

Policy 8.8 Minors at Cornell University

Responsible Executive: Executive Vice President and Chief Financial Officer

Responsible Office(s): Compliance and Risk Services; Risk Management and Insurance

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Table of Contents

Policy Statement	1
Scope	2
Requirements.....	3
Constituents	6
Definitions	7
Policy Administration	9
Contacts	9
Resources	10
Revision History	10

Policy Statement

Cornell University is a private institution with a public land-grant mission, home to a myriad of academic, enrichment, and recreational activities and programs routinely bringing thousands of individuals to University owned or controlled property.

Cornell is committed to providing a safe environment for Minors who participate in programs covered by this policy (Covered Programs). These programs are operated both by University departments and operations, as well as third-party camp and activity operators licensing the use of University Property, and involve the participation of Minors drawn from locations throughout the United States and the world.

While Cornell cannot predict the behavior of individuals intent upon untoward or criminal behavior, this policy sets forth measures that can enhance and contribute to the protection of Minors participating in Covered Programs. Strict adherence to these policy requirements is necessary to involve Minors in any Covered Program. Cornell expressly prohibits the operation of any Covered Program involving Minors that does not adhere to these policy requirements and New York State requirements.



Scope

This policy applies only to Covered Programs (see the [Definitions section](#)) and sets forth requirements and expectations for those Covered Programs and individuals who:

- Run or operate Covered Programs (internal and external) involving the participation of Minors;
- Have a duty to include certain requirements or clauses in facility use agreements where External Entities are using University Property for their Covered Program;
- Have a duty to report suspected Abuse or mistreatment of Minors as required by this policy.

For the purposes of this policy, a Covered Program does *not* include:

- Events or visits to campus that are open to the public or the Cornell community such as libraries, fairs, performances, festivals, entertainment, recreation, or any events in which parents or guardians retain responsibility for their Minors, including the decision to permit Minors' attendance at a subject event unaccompanied by an adult;
- The placement of Students with External Entities (for example, externships);
- Visits associated with the University undergraduate admissions application process, student-athlete recruiting visits, and related information sessions led by or involving undergraduate student ambassadors or student-athlete hosts;
- Unsanctioned events taking place at University faculty or staff residential properties located off campus;
- Single guest lectures or one-time participation in academic or research activities by academic guests;
- The employment of individuals under 18 years of age by the University or an External Entity;
- Any commercial business activity for an External Entity (for example, a coffee shop run on space leased from the University); or
- University research involving Minors (which is governed by the Ithaca-campus and Weill Cornell Medicine Institutional Research Boards).

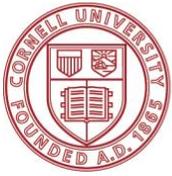
Cornell strictly prohibits the operation of any Covered Program involving Minors that does not adhere to these policy requirements and New York State requirements.



Requirements

1. Conduct Expectations & Requirements

- a) Program Directors (see [Definitions section](#)) have responsibility for ensuring compliance with the measures set forth in this policy for every covered staff member and/or volunteer who will participate in Covered Programs involving Minors. Covered Persons participating in Covered Programs are required to complete training related to the protection of Minors prior to participating in Covered Programs involving Minors. In addition, Programs Directors are required to adhere to the following guidelines and standards when participating in Covered Programs involving Minors:
 - i. Know, understand, and communicate to all employees and volunteers the reporting requirements in this policy.
 - ii. Incorporate required [procedures](#) and contract clauses into any Covered Program, contract, or license with Cornell.
 - iii. Ensure Virtual Programs involving Minors follow this policy.
- b) Covered Persons (see [Definitions section](#)) are required to adhere to the following guidelines and standards when participating in Covered Programs involving Minors:
 - i. Avoid situations and circumstances in which an adult has one-to-one contact with a Minor in which that access also presents opportunities for secrecy or privacy.
 - ii. Comply with the published ratio of adult supervisors to participants for the duration of any Covered Program involving Minors (<https://www.acacamps.org/resource-library/accreditation-standards/aca-standards-relate-staff-screening-supervision-training>).
 - iii. Preclude Covered Persons (or any third party) from picking up or dropping off Minors absent a pre-existing relationship to the Minor(s) and express permission from a respective parent or legal guardian.
 - iv. Refrain from the use of tobacco, alcohol, or illegal drugs during the Covered Program.
 - v. Prohibit outside communications, including via social media, between Minors and Covered Persons.
- c) The Minors Program Administrator (see [Definitions section](#)) has the responsibility for monitoring compliance with the measures set forth in this policy. Additional responsibilities include monitoring of government reporting obligations, such as New York State Mandated Reporter guidelines (<https://ocfs.ny.gov/main/publications/Pub1159.pdf>).



2. Registration

Program Directors are required to register their Covered Programs annually with the Minors Program Administrator. Registration must be completed 30 days before the first day of the Covered Program. Any questions should be directed to the Minors Program Administrator.

3. Virtual Programs

The Program Director has responsibility for ensuring that all Virtual Programs (see [Definitions section](#)) involving Minors are compliant with applicable governmental privacy requirements, such as the U.S. Children's Online Privacy Protection Act (COPPA), state laws, and the European Union's General Data Protection Regulation (GDPR), if applicable. Contact the University Privacy Office for assistance.

4. Screening and Background Checks

- a) Each Covered Person must clear a background check in accordance with *University Policy 6.6.2, Reference Checks, Information Verification, and Background Checks* (<https://www.dfa.cornell.edu/policy/policies/reference-checks-information-verification-and-background-checks>) before the first day of participating in a Covered Program involving Minors.
- b) The Program Director is responsible for ensuring all Covered Persons associated with the Covered Program have been screened as required, received applicable training, and have been cleared before the first day of participating in the Covered Program involving Minors.
- c) The University has sole discretion to make determinations surrounding the necessity for background checks, or to preclude an individual from working with Minors based upon the absence of or results associated with a background check.

5. Training

Program Directors and Covered Persons are required to complete one of the following trainings that addresses identifying and responding to inappropriate interactions involving Minors before the first day of participating in a Covered Program involving Minors.

- Ithaca-based locations (includes Geneva and Cornell Tech): Successfully complete *RMI 2101 - Protecting Children: Identifying and Reporting Misconduct* (<https://culearn.cornell.edu/>).
- Weill Cornell Medicine: Successfully complete *Maintaining a Harassment Free Workplace, and RMI 2101 - Protecting Children: Identifying and Reporting Misconduct* (<https://learn.ue.org/LoginAndRegistration.aspx>).

6. Parental Permission / Consent

The Program Director is responsible for obtaining written parental permission from a Minor's parent or legal guardian prior to the Minor being allowed to participate in the Covered Program. The permission must be accompanied by disclosures of allergies, medical conditions, or any similar information that Covered Persons need to know to interact safely with the Minor in the Covered Program.



7. Collection and Retention of Information

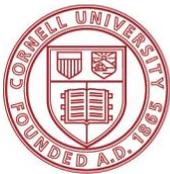
- a) The Program Director will retain documents and information for each Minor participating in a Covered Program until four years after the Minor reaches the age of 18 years -- excluding medical data that is no longer necessary, which should be deleted consistent with applicable records retention and disposal requirements (such as allergy disclosures of a Minor no longer attending a Covered Program). The Program Director must comply with *University Policy 4.7, Retention of University Records* (<https://www.dfa.cornell.edu/policy/policies/retention-university-records>).
- b) The Program Director will share collected information with the University that is necessary for the University to ensure the safety and security of the Covered Program participants and operation, such as names, birthdates, medical information, and housing details.

8. External Entities

- a) Prior to using University Property for Covered Programs involving Minors, the External Entity (see [Definitions section](#)) must execute a license agreement or contract with the University that contains necessary terms and conditions. Questions and support regarding these terms should be discussed with the Office of University Counsel.
- b) The license agreement or contract with the University requires the External Entity to provide insurance coverage as outlined on the Minors at Cornell website (<https://www.risk.cornell.edu/youth-programs/>).

9. Reporting Abuse

- a) If you believe that a Minor has been abused or mistreated, you are required to take the following steps:
 - i. If the Minor is in immediate danger or you require emergency assistance, call 911.
 - ii. If you suspect any Abuse of the Minor:
 - o Tell your supervisor and the Cornell Minors Program Administrator (607-254-1575 or risk_mgmt@cornell.edu); and
 - o Call the New York State Child Abuse and Maltreatment Hotline: 800-342-3720 (when calling the hotline, make sure to obtain an ID number and the name of representative contacted); and
 - o Call the Cornell University Police at 607-255-1111 (or the local police agency with jurisdiction over the location of the suspected abuse).
 - o *Additional Weill Cornell Medicine requirement:* Report to New York Presbyterian Security at 212-932-4400. New York Presbyterian Security will notify Weill Cornell Medicine Risk Management of all reports.
 - o *Additional Cornell Tech Campus requirement:* Report to Cornell Tech Safety and Security at 646-971-3611.



- b) Reporting Officers (see [Definitions section](#)) are required to:
 - i. Confirm that all mandated reporting has taken place in accordance with the “Reporting Abuse” provisions of this policy; and
 - ii. Confirm that serious incidences of Abuse (see [Definitions section](#)), including sexual abuse of Minors, have been properly reported to public safety authorities and Risk Management and Insurance for disclosure to the University’s insurance carrier.

10. Reporting Bias

Program Directors are required to report bias, discrimination, or harassment involving a member of the University community (faculty, staff, or student) to Cornell’s Office of Institutional Equity and Title IX <https://titleix.cornell.edu/reporting/>

11. Audits and Inspections

The Minors Program Administrator, Compliance Office, Office of Institutional Equity and Title IX, and/or Internal Audit may audit or investigate any Covered Program to assess compliance with this policy. In the event of such an audit, the Program Director is required to comply with reasonable requests and provide access to books, records, documentation, and any other information that may be necessary to assess compliance.

12. Failure to Comply

- a) University community members (faculty, staff, or students) who are Covered Persons under this policy who fail to comply with the reporting requirements may face disciplinary action under the applicable University policy -- for example, *University Policy 6.11.3, Employee Discipline (Excluding Academic and Bargaining Unit Staff)* (<https://www.dfa.cornell.edu/policy/policies/employee-discipline-excluding-academic-and-bargaining-unit-staff>) or the applicable collective bargaining agreement, up to and including termination, and/or the Campus Code of Conduct (<https://www.dfa.cornell.edu/policy/policies/campus-code-conduct>).
- b) For External Entities and Covered Programs, failure to comply with this policy may result in the summary suspension or termination of the Covered Program as well as requisite show cause to resume a Covered Program at Cornell.

Constituents

- Ithaca-based locations (includes Geneva and Cornell Tech)
- Weill Cornell Medicine – New York City
- Weill Cornell Medicine – Qatar
- Other: External Entity as defined in this policy



Definitions

- a) **Abuse** (of a Minor) – Harm committed by a person upon a Minor, by other than accidental means, including but not limited to serious physical or emotional harm, substantial risk of serious physical or emotional harm, neglect, or maltreatment. *See also* the New York State Office of Children and Family Services website for explanations and examples of such types of abuse: <https://ocfs.ny.gov/main/cps/critical.asp>

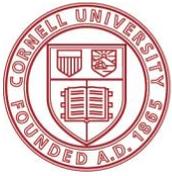
Abuse (of a Minor) under this policy also specifically includes such acts that qualify as sexual abuse or sexual performance. *See* the New York State Office of Children and Family Services website for explanations and examples of such types of abuse: <https://ocfs.ny.gov/main/publications/pub1154text.asp>

Abuse (of a Minor) under United Educators terms specifically includes:

- Sexual abuse - Any actual or alleged child molestation or serial sexual misconduct with a Minor
 - Child molestation - Any actual or alleged illegal or otherwise wrongful sexual conduct with a Minor
 - Serial sexual misconduct - Any actual or alleged illegal or otherwise wrongful sexual conduct: a) with more than one victim; and b) committed by or alleged to have been committed by any perpetrator who is not a Student (as defined in this policy)
- b) **Background Check** – The process of investigating a person’s criminal history and job-related or volunteer-related information. Background checks are required for all Covered Persons under this policy before commencing their engagement in a Covered Program involving Minors.
- c) **Covered Person(s)** – Any individual 18 years old or older (including owners, operators, Program Directors as defined in this policy, supervisors, employees, volunteers, Cornell Resident Advisors, and/or Students) participating in a Covered Program or External Entity Program that works closely with, interacts, supervises, instructs, or otherwise has direct, non-incident contact with Minors involved in a Covered Program under this policy. Covered Persons are required to comply with the measures contained herein unless expressly excepted or specified measures are waived by the Minors Program Administrator.
- d) **Covered Program(s)** – Any organized activity, or set of activities, in which the University is knowingly supervising Minors, that is offered, operated, or sponsored by a University unit or an External Entity. Examples include, but are not limited to, academic or recreation activities, day-camps, workshops, sports or coaches’ camps, residential programs, commuter programs, conferences, and internships.
- e) **External Entity** – An organization that is a separate legal entity from the University.
- f) **Minor** - Any person under the age of 18 who is *not* (a) a Student or (b) an employee of the University.
- g) **Minors Program Administrator** – The point of contact for any questions or issues regarding Covered Programs involving Minors. Provides policy clarifications, registers Covered Programs, and reviews reports of incidents involving Minors.



- h) **Program Director** – An individual who is responsible for the management of a Covered Program, whether or not that individual possesses another job or position title.
- i) **Reporting Officer** – For any Cornell entity, including, but not limited, to Cornell’s Ithaca-based locations (including Geneva and Cornell Tech) and Weill Cornell Medicine, any individual holding one of the titles listed below or an equivalent position is required to report Abuse of Minors to Risk Management and Insurance:
- President or Chancellor or Head of School
 - Provost or Chief Academic Officer
 - VP, of Finance, Chief Financial Officer
 - VP of Legal Affairs or General Counsel
 - Vice President of Student Affairs
 - Title IX Coordinator
 - Athletic Department Training Director or Head Athletic Trainer
 - Athletic Trainer
 - Director of any dispensary, clinic, infirmary, student health center, athletic facility, or similar facility, maintained by a Cornell entity to provide medical, athletic training, psychological or mental health counseling services principally for use by Cornell employees or Students
- j) **Risk Management and Insurance** – The University office that assists University stakeholders in achieving their objectives, while reducing risk to the University and managing the University insurance policies and reporting suspected incidents to insurance carriers.
- k) **Student** – An admitted applicant who has accepted the University’s offer of admission to one or more of the University’s degree programs *and* has commenced attendance at the University. Students are considered “in attendance” on the first day of the semester/term for which they were admitted; on the first day of their classes; on their first day residing in a university residence hall; on the first day of a University-sponsored pre-orientation trip, activity, or academic program in which they are participating; *or* on the first day of a graduate assistantship for the first semester/term for which they were admitted, whichever is earliest.
- l) **University Property** – For the purposes of this policy, University Property encompasses all University-owned or controlled real property, venues, facilities, and space.
- m) **Virtual Programs with Minors** – An online environment in which Minors interact with others in a live and synchronous setting.



Policy Administration

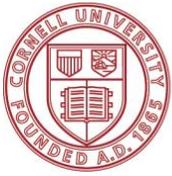
Any requests for clarification as to whether a particular program is covered under this policy, or a request for a waiver to particular policy measures, should be directed to the Minors Program Administrator. The Minors Program Administrator will assess the nature and severity of the potential risks to the program participants, the nature and level of interaction that Students, employees, volunteers, and/or third-party operators would have with the Minors participating in the program, and such other factors as the University deems relevant in determining any exemptions or excepted measure.

For policy clarification and interpretation, questions or issues regarding Covered Programs involving Minors, registration of Covered Programs, and review of reports of incidents involving Minors participating in Covered Programs, contact:

- Minors Program Administrator
 - Phone: 607-254-1575
 - Email: risk_mgmt@cornell.edu

Contacts

- Minors Program Administrator
 - Phone: 607-254-1575
 - Email: risk_mgmt@cornell.edu
- Cornell Police
 - Phone: 607-255-1111
 - Email: cu_police@cornell.edu
 - Address: 117 Statler Drive, G2 Barton Hall, Ithaca, NY 14853
 - Website: <https://www.cupolice.cornell.edu>
- Office of the President
 - Phone: 607-255-5201
 - Email: president@cornell.edu
 - Website: <https://president.cornell.edu>
- Office of the Provost
 - Phone: 607-255-2364
 - Email: provost@cornell.edu
 - Website: <https://provost.cornell.edu/>
- Executive Vice President and Chief Financial Officer
 - Phone: 607-255-4242
 - Website: <https://evp.cornell.edu/>
- Office of University Counsel
 - Phone: 607-255-3903 or 607-255-5124
 - Website: <http://counsel.cornell.edu/>
- Student and Campus Life
 - Phone: 607-255-7595
 - Contact SCL: <https://scl.cornell.edu/about-scl/contact-student-campus-life>
 - Website: <https://scl.cornell.edu/>



- Office of Institutional Equity and Title IX
 - Phone: 607-255-2242
 - Email: TitleIX@cornell.edu
 - Address: 500 Day Hall, Ithaca, NY 14853
 - Website: <https://titleix.cornell.edu/>
 - Online Reporting Link: https://cm.maxient.com/reportingform.php?CornellUniv&layout_id=6
- Athletic Director
 - Phone: 607-255-8831
 - Contact SCL: <https://scl.cornell.edu/about-scl/contact-student-campus-life>
 - Website: <https://cornellbigred.com/>
- Head Athletic Trainer
 - Phone: 607-255-423
 - Website: <https://scl.cornell.edu/about-scl/contact-student-campus-life>
- Cornell Health
 - Phone: [607-255-5155](tel:607-255-5155)
 - Email: cornellhealth@cornell.edu
 - Website: <https://health.cornell.edu/>
- Weill Cornell Medicine Risk Management
 - Phone: 646-962-7682
 - Website: <https://riskmanagement.weill.cornell.edu/about-us>
- New York Presbyterian Security
 - Phone: 212-932-4400
 - Website: <https://diversity.weill.cornell.edu/policies/title-ix>
- Cornell Tech Safety and Security (Cornell Tech Campus only)
 - Phone: 646-971-3611
 - Email: security@tech.cornell.edu
 - Address: 2 West Loop Rd. New York, NY 10044
 - Website: <https://security.tech.cornell.edu>

Resources

- Minors at Cornell website (more information regarding procedures and programs): <https://www.risk.cornell.edu/youth-programs/>
- University research involving Minors (which is governed by the Ithaca-campus and Weill Cornell Medicine Institutional Research Boards):
 - Ithaca campus: *SOP 11: Informed Consent, Enrollment, and Other Considerations for Research Involving Children* (<https://researchservices.cornell.edu/policies/irb-policy-11-research-involving-children>)
 - Weill Cornell Medicine: <https://research.weill.cornell.edu/institutional-review-board-irb>

Revision History

Date	Summary of Revisions
07/09/2020	<ul style="list-style-type: none"> • Updated Failure to Comply section for university community members.



Date	Summary of Revisions
06/26/2020	<ul style="list-style-type: none"><li data-bbox="527 352 792 384">• Originally issued