

WILLIAMS COLLEGE PROTECTION OF MINORS POLICY

POLICY STATEMENT

Williams College has zero tolerance for the abuse, neglect, or exploitation of minors. This policy outlines the ways in which Williams will prevent or report abuse and exploitation of minors on its campus or in Williams programs that occur off-campus. The central components of this policy are the obligation to report suspected abuse, appropriate training on preventing and recognizing child abuse, and appropriate background screening of individuals with responsibility for primary supervision of minors.

APPLICATION OF POLICY

This policy applies to all activities that bring minors to Williams's campus, either through Williams programs or programs facilitated by third parties, such as summer sports camps, that use Williams's campus pursuant to a facility use agreement. This policy also applies to Williams programs that involve minors and occur off-campus.

This policy does not apply to Williams faculty, staff, or students engaging with minors as part of off-campus activities that are not organized or managed by the College, e.g., internships, summer employment, or volunteer experiences.

As stated in this policy, certain components of this policy shall not apply when Williams faculty, staff, or students are not primarily responsible for oversight of a minor, e.g., a Williams student providing tutoring or mentoring in a school while a teacher is present.

It also does not apply to the Williams College Children's Center, which as a state-licensed early childhood education provider is subject to its own licensure rules and regulations, or to Williams College students volunteering as hosts for prospective or admitted students in admissions, athletics, or other programs that have their own protection of minors policies.

For purposes of this policy, the term "*minor*" includes any person under age 18, but does not include students enrolled in classes at Williams, or prospective or admitted students participating in admissions activities who happen to be under age 18.

In its regulations (110 CMR, section 2.00), the Department of Children and Families (DCF), defines terms used in this policy as follows:

DEFINED TERMS

Abuse means: The non-accidental commission by a caretaker of any act upon a child under age 18 which causes, or creates a substantial risk of, physical or emotional injury or constitutes a sexual offense under the laws of the Commonwealth; or any sexual contact between a caretaker and a child under the care of that individual. Abuse is not dependent upon location (i.e., abuse can occur while the child is in an out-of-home or in-home setting).

Neglect means: Failure by a caretaker, either deliberately or through negligence or inability, to take those actions necessary to provide a child with minimally adequate food, clothing, shelter, medical care,

supervision, emotional stability and growth, or other essential care; provided, however, that such inability is not due solely to inadequate economic resources or solely to the existence of a handicapping condition. This definition is not dependent upon location (i.e., neglect can occur while the child is in an out-of-home or in-home setting).

Physical Injury means: Death; or fracture of a bone, a subdural hematoma, burns, impairment of any organ, and any other such non-trivial injury; or soft tissue swelling or skin bruising, depending upon such factors as the child's age, circumstances under which the injury occurred and the number and location of bruises; or addiction to a drug or drugs at birth; or failure to thrive.

Emotional Injury means: An impairment to or disorder of the intellectual or psychological capacity of a child as evidenced by observable and substantial reduction in the child's ability to function within a normal range of performance and behavior.

Caretaker means a child's: (a) parent; (b) stepparent; (c) guardian; (d) any household member entrusted with the responsibility for a child's health or welfare; (e) any other person entrusted with the responsibility for a child's health or welfare whether in the child's home, a relative's home, a school setting, a day care setting (including babysitting), a foster home, a group care facility, or any other comparable setting. As such "caretaker" includes (but is not limited to) school teachers, babysitters, school bus drivers, camp counselors, etc. The "caretaker" definition is meant to be construed broadly and inclusively to encompass any person who is, at the time in question, entrusted with a degree of responsibility for the child. This specifically includes a caretaker who is also a child (i.e. a babysitter under 18 years of age).

DUTY TO REPORT ABUSE OR NEGLECT

Commonwealth of Massachusetts Mandated Reporters

Massachusetts state law classifies certain categories of employees or professionals as "mandated reporters" of suspected child abuse or neglect. As required by state law, mandated reporters must immediately report to the DCF whenever there is reasonable cause to suspect that a child has been or is likely to be abused or neglected. Please see the Commonwealth of Massachusetts's [mandated reporter webpage](#) for more information on mandatory reporting and required training.

Mandated reporters must immediately call the [DCF area office that serves the city or town](#) where the child lives to report child abuse or neglect. Nights, weekends, and holidays please call the Child-at-Risk Hotline at [\(800\)792-5200](tel:8007925200). After calling, mandated reporters *must submit a written report within 48 hours*.

Williams College Duty to Report

Williams requires all faculty and staff members to report suspected abuse or neglect of a minor when the suspected abuse occurs on Williams's campus, as part of college-sponsored programs or activities, or if they learn of the suspected abuse within the scope of their employment.

Reports of suspected abuse or neglect made by faculty or staff members, including mandatory reporters, must be made immediately to one of the following Williams officials:

1. Clery Compliance Manager and Investigator

2. Title IX Coordinator or a Deputy Title Coordinator;
3. Director of Campus Safety Services;
4. Vice President for Finance and Operations; or
5. General Counsel

In addition to providing notice to one of the Williams officials listed above, faculty or staff members suspecting abuse or neglect must immediately report the suspected abuse or neglect to DCF using the hotline identified above, and provide written confirmation to the Williams official that such report was made. Faculty or Staff members must still report to DCF immediately even if they have reported the suspected abuse or neglect to a Williams official.

In cases of imminent abuse, Williams faculty or staff members are encouraged to contact 911 prior to notifying Williams officials or DCF.

Williams students who become aware of suspected abuse or neglect through a Williams-sponsored program must notify their Williams program supervisor. If the program is co-sponsored with, or hosted by, a third party, i.e., a school system, the Williams program supervisor shall coordinate reporting efforts with the third party, and notify one of the Williams officials once that report has occurred.

IDENTIFYING PROGRAMS AND SEXUAL ABUSE TRAINING

To ensure compliance and allow time for required training, all Williams faculty or staff members who direct programs that involve direct interaction with minors, through on-campus programs or through Williams-sponsored programs that occur off-campus are expected to identify the program to the Clery Compliance Manager and Investigator on an annual basis and request training at least three months in advance of the start of the program.

As described below, Williams requires certain individuals interacting with minors to undertake child protection training programs that are either provided by United Educators or as otherwise approved by the Clery Compliance Manager and Investigator.

1. The following individuals are required to undertake the training program titled "Protecting Children: Identifying and Reporting Sexual Misconduct":
 - a. All Williams faculty, staff, and students who directly interact with minors, either through on-campus programs or through Williams-sponsored programs that occur off-campus.
 - b. All Williams faculty or staff members who direct programs that require direct interaction with minors, through on-campus programs or through Williams-sponsored programs that occur off-campus.
2. In addition, Faculty and Staff who serve as hiring managers or manage the engagement of volunteers in programs that involve direct interaction with minors shall complete the training program titled "Hiring Staff Who Work With Minors."
3. Other faculty and staff who do not work directly with minors themselves should be required to watch the 10-minute video entitled, "Shine a Light."

The Williams-sponsoring department shall contact the Clery Compliance Manager and Investigator to

register for the appropriate courses and maintain documentation verifying the completion of this program for all participants. All individuals receiving this training shall receive a copy of this policy.

BACKGROUND SCREENING

In order to ensure the safety of minors who are on campus pursuant to Williams-sponsored programs or participating in Williams-sponsored programs off-campus, the following individuals must undergo satisfactory evaluation, review of references, and background screening, including but not limited to criminal and sex offender registry checks:

All Williams faculty or staff members who directly interact with minors as part of their employment, either through on-campus programs or Williams-sponsored programs that occur off-campus. If the faculty or staff member was background screened at the time of hire, that screen will satisfy this requirement.

All Williams students who directly interact with minors, either on campus or through Williams sponsored programs that occur off-campus **and** assume responsibility for primary supervision of the minor(s).

- Williams students serving as mentors in CLiA programs where college students are only in supervised contact with minors, such as Classroom Helpers, Recess Buddies, Science Fellow and other similar programs, are not subject to this background screening requirement as those mentors do not assume responsibility for primary supervision of the minor mentee. Pursuant to CLiA's policies, mentor/mentee interactions in these programs occur in schools or other settings with supervision from teachers, parents, or other officials.
- On the other hand, Williams students engaging in Williams-sponsored mentoring or tutoring programs in which the mentor or tutor is alone with the minor and responsible for primary supervision of the minor are subject to this background screening requirement.
- Williams students participating in educational/teacher training programs at participating site schools with background procedures will not be subject to screening pursuant to this policy. Those students will be subject to the background screening policies of the participating institution.
- The College recognizes the limited value of a criminal background screen for Williams students, as juvenile violation records are often sealed and will not appear on a criminal record screen. As such, Williams students who are screened as part of this process will be subject to only an online sex offender registry search in Massachusetts and their state of residence.

All background screening shall comply with applicable state and federal laws. Costs relating to background checks will be paid by the Williams department sponsoring the program. The sponsoring department shall review the background screening and reference check results and maintain documentation verifying completion of the screening process. Departments should contact HR or the Clery Compliance Manager and Investigator if there are questions or concerns regarding screening

results or processes, and whether the results of the screen should prohibit the individual from participating in activities involving minors.

Once an individual has undergone a satisfactory background check, either pursuant to this policy or their original hiring process, that individual does not need to undergo a new check while that individual is at Williams.

CONTRACTING WITH THIRD PARTIES FOR PROGRAMS WITH MINORS ON CAMPUS

All third parties maintaining programs for minors on campus must execute Williams's standard facility use agreement. The agreement shall contain the following provisions:

"To ensure the protection of minors in its programs and activities on the College's campus and all College Facilities, [User] shall implement best practices, including training for employees and appropriate employee and volunteer screening. These practices must be at least as protective of minors as the College's Protection of Minors Policy and its [Minimum Standards for the Prevention of Child Abuse](#). Williams College has zero tolerance for the abuse, neglect, and/or exploitation of minors. In addition to its reporting obligations under Massachusetts law, [User] shall immediately notify the College's Department of Campus Safety Services (413-597-4444) of any suspected abuse, neglect, or exploitation of a minor on the College's campus."

Requirement to provide evidence of general liability insurance, including sexual abuse or molestation coverage as follows:

General Liability Insurance with minimum coverage limits of \$1,000,000 combined single limit for bodily injury and property damage per occurrence and \$2,000,000 general aggregate. Client's Certificate of Insurance must explicitly note the inclusion of athletic participation coverage.

Sexual Abuse or Molestation Coverage: If Client's program includes children under the age of 18, Client must provide proof of this insurance, listing "sexual abuse or molestation coverage" in the certificate of insurance, with minimum coverage limits of \$1,000,000 per occurrence and \$5,000,000 aggregate or coverage amounts otherwise agreed to by the College in writing.

In both instances, such coverage shall name Williams as an additional insured on a primary and noncontributory basis.

If the program is a camp subject to licensure under Massachusetts regulations, the following additional terms must be included:

"All operators of recreational camps for minors on the Williams College campus must be properly licensed, must comply with the Minimum Standards for Recreational Camps for Children as set forth in the Massachusetts Department of Health's regulations governing prevention and reporting of child abuse and neglect in recreational camps (105 CMR 430.000), and must submit to the College proof of licensure and a copy of the written policies and procedures required by

105 CMR 430.093 governing prevention and reporting of child abuse and neglect in recreational camps.”

These contractual requirements do not apply to third parties that are invited to the College's campus as guests of the College for a Williams-sponsored event.

CONDUCT/TRAINING/REGISTRATION EXPECTATIONS

Williams faculty, staff, and students are expected to comply with best practice guidelines to prevent child abuse and allegations of abuse. Please see Williams College Minimum Standards for the Prevention of Child Abuse, attached hereto as Exhibit A.

Williams faculty and staff members directing programs that require direct interaction with minors, through on-campus programs or through Williams-sponsored programs that occur off-campus are expected to ensure that those serving the program are adequately trained for the particular program. This could include behavior-management expertise, CPR/First Aid certification, and or other training as required under this policy.

All Williams-sponsored programs with minors shall follow appropriate registration processes, as applicable, which should include parental/guardian permission, emergency contact information, primary medical care provider information, and allergies/medications information.

SANCTIONS

Violations of this policy may result in disciplinary action under applicable College policies and procedures. Depending on the circumstances, breaches of this policy by employees may result in immediate suspension without pay, dismissal from employment, or separation from the College.

CHILDCARE ON CAMPUS

The Williams College Children’s Center is a licensed childcare provider. Childcare provided in support of College programs shall occur only if the care is directed by WCCC staff, another licensed provider of childcare.

Policy Last Revised 10/12/ 2022

Effective: 10/12/2022

EXHIBIT A

[Williams College Minimum Standards](#)