with Minors receive appropriate training prior to the start of any such participation in any Covered Program.
 - c. Immediately report any suspected or known Child Abuse or Child Sexual Abuse following the procedures outlined in Reporting and Investigating Suspected Abuse of Minors on Campus – Duty to Report
 - d. Notify Campus Safety & Security to immediately remove any individual who poses a threat of safety to the well-being to any Minor in a Covered Program, including, but not limited to, individuals engaged in suspected or known Child Abuse, Child Sexual Abuse, and Sexual Harassment. The Program Organizer must ensure that any such individual is not permitted to participate in any Covered Program or has any further contact with any Covered Program participants (Minors) for the duration of the Covered Program or until an investigation by the University is completed which finds the individual not to have engaged in any conduct that posed a threat of safety to the well-being of any Minor in a Covered Program.
 - e. Prohibit any individual who has not complied with any requirements necessary for approval to participate in a Covered Program from participating in any Covered Program until such requirements are fulfilled.

Appropriate Ratios

The Children’s Camp Staff Requirements from NYS for camps that are more than 72 hours overnight and/or more than 5 consecutive days in a two-week period require specific age and oversight ratios for minors ratios. All Covered Programs falling under this requirement must comply with the ratios outlined under **Requirements for Children's Camps in New York State**.

Prohibited Conduct

Responsible Adults are prohibited from engaging in any of the following while engaged in a Covered Program:

- 1. Be alone with a Minor/Child unless the individual is a relative or guardian of the

Minor/Child or unless one-on-one contact is approved in accordance with University policies and otherwise appropriate in light of the circumstances. In no event shall a Responsible Adult, who is not a relative or guardian of a minor, be alone with a minor in a rest room, locker room, shower, sleeping area or vehicle, except under emergency circumstances.

2. Engage in any Child Abuse, Child Sexual Abuse, or Sexual Harassment of any Minor.
3. Engage in any use of alcohol, drugs, or controlled substances in the presence of any Minor(s) in the course/scope of participation in the Covered Program.
4. Be under the influence of alcohol, drugs, or controlled substances in the presence of any Minor(s) in the course/scope of participation in the Covered Program.
5. Promote, enable, or facilitate use, possession, manufacture, distribution, or dispensation of alcohol, drugs, or controlled substances by any Minor(s).
6. Corporal Punishment.
7. Hazing, cyberbullying, or bullying.
8. Unlawful discrimination or harassment of any kind.
9. Release a minor from a Covered Program without a written authorization from the minor's parent or guardian.
10. Leave a Minor unattended or without proper supervision while they are entrusted to the University in a Covered Program.

Other General Expectations When Interacting with Minors in Covered Programs

1. Boundaries with Minors – Responsible Adults, should maintain appropriate boundaries with Minors at all times. Responsible Adults should never buy anything for Minors, including but not limited to any food, beverage, gifts, or any other items, with their personal money.

Responsible Adults should refrain from engaging in any interaction with Minors on any social media platform, including but not limited to “friend requesting” or “following”, direct/private messaging, or otherwise engaging with a Minor over such social media platforms. Social interaction with Minors outside of any Covered Program is generally inappropriate and must be avoided. This includes inviting or otherwise agreeing to meet up with a Minor at someone's private home or even in a public place such as a restaurant or coffee shop.

2. Inappropriate Physical Contact, Abuse, and Relationships with Minors – Responsible Adults, shall never engage in any inappropriate physical contact with Minors. Contact that may be misinterpreted or considered inappropriate, or that makes a Minor uncomfortable should always be avoided. All members of the SBU community, including but not limited to Responsible Adults, must never touch a Minor against their will.

It is also imperative that all members of the St. Bonaventure community, but especially Responsible Adults, protect Minors from, prevent, and not themselves engage in any forms of abuse towards Minors, including, but not limited to verbal, physical, emotional, sexual or any other form of bullying (including cyber-bullying), hazing, or other initiation rituals, while in their care..

Responsible Adults shall not engage in any inappropriate conduct of a sexual nature with or in the presence of Minors. Examples of inappropriate conduct of a sexual nature include, but are not limited to:

- a. Engaging or trying to engage in a sexual, romantic or intimate relationship with a Minor;
- b. Engaging in a sexual act in the presence of a Minor;
- c. Intruding where Minors may be changing clothes, showering, or using the restroom (unless health and safety reasons require a Responsible Adult to be present or in the event of an emergency);
- d. Sharing a bed, sleeping bag, or otherwise having a sleepover with a Minor
- e. Exchanging, creating, or sending sexually explicit photos or messages with a Minor or in the presence of a Minor (“sexting”)
- f. Creating sexual materials or pornography with a Minor, or making such materials available, or otherwise assisting a Minor in gaining access to such materials
- g. Exposing genitalia or other private body parts in the presence of a Minor.

Responsible Adults are required to report known or suspected abuse or sexual harassment in conformity with the reporting procedures set forth in this Policy.

3. Use of Personal Vehicles – All members of the St. Bonaventure community, including but not limited to Responsible Adults, should never take Minors off campus or otherwise transport Minors in their personal vehicles at any time, unless written authorization from the Minors’ parent(s) or legal guardian is received and on file with the University.
4. Photographing/Video Recording of Minors - All members of the St. Bonaventure community, including but not limited to Responsible Adults, are prohibited from photographing or taking videos of Minors, including using Snapchat, Facebook, Instagram, TikTok, or any other application, with the exception of creating such photographs or videos for legitimate program-related purposes. Program-related photos or videos may only be taken if the University is in receipt of a signed Media Consent and Photo Release form executed by the Minor’s parent or guardian.
5. Weapons/Firearms – All members of the St. Bonaventure community, including but not limited to Responsible Adults, are prohibited from using or possessing any type of firearm, weapon, or explosive device, including, but not limited to fireworks, while interacting with, or in the presence of Minors.
6. Alcohol and Unlawful Drugs - All members of the St. Bonaventure community, including but not limited to Responsible Adults, are prohibited from using or being under the influence of, or providing minors with alcohol, drugs, or other illegal substances during Covered Programs, or while interacting or in the presence of Minors.

Section III

Reporting and Investigating Suspected Abuse of Minors on Campus

Duty to Report

1. Any member of the St. Bonaventure Community, including Responsible Adults and

Program Organizers, who has knowledge of or reasonable suspicion to believe that a Minor has been subjected to Child Abuse, Child Sexual Abuse, or Sexual Harassment on campus or in connection with a Covered Program must immediately report the known or suspected Child Abuse, Child Sexual Abuse, or Sexual Harassment to the University by contacting the Program Organizer and Campus Safety & Security @ 716-375-2525.

If the Minor is in immediate danger or requires emergency assistance, call 911.

2. In addition, to reporting abuse or suspected abuse to the University, Mandated Reporters must make a report of any known or suspected Child Abuse or Child Sexual Abuse to:

Statewide Toll Free Telephone
Number: 1-800-342-3720
1-800-638-5163, TDD/TTY
1-800-342-3720, Video Relay System

New York law requires all Mandated Reporters, after making a report, to notify the person in charge of the institution, school, facility, or agency. Once a report has been made, contact Campus Safety & Security @ 716-375-2525 or submit an on-line report at [Campus Safety Crime Report](#) providing the following information: who you spoke with when providing the report and the date and time the report was made. Include names of individual(s) involved in report. SBU encourages any person, even if not a mandated reporter, who has reasonable cause to suspect that a minor has been abused to make a report to OCFS via the statewide hotline.

3. Additionally, any conduct that violates this Policy's stated conduct expectations, including any behavior set forth in the "Prohibited Conduct" section of this Policy, must be reported to the University. If the conduct involves suspected violations of the University's Gender-Based Discrimination and Sexual Misconduct policy (i.e., acts of sexual harassment or sexual violence), a report must be submitted to the University using the sexual misconduct report found at [Sexual Misconduct Reporting Form](#).

Retaliation

Retaliation against individuals who make good faith reports pursuant to this Policy will not be tolerated. Retaliation against anyone who has been involved in investigating or responding to allegations of this policy or who has reported a failure to comply with this policy is also prohibited.

Any member of the SBU Community who believes they are the subject of retaliation are encouraged to report such allegations of retaliation to Human Resources.

Duty to Cooperate with Investigations of Abuse of Minors

All members of the SBU Community are required to cooperate with investigations of alleged Child Abuse, Child Sexual Abuse, and Sexual Harassment of Minors, including government-initiated, law enforcement-initiated, and/or internal SBU investigations. All members of the St. Bonaventure Community shall also cooperate with investigations of alleged violations of this policy and any applicable campus procedures.

Temporary Measures after Allegations of Inappropriate Conduct

If an allegation of inappropriate conduct has been made against an individual who is participating in a Covered Program, the allegation will be reviewed pursuant to applicable University procedures and guidelines. The University may also take necessary interim actions before determining whether a violation has occurred, including removing the individual or any other individual from any further participation in the Covered Program until such allegation has been resolved to the University's satisfaction. When an allegation of abuse of a minor is made against a University employee, that individual may be placed on administrative leave pending the investigation conducted under this policy.

Investigation

Upon notification of a report of suspected or known Child Abuse, Child Sexual Abuse, Sexual Harassment, or any other violation of this Policy, the University will conduct an investigation into the allegations and/or concerns in accordance with University policies and applicable law. Any allegation or report of Child Abuse, Child Sexual Abuse, Sexual Harassment or other policy violation will be maintained confidential to the extent permissible while still allowing the University to enforce this policy and as permitted by law. Each investigation will be conducted commensurately with the factual circumstances. If the investigation reveals a violation of this Policy, the University will take remedial action commensurate with the circumstances, including but not limited to taking appropriate personnel action, contacting law enforcement, or any other action deemed appropriate by the University.

Whenever the University receives a report of suspected Child Abuse, Child Sexual Abuse, and Sexual Harassment as defined in this policy, the person receiving the report shall promptly notify Campus Security who will document and affirm the appropriate contacts have taken place .

The University will:

- Take reasonable and appropriate steps to prevent further harm to the alleged victim and other minors, including, where appropriate, removing the alleged abuser from the program or activity or limiting his or her contact with minors pending resolution of the matter.
- Determine whether the local authorities need to be notified or have already been notified and, if not, whether such notification is required or appropriate given the circumstances.
- If the parents or guardians of the alleged victim have not been notified and are not the alleged abusers, notify the parents or guardians of the minor involved.
- Investigate the report as needed and resolve the matter in a way that safeguards minors, protects the interests of victims and reporters, affords fundamental fairness to the accused, and meets applicable legal requirements.
- Facilitate the University's cooperation with any investigation conducted by the local authorities or other governmental agency.

Section IV

Guidelines for Programs Involving Minors

Procedures for Programs

1. Program Registration

All Covered Programs must be registered by the respective Program Organizer with the University with sufficient advance notice to meet requirements of this policy. Recurring Covered Programs must be registered for each new occurrence or annually where appropriate.

2. Program Staff Screening Process

An individual's role with the University and within a Covered Program determines which elements of the screening process are required before the individual may begin interacting with Minors in that Covered Program. Those who successfully complete the process may be designated as Program Staff.

All Employees and Volunteers, whether full-time, part-time or temporary, and Students who will have direct, regular, and/or frequent contact with Minors as a part of performing their University jobs or assigned roles in connection with a Covered Program, and any individual staying overnight for a Covered Program, must complete the full screening process.

The screening process includes the following elements:

- a. Application to participate for Volunteers
- b. Background checks, in compliance with St. Bonaventure University Human Resources policies and/or all Third Party requirements. Third Parties engaged in and/or hosting a Covered Program on University owned, operated or controlled property are required to provide proof of background screening acceptable to the University and state in writing that there is nothing in the history of their staff members that would make any of them unsuitable to work with minors.
- c. Youth protection training on recognizing, identifying, and reporting suspected Child Abuse, Child Sexual Abuse, and Sexual Harassment
- d. Title IX training for employees and students
- e. Clery Security Authority Training, as required
- f. Acknowledgement of completion of training and standards of conduct, including understanding of reporting responsibilities

The University has sole discretion to make determinations surrounding the necessity for background checks or other elements of the screening process, or to preclude an individual from working with Minors based on the absence of or results associated with a background check. Any requested exception to these requirements must be approved by the University. The University reserves the right to require additional procedures as part of this screening process as deemed appropriate, necessary, and/or to comply with any other requirements or obligations. Any Program Staff are required to provide consent to the above procedures as a condition of participation in a Covered Program. Failure to comply with any part of the

screening process will result in the denial of permission to participate in the Covered Program.

3. Supervision of Minors

Supervision at all times by Responsible Adults is required for all Minors participating in a Covered Program under this policy, where the care, custody, and control of Minors is entrusted to the University or a Third Party vendor, licensee, permittee who has been approved by the University to conduct or participate in a Covered Program whether on or off University premises/facilities.

4. Custodial Obligations

Covered Program may only release a minor to the parent or legal guardian identified on the minors program waiver/permission form, unless there is a prior written consent from the parent or guardian authorizing pick up by another adult or adult provided valid photo ID.

5. Evidence of Compliance by Third Parties

Third Parties involved in Covered Programs using SBU Facilities shall provide appropriate executed agreements upon request to the University at least thirty (30) days prior to the scheduled use of SBU Facilities.

6. Medical and Emergency Procedures

All programs under this Policy must have protocols for: medical emergencies and first aid; emergency evacuation; communication with parents/guardians and incident reporting and documentation.

7. Duty to Notify Guardians

Program Organizers must be able to notify guardians if a timely warning is initiated on campus while the program is on campus.

8. Insurance

Third Parties engaged in and/or hosting a Covered Program on University owned, operated or controlled property are required to maintain their own general liability insurance policies with coverage acceptable to the University and provide proof of this insurance to the Vice President for Finance and Administration prior to the start of the Covered Program. The amount of general liability and additional insurance coverage including Abuse and Molestation insurance will be required and the University will be required to be a named additional insured on any such policy. Workers' compensation insurance coverage will be required.

Section V

Enforcement of Policy; Sanctions for Violations

Compliance with this policy will be monitored by the Director of Talent Acquisition & Employee

Services and the Vice President for Student Affairs. In addition to any sanction required by local, state, or federal laws or regulations, failure to comply with the provisions of this policy may result in disciplinary action up to and including termination of employment. Other sanctions may include dismissal from the University, cancellation of a Covered Program, and/or issuance of a campus ban, disqualification from participation in future volunteer activities, or the commencement of student conduct proceedings. Failure to comply by any Third Party may lead to consequences, including, but not limited to, immediate termination of the University's contractual or other relationship with the Third Party. The University may also take necessary interim actions before determining whether a violation has occurred. The University may also contact law enforcement as required or appropriate.