



TO: Steering Committee
FROM: Committee on Students and Campus Community
RE: Preliminary recommendation on Charge on the Protection of Children Policy
DATE: December 5, 2013

Introduction:

The Board of Trustees has issued an interim policy on the protection of children. The policy was issued in response to statutory requirements for the reporting of child abuse in the state of New Jersey.

Charge:

The Steering Committee requests that CSCC review the interim policy and make a recommendation on whether 1.) to approve the policy as is and make it permanent, 2.) to revise and/or replace the policy, or 3.) to reject the policy. Given the statutory requirements that prompted the emergency issuance of the policy with interim status, the Steering Committee recommends that CSCC consult the General Counsel as it carries out its charge (including perhaps inviting the General Counsel to one or more CSCC meetings).

Background to the Recommendation:

On April 10, 2013, May 8, 2013, September 11, 2013 and October 9, 2013, CSCC committee members reviewed the interim Protection of Children Policy. Members concluded that the policy was acceptable except for the language that mandated that “Additionally, faculty, staff or student are required to contact Campus Police at 609-771-2345.” Based on many concerns, CSCC members felt that this language should be changed to “strongly recommended.” The policy is set for obtaining testimony on October 16th and October 23rd, 2013.

Preliminary Recommendation: CSCC recommends that the attached draft policy.

Section:	IV.1.1
Title:	Protection of Children Policy
Effective Date:	February 26, 2013
Approved By:	Board of Trustees
Responsible Unit:	Office of Campus Police Services (609-771-2171, tcnjpd@tcnj.edu)
History:	
<p>Related Documents: New Jersey Statutes Section 9:6-8.10 (Report of Abuse), 9:6-8.13 (Immunity), 9:9-8.14 (Violations including failure to make report; disorderly person), 9:6-8 (Definition of Abused Child), 9:6-8.84 (Definition of Sexual Abuse), 9:6-8.21 (definition of parent or guardian).</p>	

I. INTRODUCTION

The College of New Jersey takes pride in providing a first class educational experience in a safe and supportive environment. Children frequently visit our campus, and it is important that we protect them while they are on our campus or participating in College activities, and take the necessary precautions to ensure that the campus community is safe. The purpose of this policy is to identify where acts of child abuse should be reported if observed at The College of New Jersey.

II. DEFINITIONS

“Abused child” is a child under the age of 18 years whose parent or other person having his custody and control commits or allows to be committed an act of sexual abuse against the child.

"Sexual Abuse" means contacts or actions between a child and a parent or caretaker for the purpose of sexual stimulation of either that person or another person.

“Parent or guardian” means any natural parent, adoptive parent, resource family parent, stepparent, paramour of a parent or any person, who has assumed responsibility for the care, custody or control of a child or upon whom there is a legal duty for such care. Parent or guardian includes a teacher, employee or volunteer, whether compensated or uncompensated, of an institution who is responsible for the child’s welfare and any other staff person of an institution regardless of whether or not the person is responsible for the care or supervision of the child. Parent or guardian also includes a teaching staff member or other employee, whether

compensated or uncompensated, of a day school as defined according to New Jersey law.

"Institution" means a public or private facility in the State which provides children with out of home care, supervision or maintenance. Institution includes, but is not limited to, a correctional facility, detention facility, treatment facility, day care center, residential school, shelter and hospital". For purposes of this policy, a camp operated on campus by a third-party organization would be considered an institution.

III. POLICY

Any faculty, staff or student who has reason to believe that a child has been abused, must report the suspected abuse to the Division of Youth and Family Services. The contact information is as follows:

CHILD ABUSE/NEGLECT HOTLINE
1-877-NJ ABUSE (652-2873)
1-800-835-5510 (TTY)
24 hours a day - 7 days a week

Additionally, it is **strongly recommended** that faculty, staff or student contact Campus Police at (609) 771-2345.

Individuals contacting DYFS or Campus Police should provide as much information as possible to assist in the investigation of the allegation. The information reported may be helpful with respect to identifying child abuse and the perpetrator. Examples of the type of information that may be helpful are the names and addresses of the child and the child's parent, guardian or other person having custody of the child, the child's age, the type of injuries, and any other information that might be helpful with regard to the child abuse and the identity of the perpetrator.

Under New Jersey law, anyone who in good faith reports suspected child abuse shall be immune from any liability. In addition, any person who is discharged from employment, or discriminated against for reporting a good faith allegation of child abuse may file a complaint in the appropriate Superior Court.

IV. RELATED DOCUMENTS

N.J.S.A. §§ 9:6-8.10 (Report of Abuse), 9:6-8.13 (Immunity), 9:6-8.14 (Violations including failure to make report; disorderly person), 9:6-8.9 (Definition of Abused Child), 9:6-8.84 (Definition of Sexual Abuse), 9:6-8.21 (definition of parent or guardian).

V. HISTORY