

1. an employee of the College or employee of the College-affiliated organization (i.e., Nassau Community College Student Faculty Association, Nassau Community College Foundation, the NEST Food Pantry, etc.);
 2. a College student;
 3. a volunteer of the College or College-affiliated organization;
 4. a vendor, licensee, permittee or other person, who is given permission to come onto Campus or to use College facilities for Covered Activities; or
 5. an employee, agent or volunteer of (4) above.
- C. **Child:** An individual under the age of seventeen years, who is participating in a Covered Activity.

results in touching of the sexual or other intimate parts of a child for the purpose of sexual gratification of the child and/or adult, including touching by the child and/or adult with or without clothing, and all acts as defined by New York State Penal Law Articles 130, 263 and Section 260.10.

- G. **Responsible College Official:** The employee of the College or College-affiliated organization, who has been designated by the College to oversee, organize, supervise and/or conduct Covered Activities involving minors.
- H. **College-affiliated Organization:** The Nassau Community College Foundation, the Nassau Community College Faculty Student Association, the Nassau Community College Alumni Association, the NEST Food Pantry, the Long Island Writing Project, or any other entity so designated by the College President.

POLICY

Nassau Community College is committed to protecting the safety and well-being of children who participate in College-related programs and activities, whether on or off Campus, or utilize Campus facilities for activities including, but not limited to, sports camps, academic and personal enrichment programs and research studies.

A. Prohibited Conduct:

Covered Person shall not:

1. Be alone with a child, unless the Covered Person is a relative or guardian of the child, unless one-on-one contact is approved in accordance with a determination made based on the factors listed below. In no event shall a Covered Person, who is not a relative or guardian of a child, be alone with the child in a rest room, locker room, shower, sleeping area or vehicle.
2. A Covered Person may be alone with a child in the event that pedagogical or health-related nature of the Covered Activity requires such one-on-one contact with a child. Examples include, but are not limited to, individual tutoring, music lessons, speech therapy, and medical services.
3. Engage in physical abuse or sexual abuse of a child.
4. Engage in the use of alcohol or illegal drugs, or be under the influence of alcohol or illegal drugs during Covered Activities.
5. Enable, facilitate or fail to address a child's use of alcohol or illegal/non-prescribed drugs.
6. Contact a child through electronic media, including social media, for the purpose of engaging in any prohibited conduct, including sexual conduct.
7. Offer or make a gift to a child for the purpose of engaging in any prohibited conduct, including sexual conduct.
8. Release a child from a Covered Activity without a written authorization from the
FKLOG¶V SDUHQW RU JXDUGLDQ

constitute sufficient written authorization. This paragraph should not be interpreted to mean that a written authorization must be obtained for each day of the activity).

- 9. Leave a child unattended while waiting for a parent/guardian to pick them up, if the activity in question, bas HG RQ WKH FKLOG¶V DJH DQG SDUWLFX child to be picked up by a parent.

B. Required Conduct:

Covered Person shall:

- 1. Take all reasonable measures to prevent physical and sexual abuse of a child, including immediately removing a child from potential physical abuse, sexual abuse or prohibited conduct as defined herein.
- 2. Report immediately any suspected physical abuse or sexual abuse of a child to the Campus Public Safety Department, and provide to the Public Safety Department a written report of suspected physical or sexual abuse of a child. Other reporting requirements not addressed in this Policy may apply, such as the obligations of ³PDQGDWHG UHSRUWHUV´ XQGHU 1HZ <RUN 6RFLDO report suspected child abuse or maltreatment directly to the New York State Central Register of Child Abuse and Maltreatment when they are presented with a reasonable cause to suspect such abuse or maltreatment has occurred.
 - a. At the time of this p ROLF¶V DGHSDUW, Administrators, athletic coaches, etc. ZHUH QRW VSHFLILFDOO\ OLVWHG D under New York Social Services Law.
 - b. +RZHYHU LI \RX DUH D ³PDQGDWRU\ UHSRUWH abuse must be made to the following Mandated Reporter Hotline: 1-800-635-1522.
 - c. ,I \RX DUH QRW D ³PDQGDWRU\ UHSRUWHU´ ZLV law, you nevertheless may report suspected child abuse to the Public Hotline: 1-800-342-3720.
 - d. 5HJDUGOHVV RI \RXU UHVSRO\LEOLWLV HV XQG under this policy, you must report suspected abuse of a child to the Public Safety Department.
- 3. Complete all required training developed pursuant to this policy.
- 4. Wear and display prominently at all times during the Covered Activity a lanyard or D QDPH WDJ ZKLFK SURPLQHWO\ GHVFULEHV WKH Covered Activity, or other form of identification that identifies the individual as having the responsibilities of a Covered Person.

C. Responsible College Official:

Responsible College Official shall:

- 1. Confirm that the requirements of this p

Covered Activity requires such one-on-one contact with a child. Examples may include tutoring, music lessons, speech therapy, and medical services.

3. Communicate the requirements of this policy to Covered Persons (4) ~~±~~(5).
4. Provide for and require training on this policy for all Covered Persons who are employees, volunteers, students or agents of the College or a College-affiliated organization prior to the commencement of a Covered Activity, and on a biannual basis thereafter.
5. Obtain New York Sex Offender Registry and National Sex Offender ~~363.381(2)~~ ~~363.381(2)~~

E. Retaliation:

Retaliatory action against anyone acting in good faith, who has reported alleged physical abuse or sexual abuse in accordance with this policy, or who has been involved in investigating or responding to allegations of physical or sexual abuse, or who has reported a failure to comply with this policy, is a violation of this policy and may subject the individual responsible for retaliation to discipline. Retaliatory acts may include, but are not limited to:

- 1. employment actions affecting salary, promotion, job duties, work schedules and/or work locations;
- 2. actions negatively impacting a student's academic record or progress; and
- 3. any action affecting the Campus environment, including harassment and intimidation.

Any individuals who feel that they have been subjected to retaliation for reporting alleged abuse under this policy may bring a complaint to the Office of General Counsel. Such complaints will be investigated by the Office of General Counsel.

F. Third Party Use of College Facilities:

The use of College facilities by vendors, licensees or permittees for commercial and non-commercial Covered Activities shall be accomplished pursuant to a revocable permit. The following minimum terms shall be included in all such revocable permits:

- 1. A specific definition of the areas accessible to the Covered Activity. For example, revocable permits for sporting events held on athletic fields should include the athletic field, as well as any ancillary areas or structures where minors will be permitted, such as adjacent grounds, parking lots, rest rooms, locker rooms, accessory structures, etc.
- 2. A provision requiring insurance coverage in the types and amounts listed below, naming Nassau Community College as an additional insured, and requiring that evidence of such insurance be provided to the College within five (5) business days of execution of the revocable permit or at minimum two weeks (14 days) prior to the scheduled use of College facilities.
 - a. General Liability insurance two million dollars (\$2,000,000) each occurrence and two million dollars (\$2,000,000) in the aggregate;
 - b. 1HZ <RUN 6WDWH :RUNHUV¶ &RPSHQVDWLRQ LQ
revocable permit fRU WKH EHQHILW RI SHUPLWWHH¶V H
covered under th H 1 <6 :RUNHUV¶ &RPSHQVDWLRQ /DZ
 - c. For those instances in which the activity is so long or substantial and that the obtaining of such insurance will not unduly preclude beneficial use of the CDPSXV¶ IDFLOLWLHV WKH &ROOHJH ZLOO UH
form of: Sexual Abuse and Molestation insurance, either under the above-described general liability policy or in a separate policy, with coverage not

less than one million dollars (\$1,000,000). Any insurance coverage for sexual abuse and molestation insurance written on a claims made basis shall remain in effect for a minimum of six (6) months following the use of College facilities.

3. If the Covered Activity is a Childr Q ¶ V & D of Section D of this policy, a provision requiring permittee to provide the College with a copy of its camp operator permit issued by the New York State Commissioner of Health, either upon execution of the permit or not later than two weeks (14 days) before the scheduled use of College facilities.
4. A representation and warranty from permittee that for all of its employees and volunteers, and employees and volunteers of its sub-permittees, who shall enter upon College facilities for purposes related to Covered Activity, permittee has conducted within the ninety (90) day period preceding the use of College facilities (a) a search of the NY Sex Offender Registry; and (b) a search of the National Sex