

ROGER WILLIAMS UNIVERSITY
PROTECTION OF MINORS POLICY

PURPOSE

Roger Williams University (including Roger Williams University School of Law) (collectively, the “University”) is committed to promoting a secure and safe environment for minors on its campuses and for those who participate in any University-sponsored events or programs, whether on or off campus. This policy establishes consistent standards intended to articulate the University’s expectations with regard to the protection of minors on campus and/or in University-sponsored events or programs and each individual’s obligations to report any instances of known or suspected child abuse or neglect.

SCOPE

This policy applies to all University employees, students, agents, contractors and authorized volunteers.

POLICY STATEMENT

Background Checks

All individuals who have direct contact with persons under the age of eighteen (18) (hereinafter “minors”) or supervise a program with minors must undergo a nationwide criminal background check before participating in programs and activities with minors on campus. Such background screening will include, at a minimum, criminal history and sexual offender registry searches.

1. University Programs: Human Resources (“HR”) will conduct background checks for all non-University employees, including students and volunteers, working with minors. HR also will conduct background checks on University employees at the time of onboarding and on a set schedule thereafter.
2. Third-Party Programs: Organizations sponsoring such programs on University premises or using University resources and/or personnel must conduct national criminal background checks at their own expense on all staff, volunteers, contractors and agents participating in the programs. Prior to the start date of any third-party program, sponsoring organizations also must warrant, in writing, that all participants in the programs have cleared such background checks.
3. Self-Disclosure: After completion of an initial background check, individuals working with minors are expected to disclose any new criminal arrests or convictions to the University within forty-eight (48) hours of its occurrence and to cooperate in providing information necessary to evaluate the circumstances of the arrest/conviction.

Mandatory Reporting

All persons in Rhode Island who have reasonable cause to know or suspect that any child has been abused or neglected by a parent or caregiver or who has been a victim of sexual abuse by another child are required by law (R.I. Gen. Laws § 40-11-3) to report such known or suspected cases of neglect or abuse to the Rhode Island Department of Children, Youth and Families within twenty-four (24) hours of becoming aware of such actual or suspected abuse/neglect.¹

Upon reasonable cause to believe that a minor participating in a program at the University may be abused or neglected, each person is required to make two reports immediately:

1. First Report: Report to the Rhode Island Department of Children, Youth and Family Services Child Protection Hotline at 1-800-RI-CHILD or 1-800-742-4453.
2. Second Report: Report to the University's Department of Public Safety at 401-254-3333 (on campus, ext. 3333) to confirm that the first report has been made.

All reports made pursuant to this Policy shall include all relevant information known to the reporter at the time of the report, to include:

- the date, time and location of the known or suspected incident(s);
- the date that the incident(s) was/were reported to, suspected by, or made known to the reporter;
- the identities and ages of the victim(s), and if known, the alleged perpetrator(s);

¹ Under Rhode Island law, "abused or neglected child" means a child whose physical or mental health or welfare is harmed, or threatened with harm, when his or her parent or other person responsible for his or her welfare: (i) Inflicts, or allows to be inflicted, upon the child physical or mental injury, including excessive corporal punishment; or (ii) Creates, or allows to be created, a substantial risk of physical or mental injury to the child, including excessive corporal punishment; or (iii) Commits, or allows to be committed, against the child an act of sexual abuse; or (iv) Fails to supply the child with adequate food, clothing, shelter, or medical care, though financially able to do so or offered financial or other reasonable means to do so; or (v) Fails to provide the child with a minimum degree of care or proper supervision or guardianship because of his or her unwillingness or inability to do so by situations or conditions such as, but not limited to: social problems, mental incompetency, or the use of a drug, drugs, or alcohol to the extent that the parent or other person responsible for the child's welfare loses his or her ability or is unwilling to properly care for the child; or (vi) Abandons or deserts the child; or (vii) Sexually exploits the child in that the person allows, permits, or encourages the child to engage in prostitution as defined by the provisions in § 11-34.1-1 et seq., entitled "Commercial Sexual Activity"; or (viii) Sexually exploits the child in that the person allows, permits, encourages, or engages in the obscene or pornographic photographing, filming, or depiction of the child in a setting that, taken as a whole, suggests to the average person that the child is about to engage in, or has engaged in, any sexual act, or that depicts any such child under eighteen (18) years of age performing sodomy, oral copulation, sexual intercourse, masturbation, or bestiality; or (ix) Commits, or allows to be committed, any sexual offense against the child as such sexual offenses are defined by the provisions of chapter 37 of title 11, entitled "Sexual Assault", as amended; or (x) Commits, or allows to be committed, against any child an act involving sexual penetration or sexual contact if the child is under fifteen (15) years of age; or if the child is fifteen (15) years or older, and (1) force or coercion is used by the perpetrator, or (2) the perpetrator knows, or has reason to know, that the victim is a severely impaired person as defined by the provisions of § 11-5-11, or physically helpless as defined by the provisions of § 11-37-1(6).

- if applicable, the name, title and contact information for every University employee, agent, contractor or volunteer who is believed to have direct knowledge of the abuse or misconduct;

In cases where it is reasonably believed that a child is in imminent or continuing danger, the reporter should first contact the Police (by dialing 911) and then immediately thereafter the University's Department of Public Safety at 401-254-3333 (on campus, ext.3333).

Any doubt about reporting a case of suspected abuse or neglect should be resolved in favor of making an immediate report. State law (R.I Gen. Laws §40-11-4) provides that any person participating in good faith in making a report of known or suspected abuse or neglect shall have immunity from any liability, civil or criminal, that might otherwise be incurred or imposed. Further, it is the policy of the University that no member making a good faith report of suspected abuse or neglect will be disciplined or retaliated against in the terms and conditions of employment or in their educational program for making such reports.

Failure to report known or suspected child abuse pursuant to this Policy and the statutory requirements with which it is aligned may result in appropriate disciplinary measures in accordance with applicable personnel policies and procedures, collective bargaining agreements, and applicable Student Code of Conduct provisions.

Adopted by President's Cabinet on May 7, 2020