

## **Babson College Minors and Vulnerable Adults Safety Policy**

**Office/Administrator Responsible:** Campus and Community Affairs; Vice President of Campus and Community Affairs & Director of Summer and Youth Programs

**Effective Date:** July 1, 2020

**Updated:** Periodically by Vice President of Campus and Community Affairs and Director of Summer and Youth Programs

### **I. Purpose**

Babson College is committed to promoting a safe environment and positive experience for all minors and vulnerable adults participating in a program that falls within the scope of this policy. The Babson College Minors and Vulnerable Adults Safety Policy (“Policy”) promotes the welfare and safety of “Minors” and “Vulnerable Adults” who participate in these “Programs” as defined below. Failure to comply with the requirements set forth in this Policy may lead to action including immediate cancellation of the Program, disciplinary action (up to, and including termination or expulsion), revocation of the opportunity to use College property or facilities, and/or other action as deemed appropriate by the College.

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### **II. Scope of Policy**

For purposes of this Policy, Minors shall mean children under the age of 18.

For purposes of this Policy, Vulnerable Adults shall mean a person fourteen years of age or older who (1) is admitted to a mental health facility or to a community based or residential facility, or (2) is receiving community based services through the Department of Developmental Services or the Department of Mental Health or the Massachusetts Rehabilitation Commission, or (3) is a resident of a long-term care facility, or (4) has a developmental disability, is incapacitated, or who has the functional, mental, or physical inability to care for himself or herself.

“Programs” covered by this Policy shall include all activities, placements, camps, and programs involving Minors or Vulnerable Adults that take place: (i) on property owned or controlled by Babson (whether hosted by Babson or a third party); (ii) in or on Babson facilities (whether hosted by Babson or a third party); or (iii) under the authority and direction or with the direct involvement of the College, whether on or off-campus and whether the activity occurs one time or recurs. All Programs run, organized, sponsored, or hosted by registered Babson student organizations, Babson departments and units, and other Babson-related entities are subject to this Policy.

Examples of Programs covered by this Policy include but are not limited to: athletic programs (including skating center activities); academic programs and activities; tutoring by student organizations; College sponsored campus visits (other than Admissions programs for admitted or prospective students); and programs involving overnight housing.

EXCEPTIONS: This Policy does not apply to Babson College matriculated students who may be under the age of 18. Admitted or prospective students who are participating in Babson College Admissions activities are not included in this Policy. Students who are “dually enrolled” in Babson College credit-granting courses while also enrolled in elementary, middle and/or high school are not included in this Policy unless such enrollment includes overnight housing in College facilities or College provided facilities. This Policy does not apply to minors who are employed by the College.

### **III. Abuse or Neglect**

Babson College strictly prohibits and will not tolerate any abuse or neglect of Minors or Vulnerable Adults in any form (physical, sexual, or emotional) in any Program, and will take active steps to prevent any such abuse or neglect from occurring. In addition to the other terms of this Policy, every Program that involves Minors or Vulnerable Adults shall follow College Procedures for such programs and comply with applicable law.

### **IV. Program Registration Required**

All Programs involving Minors or Vulnerable Adults must be registered through the Babson College Youth and Vulnerable Adults Safety Registration site.

### **V. Youth Safety Authorization and Background Screenings Required**

All faculty, staff, students, volunteers, and other members of the Babson community who may have direct contact with Minors in the course of their employment or service activity must successfully complete the Babson College Youth and Vulnerable Safety Authorization Process and comply with all applicable background screening requirements prior to commencing their employment or service activity.

### **VI. Emergency Response Planning Required**

Every Program that involves Minors or Vulnerable Adults shall establish an appropriate Emergency/Crisis Response Plan and submit to the Office of Summer and Youth Programs for review and approval in advance of the Program.

### **VII. Reporting Requirements**

Massachusetts law requires Mandated Reporters to make an immediate, oral report to the Department of Children and Families (DCF), law enforcement or any equivalent agency, when,

in their professional capacity, they have reasonable cause to believe that a child under the age of 18 is suffering from abuse and/or neglect including, but not limited to sexual misconduct or bullying. [Click here for additional reporting information.](#) This Policy requires all Babson College faculty, staff, students, volunteers, and other members of the Babson community to comply with applicable reporting requirements.

## **VIII. Investigation**

Babson College Police Department and/or an authorized College official will conduct a prompt internal investigation upon receipt of a report of an issue or concern relating to Minors or Vulnerable Adults in any Program as set forth in the Procedures.

## **IX. Limitations on Gifts and Interactions**

Babson faculty, staff, students and volunteers are prohibited from giving gifts to Minor or Vulnerable Adult participants in any Program and from in-person or virtual interactions with any Minor or Vulnerable Adult participant in any Program without at least one other adult, parent or legal guardian being present as set forth in the Procedures.

## **X. Ad-hoc Day Care**

No Program or College department or unit may establish an ad-hoc day care program (e.g., for an adult conference or meeting) without first obtaining written approval from the Vice President of Campus and Community Affairs or their designee.

## **XI. Programs Involving Minors Operated by External Parties on Property Owned or controlled by Babson College Property**

Programs involving Minors or Vulnerable Adults operated by any external party on property owned or controlled by Babson College, or in or on Babson facilities must comply with this Policy. In order to facilitate compliance, all agreements for the use of College facilities by external parties for Programs involving Minors or Vulnerable Adults should incorporate this Policy by reference. A link to this Policy and its related Procedures should be included in all relevant facilities licensing agreements.

## **XII. Policy Violations**

Any person found to have violated this Policy will be subject to disciplinary action, up to and including termination of employment, expulsion, or removal from enrollment and/or services. Any person found to have violated this Policy may also be banned from all Babson property and barred from participating in any Babson program, activity or event. To the extent applicable, contracts or business relationships may also be cancelled. Violations may also lead to civil or criminal liability, and referrals will be made to law enforcement as appropriate.

### **XIII. Periodic Internal Audit**

To ensure ongoing compliance, including compliance with applicable federal and state laws, this policy will be reviewed periodically and updated as appropriate. A periodic internal audit will also be conducted to ensure that all Babson personnel responsible for the processes described above are applying these policies in a consistent and standard manner as intended.

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# COLLEGE PROCEDURES RELATING TO PROGRAMS INVOLVING MINORS AND VULNERABLE ADULTS

## Minor Safety Authorization Process

There are two parts to the Minor Safety Authorization process: Satisfactory background (CORI/SORI) review and Minor Safety Training.

### 1) Reference and Background Screenings Required

One important means of preventing child abuse is screening out potential abusers before they come to campus or participate in programs involving minors.

- a. All persons who may have direct contact with minors in the course of their employment or service activity will be subject to reference and background screenings, including review of criminal and sexual offender records (CORI/SORI checks). The list of employee positions that require background screenings is managed by the Office of Human Resources. Other persons may include:
  - students, volunteers, and other members of the Babson community involved in any Program, whether on or off campus, including athletic programs, tutoring and mentoring programs, community service projects, research, overnight programs, etc.
  - contractors (e.g., photographers, van drivers, caterers) who provide services to Babson functions or activities where the contractor may have direct access to Minors or Vulnerable Adults.
- b. Because there is no federal database for this information, background screenings will include a multi-state search, especially of those states where the applicant previously resided and worked. The Office of Summer and Youth Programs will process and manage all CORI/SORI screening for Babson employees, Babson students, non-Babson-affiliated volunteers and contractors relating to participation in any Program.
- c. Babson reserves the right to conduct additional background screening any time after employment or volunteer service has begun. All individuals subject to the requirements of this Policy, and who enter into employment or volunteer service with the College, will undergo periodic background reviews. Any misrepresentations, falsifications, or material omissions in the information provided by the applicant, whenever discovered, may result in disqualification from, or termination of employment or volunteer service with or expulsion from the College.

- d. All background screening accomplished by or on behalf of Babson will comply with the Fair Credit Reporting Act and other applicable law.
- e. For more information, see Background Screenings and Child Safety Authorization.
- f. As required by law, a new background and reference review is required after each break in employment.

## **2) Safety and Molestation Prevention Training Required**

For any policy to be effective, the people implementing the policy and providing services must have adequate education and training.

- a. All faculty, staff, students, volunteers, and other members of the Babson community who work or volunteer in a Program involving Minors or Vulnerable Adults are required to complete the education and training course(s) determined appropriate by Babson at least once every three years and prior to commencing their employment or service activity. A break in College employment will require re-training.
- b. The training will raise awareness of the nature of child abuse and its prevalence in all segments of society, and will include training in abuse prevention strategies; how to identify situations of abuse, neglect or similar endangerment; how to respond to a disclosure of abuse by a minor; how to report those situations to civil and school authorities; and what actions to take to prevent abuse of children (or minimize further harm) on Babson property and at Babson-sponsored events and activities. No person required to take the training will be allowed access to any Program involving Minors or Vulnerable Adults until the training is completed.
- c. Students who are participating in community service activities through an independent host entity (e.g., Big Brothers/Big Sisters) and who are CORI/SORI screened by their host are required to take the Child Safety Training but are not required to be CORI/SORI screened by the College.

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## **Definitions of Terms**

### **1) Authorized Adult**

A person 18 or older who has completed the Babson College Minor and Vulnerable Adult Safety Authorization Process or a similar process required by an External Party that is approved by Babson.

## 2) Bullying

For purposes of this Policy, Bullying shall mean: the repeated use by one or more persons of written, verbal or electronic expression, or a physical act or gesture, or any combination thereof, directed at a target that:

- a. Causes physical or emotional harm
- b. Places the target in reasonable fear or harm to himself/herself
- c. Creates a hostile environment for the target
- d. Infringes on the rights of the target while participating; OR
- e. Materially and substantially disrupts the process or orderly operation of the program.

## 3) Direct Contact

Contact with Minor or Vulnerable Adult participants, whether intentional or unintentional, as part of one's role in a Program.

## 4) External Party

A party, other than a College entity. Examples include, but are not limited to Big Brothers and Sisters, Special Olympics of Massachusetts, North Hill Retirement Community, and Charles River Center. External Parties will license the use of campus facilities through one of the College's standard facilities licensing agreements.

**5) Incident Reporting Requirements-** If an incident requires medical attention by medical personnel such as a first responder or certified health care individual. The incident must be documented and reported to the Director of Youth Protection within 12 hours of the incident.

Examples of a non-reportable incidents are defined as: A wound or other specific damage to the body such as, but not limited to, abrasions, splinters, bites **that do not break the skin**, minor discoloration of the skin and bruises. The injury may require first aid treatment but does not require medical attention by medical personnel.

## 6) Mandated Reporters (College)

All Babson community members, including but not limited to:

- a. The College President
- b. Vice President, Academic Affairs & Dean of the College
- c. Chief Financial Officer
- d. General Counsel
- e. Vice President, Learner Success & Dean of Campus Life
- f. Title IX Coordinator

- g. Risk Manager
- h. Athletic Director
- i. Any director of a clinic, student health center, athletic facility or similar facility maintained by Babson College to provide medical, athletic training, psychological or mental health counseling services principally for use by Babson College employees or students
- j. Contractors and/or consultants who, while representing or serving Babson or otherwise participating in a Program.

## **7) Mandated Reporters (Commonwealth)**

All members of the Babson College community and contractors/consultants who, while representing or serving Babson College or otherwise participating in a Program, and are interacting directly with Minors or Vulnerable Adults.

## **8) One-On-One Contact**

A type of Direct Contact involving interaction, virtual or face-to-face, between an adult and a Minor or Vulnerable Adult without at least one other adult, parent or legal guardian being present.

## **9) Program Director**

The person overseeing the operation of a Program. This person will have direct connection with the Office of Summer and Youth Programs.

## **10) Required Training**

Each person seeking to serve as an Authorized Adult shall complete a training program on the protection of children from abuse, which program shall be approved by the Risk Manager and Director of Youth Programs in consultation of others as appropriate.

## **11) Sponsor**

The Babson College department or community member requesting use of College facilities for an External Party.

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## **Emergency Response Planning**

### **Investigation**

Under the following circumstances, the Babson College Police Department will conduct a prompt and thorough internal investigation in accordance with its procedures:

#### **1) Alleged Abuse at Babson Location**

If the alleged abuse of a child has taken place on property owned or controlled by Babson College, in or on a College facility, at a Babson-sponsored event, or if the alleged perpetrator is employed by or associated with Babson College.

#### **2) Alleged Abuse by Former Babson Employee**

If the allegations are against a person who is no longer employed by or associated with Babson College, but occurred while the accused was employed by or affiliated with Babson College.

#### **3) Cooperation**

All members of the Babson community are required to cooperate fully and truthfully with the investigation. In the interests of safety for all involved, Babson may take appropriate interim action regarding an accused faculty member, staff, other employee, student, volunteer, or External Party until the investigation is completed.

#### **4) Other Incidents**

Other incidents involving accident or injury may be investigated by the Babson College Police Department, the Title IX Coordinator or other College personnel, as may be necessary or appropriate.

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### **Limitations on Interactions**

Faculty, staff, students and volunteers are strictly prohibited from:

#### **1) Gifts**

Babson faculty, staff, students and volunteers are prohibited from giving gifts as individuals to Minors, Vulnerable Adults, or their families outside of the specific requirements of the Program or the specific requirements of their job or volunteer duties on behalf of the College.

## **2) In-Person Interactions**

Babson faculty, staff, students and volunteers are prohibited from meeting with Minors or Vulnerable Adults outside of the specific requirements of the Program or the specific requirements of their job or volunteer duties on behalf of the College without at least one other adult, parent or legal guardian being present.

## **3) Virtual Interactions**

Faculty, staff, students and volunteers are not to interact with Minors or Vulnerable Adults through electronic communications such as email, video conferencing, or on social media sites such as Facebook, Twitter, Instagram, Snap Chat or other similar sites outside of the specific requirements of the Program or the specific requirements of their job or volunteer duties on behalf of the College without at least one other adult, parent or legal guardian being present or, in the case of social media, without the prior permission of the Minor or Vulnerable Adult's parent or legal guardian.

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## **Reporting Requirements**

"If you see something, say something." Every member of the College community has an obligation to report immediately instances or suspected instances of the abuse or inappropriate interactions with Minors or Vulnerable Adults. This includes information about suspected abuse, neglect, or inadequate care provided. Mandated Reporters must first notify (orally and directly) the Department of Children and Families (DCF) and the Babson College Police Department.

### **1) Report to Department of Children and Families (DCF)**

DCF is to be contacted immediately in situations where a Minor or Vulnerable Adult is at immediate risk of harm or the victim of a criminal act.

### **2) Report to the College**

- a. Reports are to be made promptly to the Babson College Police Department after reporting to DCF.
- b. Following reports to DCF and the Babson College Police Department (when appropriate) all "Incidents", major and minor, involving Program participants or staff members are to be reported to the Office of Summer and Youth Programs. The "Program Director" or their designee shall submit the report via the College's Incident Report Form within 12 hours following the "Incident".

## **Virtual Programming Involving Minors**

### **1) Virtual Platforms**

- a. The College shall not allow College licensed virtual platforms to be used by “External Parties”.
- b. Only those licensed virtual platforms supported by Babson ITSD may be used as part of a Program (e.g., Canvas, WebEx).

### **2) Age Restrictions for Virtual Programming**

Virtual programming for Minors must be limited to children aged 13 and over.

### **3) Disable Individual Chat Feature**

The individual chat feature is to be disabled. All chats must be visible to all participants.

### **4) No Full Names**

Only the first names of Minors or Vulnerable Adults should be visible on screen.

### **5) No Contact Information Provided**

The College is not to share Program participants’ contact information with other participants.

### **6) Ratios**

Participant to staff member ratios for virtual Programs should mirror those for in person Programs.

### **7) No One-on-One Contact**

- c. Faculty, staff, students and volunteers are never allowed to be alone in virtual spaces with Minor or Vulnerable Adult participants in a Program. This includes small group or break-out sessions.
- d. Minors or Vulnerable Adults shall not be allowed into a virtual space relating to a Program until there are 2 or more staff members present. This includes small group or break-out sessions.