

Framingham State University Policy To Protect Children and Prevent Abuse

This policy is designed to protect the safety of minors on campus, regardless of the reason for their presence on campus. All employees of Framingham State University (hereinafter "FSU") including faculty, staff, contract employees, whether or not they work directly with minors, student employees and volunteers if they are working directly with minors, and third party organizations or groups that are hosting minors on the Framingham State University campus, including its buildings, facilities and athletic fields, must adhere to this policy.

What is Required By This Policy

This policy is designed to promote the safety of minors on campus. It requires the reporting of suspected or actual injury of a child to the Framingham State University Police. It also requires training and CORI and SORI checks on all newly hired employees, including contract employees, and student employees or volunteers working directly with minors. Last, the policy requires that all third parties bringing or hosting minors on campus must sign a contract attesting to certain safeguards, including CORI screening, of those employees and volunteers working with children on the FSU campus.

Who Is A Mandatory Reporter

At Framingham State University, any employee who, in the course of his/her employment, interacts with minors, defined as infant to 17 years of age, is a mandated reporter for purposes of this policy. Employees, for the purposes of this policy, are defined as full or part-time faculty, staff, contract employees, whether or not they work directly with minors, and student employees and volunteers who work directly with minors.

What Must Be Reported

An individual is obligated to make a report to the Framingham State University Police if in their professional capacity, they have reasonable cause to believe or actual knowledge that a child under the age of 18 years old is suffering from physical or emotional injury resulting from any of the following instances: abuse including sexual abuse; neglect, including malnutrition; or physical dependence upon an addictive drug at birth.

To Whom Must Reports Be Made

Reports must be made to the Framingham State University Police Department. Framingham State University Police will assist with the notification to Department of Children and Families in conformance with MGL ch. 51A.

Background Checks

All FSU employees, newly hired as of September 1, 2013 and thereafter, including faculty, staff, contract employees and student employees¹, if those student employees are working directly with minors, must undergo a criminal and sexual offender background check as a condition of employment. All outside groups (including but not limited to camps and athletic groups) using FSU facilities on or after July 1, 2013 must conduct criminal background checks on all employees or volunteers that will be working with children on the FSU campus in conformance with MGL c. 6 §172G and §172H, and MGL c. 71, §38R.

Disqualification from Employment

Any employee offered a position working at Framingham State on or after September 1, 2013 and whose criminal and/or sex offender background check includes a record of sexually based offenses or crimes against children is precluded from working at Framingham State University. If the criminal background check includes a record of other offenses, employment eligibility will be determined after a review of the record and as guided by 110 CMR 18 (see *Operational Guidelines to Minors on Campus Policy* for additional information). The University reserves the right to discipline or terminate any employee in accordance with applicable collective bargaining agreements, who is found, after an investigation, to have abused a child or children.

One-time Events or Programs and Recruitment Exclusion

Programs that are discrete, occasional events for which a large number of volunteers are essential, may elect or adopt measures and safeguards instead of background checks for the one-time volunteers (for example, Science Olympiads, children's reading/activity days). The measures adopted must include requirements that the volunteers be working in public places, not alone with children, and be supervised by a person whose background has been checked. Programs must compile the names and addresses of the volunteers prior to the event and check the names against the sex offender registry. Volunteers must then present photo identification to be checked at the event. Programs adopting this method must have the approval of their department's Vice President.

Recruitment Programs

Student volunteers participating in orientation or recruitment activities with older (high school-aged) minors (admissions, athletics, orientation groups, etc.) will not be required to undergo a criminal background check or training. Minors coming onto campus for recruitment purposes are not required to execute the release of liability form.

Education and Training

¹ See exclusion for Framingham State students who work directly with older high school students for recruitment purposes.

All employees of Framingham State University hired after May 1, 2013, must undergo training on recognizing abuse in children and best practices in keeping children safe.

Rules for Outside Groups Using University Facilities

All outside groups using FSU facilities must sign a contract with the University agreeing to adhere to certain safeguards around working with children, including performing criminal background checks on all employees or volunteers that will be working with children on the FSU campus. All groups are strongly encouraged to provide training for their employees on recognizing abuse in children and best practices in keeping children safe. No outside group will be allowed to bring minors onto campus unless said contract is executed in advance of their use of campus facilities. Signed documents releasing FSU from liability are also required on behalf of all minors accessing the campus as part of a group, class or camp for more than one day.

Breadth of Policy

This policy supplements state law and does not supersede any other legal requirements, such as child care or teacher licensure. This policy is a fluid document and may change as the law and/or circumstances at the University change.

Conclusion

Framingham State University seeks to provide a safe, healthy, learning and living environment for all of the individuals who avail themselves of the benefits of campus. As such, strict adherence to this policy is required.