Minors on Campus Policy

1. Scope

Colby-Sawyer College (Colby-Sawyer) is unwavering in its commitment to providing a safe and secure environment for all individuals who participate in its programs, including minors. This policy, a testament to our dedication, applies to all Colby-Sawyer faculty, staff, students, volunteers, and third parties who supervise or otherwise interact with minors on Colby-Sawyer property or in connection with any Colby-Sawyer program.

2. Definitions

Minor: A person under the age of 18 years old.

College Property: All land and buildings owned, leased, or used by Colby-Sawyer.

Program: This term encompasses a wide range of activities, including camps, sports clinics, classes, events, workshops, athletic competitions, fundraisers, community-based programs, employment at Colby-Sawyer, campus temporary housing, admissions programs, and, in the case of an enrolled minor-student, all normal Colby-Sawyer activities and programs.

Minor Children of Employees or Guests on Campus

Minors who are on campus with one or both of their parents, legal guardians, or other adult individuals and who are not actively participating in a Colby-Sawyer program at the time of an event or incident that is covered by this policy are deemed to be under the care, custody, supervision, and control of said parent(s), guardian(s) or adult individual(s). Colby-Sawyer will not attempt or endeavor to care for, protect, or control such minors on the assumption that those duties are being performed by their parents, guardians, or other responsible adult(s). However, this policy's sections 3, 7, 8, 9 & 10 apply to incidents involving such minors. If Colby-Sawyer receives a report of alleged prohibited behavior under this policy that involves such a minor and an individual over whom Colby-Sawyer has some measure of control, Colby-Sawyer will undertake an investigation and take appropriate remedial action, ensuring transparency and fairness in the process.

Program Sponsor: The department, club, organization, student, faculty, staff person, volunteer, or third party sponsoring the program.

Authorized Adult: Students, faculty, staff, volunteers, or third parties who have been background checked and approved to supervise or interact with minors.

3. Prohibited Conduct

All program sponsors, authorized adults, or any other individual who supervises or interacts with minors on Colby-Sawyer property or in connection with Colby-Sawyer programs are expected to conduct themselves appropriately and maintain the highest standards of professionalism, ethics, and personal behavior. Prohibited conduct includes, but is not limited to, any of the following behaviors directed towards a minor and/or in the presence of a minor:

- Sexually abusing a minor or placing a minor at significant risk of sexual abuse
- Harming a minor by physical injury, abuse, neglect, emotional maltreatment, or abandonment
- Placing a minor at significant risk of physical or emotional harm

- Sexually provocative games
- Inappropriate touching, including but not limited to contact with the minor's buttocks, groin, breasts, mouth, or genitals, or where the minor is required or encouraged to have inappropriate contact with the buttocks, groin, breasts, mouth, or genitals of another
- Sexual misconduct, domestic violence, dating violence, stalking, or related retaliation as defined by Colby-Sawyer's Sex-based Discrimination and Sex-based Harassment Policy and Grievance Procedures.
- Colby-Sawyer's Non-Discrimination Policy
- Hazing as defined by Colby-Sawyer's Code of Community Responsibility's Policy Against Hazing.
- Other misconduct as defined by Colby-Sawyer's Code of Community Responsibility
- Providing alcohol or other illegal substances to a minor
- Threatening, intimidating, coercive, or demeaning behavior
- Retaliation as defined in Section 10 below.

4. Authorization to Work with Minors

Criminal background checks will be performed on all new full-time and part-time benefits-eligible candidates before their employment at Colby-Sawyer. Other part-time candidates will be subject to criminal background checks if warranted by their specific job responsibilities.

In all cases, the following individuals must be criminal background checked and approved before they may work directly with any minor who participates in any Colby-Sawyer program or any program that occurs on Colby-Sawyer property:

- Any staff, faculty, student, volunteer, or third party who works at any Colby-Sawyer-sponsored sports camp or clinic or who works at any sports camp or clinic sponsored or conducted by another entity that takes place on Colby-Sawyer property
- Any staff, faculty, student, volunteer, or third party who provides instruction to minors who are not enrolled in any Colby-Sawyer program (e.g., educational instruction, swim lessons, or music lessons to local youth)
- Campus Safety Officers
- Third parties who provide child care on Colby-Sawyer property
- Employees who have regular access to student residence spaces (e.g., Facilities/Housekeeping staff)
- Other categories of employees or third parties as deemed appropriate by Colby-Sawyer

5. Ratio of Authorized Adults to Minors Participating in College Programs

An adequate ratio of staff to participants should be maintained at all times, particularly in the residence halls. Per the American Camp Association, the ratio of program staff to program participants must reflect the gender distribution of the participants and should, at a minimum, meet the following:

Standards for residential camps are:

- One staff member for every five campers ages 4 and 5
- One staff member for every six campers ages 6 to 8
- One staff member for every eight campers ages 9 to 14

- One staff member for every 10 campers ages 15 to 17

Standards for day camps are:

- One staff member for every six campers ages 4 and 5
- One staff member for every eight campers ages 6 to 8
- One staff member for every ten campers ages 9 to 14
- One staff member for every twelve campers ages 15 to 17

6. Other Procedures Applicable to Minors Participating in Colby-Sawyer Programs

A. Release Forms

All event participants, including minors, must complete a release form, which is available online at the Events Services Office, and the parent or legal guardian must sign the form on behalf of the minor. The form must include a detailed description of the program, including a description of the level of supervision that will be provided while the participants are engaged in the program activity and, if applicable, the level of supervision that will be provided, if any, outside of the program's hours of operation (e.g., while they are staying at and/or being transported to and from, a local hotel, motel, or residence for the duration of the program).

B. Pick up and Drop off (Students Not Enrolled in Colby-Sawyer's Academic Programs)

At least one authorized adult must be present when minors are dropped off and picked up. A procedure must be in place to ensure that the person who picks up the minor is authorized to do so.

C. Information About Minors: The program sponsor must have appropriate contact information for all minors participating in Colby-Sawyer programs (including employment at Colby-Sawyer) or any other programs on Colby-Sawyer's campus. This includes the name(s), address(es), and telephone number(s) of the minor's parents or guardians.

Only those who have a legitimate need to know should have access to information about minors. Otherwise, information about minors should not be disclosed (e.g., authorized pick-up and drop-off of parties, the name and address of overnight stay locations, and any other information that could be used to lure a child).

7. Reports to Colby-Sawyer Officials

In case of an emergency or if safety is of immediate concern, dial 9-1-1.

Any person who has reasonable cause to believe that a child has been abused or neglected or that anyone has engaged in prohibited conduct involving a child as defined in Section 3 of this policy should contact the Department of Campus Safety and/or the appropriate supervisory authority for the program at issue (see contact information in Section 11, below). In addition, specific individuals are required by law to report incidents of abuse, neglect, or other crimes

involving minors to local or state law enforcement authorities or other appropriate agencies (see Sections 8 & 9, below).

Depending on the circumstances, Colby-Sawyer officials may also refer reports to local or state law enforcement authorities or other appropriate agencies (see also Sections 8 & 9 below).

Complaints or reports under this policy will be addressed by existing policies, contracts, and/or appointment letters applicable to the individual and/or program at issue (e.g., Code of Community Responsibility-CSC Students; Employee Handbook-CSC Staff, Faculty Handbook-CSC Faculty, or other policies, contracts or appointment letters applicable to the faculty or staff member for the particular program at issue). If the complaint includes allegations of sexual misconduct, domestic violence, dating violence, stalking, or harassment, the matter will be addressed by Colby-Sawyer's Sex-based Discrimination and Sex-based Harassment Policy and Grievance Procedures.

8. Mandated Reporting Under New Hampshire Law

Child Sexual Abuse Reporting

Under New Hampshire law (RSA 169-C:29), every person, including all Colby-Sawyer College students and employees, who have reason to believe that a child has been abused or neglected, including having reason to believe that a child has been sexually abused, is required to report the abuse or neglect to:

New Hampshire Department of Health and Human Services
Bureau of Child Protection http://www.dhhs.nh.gov/dcyf/cps/
603-271-6556 | 800-894-5533 (in-state only)

Please call the New London Police Department at 603-526-2626 and CSC Campus Safety at 526-3675 after the report has been made.

Under New Hampshire law, "sexual abuse" means the following activities under circumstances that indicate that the child's health or welfare is harmed or threatened with harm:

- the employment, use, persuasion, inducement, enticement, or coercion of any child to engage in, or having a child assist any other person to engage in, any sexually explicit conduct or any simulation of such conduct to produce any visual depiction of such conduct; or
- the rape, molestation, prostitution, or other form of sexual exploitation of children or incest with children.

  Concerning the definition of sexual abuse, the term "child'' or "children'' means any individual who is under the age of 18 years. (RSA –C:3 XXVII-a).

  If you are in doubt about whether you must report, please get in touch with the Department of Campus Safety at 603-526-3675.

9. Mandated Reporting of Crimes Under Federal Law

Certain College employees are "Campus Security Authorities" ("CSA") and are therefore required under federal law (the "Clery Act") to report suspected crimes that have occurred on College property, on all public property (including thoroughfares, streets, sidewalks, and parking facilities) that is within the campus, or immediately adjacent to and accessible from the campus, and on specific nonpublic property (such as any building or property owned or controlled by the College that is used in direct support of, or about, the College's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the College). CSAs include the following individuals:

1. A member of a campus police department or a campus security department of an institution. (e.g., The Department of Campus Safety)
2. Any individual or individuals responsible for campus security but who do not constitute a campus police department or a campus security department (e.g., Hogan Sports Center front desk personnel).
3. Any individual or organization specified in an institution's statement of campus security policy as an individual or organization to which students and employees should report criminal offenses (e.g., The Department of Campus Safety, Title IX Coordinator, and Deputy Coordinators).
4. An official of an institution with significant responsibility for student and campus activities, including, but not limited to, the Dean of Students, Director of the Baird Health and Counseling Center, Directors of Athletics, Coaches, Club Advisors, as well as staff members from Student Activities, Citizenship Education and Residential Education. An official is defined as any person with the authority and the duty to act or respond to particular issues on behalf of the institution.

   While we prefer that community members promptly report all crimes and other emergencies directly to the local police and the Department of Campus Safety, we realize that some may prefer to report to other individuals. We want to ensure the timely and accurate reporting of crimes to the department. A CSA may call the Director of Campus Safety and Emergency Management at x3791 or submit an online CSA crime report form.

Suppose a CSA receives Clery Act qualifying crime information and believes it was provided in good faith, meaning there is a reasonable basis for believing that the information is not rumor or hearsay. In that case, the crime is reportable by the Clery Act and will be included in the crime statistics of the Annual Security and Fire Safety Report.

A crime is reported when it is brought to the attention of a CSA, and the report is made in good faith. The crime must be reported by a CSA whether or not the individuals involved are members of the Colby-Sawyer community. The following crimes must be reported:

Crimes that fall within the scope of the Clery Act and must be reported include the following:

- Murder and non-negligent manslaughter
- Manslaughter by negligence

- Sexual assault/sex offenses (rape, fondling, incest, and statutory rape)
- Robbery
- Aggravated assault
- Burglary
- Motor vehicle theft
- Arson
- Liquor law violation
- Drug law violation
- Weapon law violation
- Hate crimes: any of the serious crimes above (except manslaughter by negligence) and larceny-theft, destruction/damage/vandalism of property, intimidation (threats of injury or violence), or simple assault, if there is evidence that the victim was intentionally selected because of the perpetrator's bias against the victim based on race, religion, gender, gender identity, sexual orientation, ethnicity, national origin, or disability
- Domestic violence
- Dating violence
- Stalking

CSAs must also report arrests and referrals for campus disciplinary action for liquor, drug, and weapons law violations (e.g., possession, carrying, etc.).

Definitions of these crimes can be found in the Annual Security and Fire Safety Report's crime statistics section.

10. Retaliation

Retaliating directly or indirectly against a person who has in good faith made a report under this policy or participated in an investigation is prohibited. Retaliation includes but is not limited to ostracizing the person, pressuring the person to drop or not support the complaint or to provide false or misleading information, or engaging in conduct that may reasonably be perceived to affect adversely that person's educational, living, or work environment. Depending on the circumstances, retaliation may also be unlawful, regardless of whether the complaint is ultimately found to have merit.

11. On and Off-Campus Resources

If you believe that you or someone you know has been the victim of sexual misconduct, it is essential to know the resources available to you. Please visit https://www.csctitleix.com/resources-contacts for a list of on- and off-campus resources to assist you.