

Mandatory Reporting and Prevention of Child Sexual Abuse

Purpose:

On December 17, 2012, the State University of New York Board of Trustees adopted a new policy to mandate the reporting of incidents of child sexual abuse on University property and at University-sponsored events, and to take steps to prevent such incidents. The SUNY policy goes above and beyond all reporting requirements currently mandated by New York State law.

The purpose of this new policy is to further protect minors who are present on SUNY campuses or participating in SUNY-sponsored activities by ensuring that what should be a moral obligation also becomes a legal obligation.

Policy:

Any employee or student of or volunteer for SUNY Cortland (College) who witnesses or has reasonable cause to suspect any sexual abuse of a child (defined as a person under the age of 17) occurring on SUNY Cortland property or while off campus during official College business or College-sponsored events shall immediately report such conduct to the University Police Department (UPD) at SUNY Cortland.

Such report should include the name of the victim and assailant (if known), other identifying information about the victim and assailant, the location of the activity and the nature of the activity. Upon receiving such a report, UPD shall promptly notify the College President, the Assistant Vice President for Human Resources, and the Commissioner of University Police (Commissioner) at System Administration. The Commissioner shall promptly report such incidents to the Chancellor of the State University of New York for periodic reporting to the SUNY Board of Trustees.

To aid in the prevention of crimes against children on College property or at College-sponsored events, relevant employees will be trained on the identification of such crimes and proper notification requirements.

Vendors, licensees or others who are given permission to come onto campus or to use College facilities for events or activities that will include participation of children shall ensure that they have in place procedures for training, implementation of applicable pre-employment screening requirements and reporting of child sexual abuse.

For the purposes of this policy, the applicable definition of child sexual abuse are those used in the NYS Penal Law in Articles 130 and 263 and Section 260.10.

Any employee found in violation of the provisions of this policy shall be subject to discipline up to termination of his/her employment, consistent with the terms and conditions of the

applicable collective bargaining Agreement, if any, as well as subject to any applicable criminal prosecution.

Further, retaliatory action against anyone who has reported sexual abuse, or who has been involved in reporting, investigating, or responding to sexual abuse, is a violation of this policy. Those found responsible for any retaliatory action will be subject to discipline up to and including termination.

This policy shall not effect a mandatory reporter's obligation to report suspected sexual abuse of a child under the New York State Mandatory Reporting Law.

Approved by: Erik Bitterbaum, President

Effective Date: September 3, 2013

Distribution: All Employees