Protection of Minors at Columbia Reporting Suspected Abuse and Maltreatment of Minors

Effective Date: March 2013
Revised: December 2013

Policy Statement
This policy creates an independent duty for members of the Columbia University community who interact with, supervise, chaperone, or otherwise oversee minors in programs or activities at the University or sponsored by the University to report immediately if they have reasonable cause to suspect abuse or maltreatment of individuals under the age of 18.

Any member of the Columbia University community may report a concern if they suspect that a child has been abused or maltreated.

Reason(s) for the Policy
Although most students on Columbia University’s campuses or enrolled in its programs are over 18 years old, there are thousands of minors present at Columbia over the course of a year. Columbia University has a legal and moral obligation to protect those individuals.

Although some University employees, as mandated reporters, are required by law to report suspected child abuse and maltreatment, we should all follow these procedures to ensure that we protect minors who are on our campus or participating in University programs and activities.

Mandated reporters are required to report cases of suspected child abuse and maltreatment under New York State Law and include physicians, registered nurses, social workers, and mental health professionals, among others. Additional information is available in the reference section of this policy.

Primary Guidance to Which This Policy Responds

- Title 6 of Article 6 of the New York State Social Services Law, §§411-428 define child abuse and maltreatment.
- Article 10 of the New York State Family Court Act, §1012 further defines child abuse, maltreatment and other key terms.
- Title IX of the Education Amendments of 1972 ("Title IX") is a Federal Civil Rights law that prohibits discrimination on the basis of sex and gender in any education program or activity receiving federal funds. The “Dear Colleague Letter on Sexual Violence,” dated April 2011, emphasizes that sexual violence is the most egregious form of sexual harassment under Title IX.

Responsible University Office & Officer
Office of University Compliance (http://compliance.columbia.edu/minors.html)
Department of Public Safety
Office of Equal Opportunity and Affirmative Action, Title IX Officer
Who is Governed by this Policy
Members of the Columbia University community, paid or unpaid, who interact with, supervise, chaperone, or otherwise oversee minors in programs or activities at the University or sponsored by the University. This includes, but is not limited to, officers of administration, instruction, research, and libraries, athletics, support staff, volunteers, graduate and undergraduate students who are acting as employees or volunteering as members of a Columbia sponsored program, activity, or event, interns, employees of temporary employment agencies, and independent contractors/consultants.

Who Should Know this Policy
All members of the Columbia University community who interact with, supervise, chaperone, or otherwise oversee minors in programs or activities at the University or sponsored by the University.

Exclusions & Special Situations
The duty to report may not apply to certain confidential communications to attorney or members of the clergy in cases where a recognized legal duty of confidentiality applies.

Physicians, psychiatrists, licensed therapists, and other clinicians who are reporting suspected child abuse or maltreatment to the New York State Child Abuse & Maltreatment Hotline in connection with their clinical care to patients are not required to notify Public Safety of the report if doing so would breach a patient’s legal rights to confidentiality.

Policy Text
Columbia University requires all members of the University community who interact with, supervise, chaperone, or otherwise oversee minors in programs or activities at the University or sponsored by the University to report immediately if they have reasonable cause to suspect abuse or maltreatment of individuals under the age of 18. Any members of the Columbia University community may report a concern if they suspect that a child has been abused or maltreated.

The University does not tolerate retaliation against individuals who report concerns in good faith.

Responsibility
If you believe that a minor may have been abused or maltreated, you must take the following steps:

- If a child is in immediate danger or you require emergency assistance, call 911.

- If you suspect child abuse or maltreatment:
  - Call the New York State Child Abuse & Maltreatment Hotline: 800-342-3720
  - Call the Department of Public Safety: 212-854-5555 (Morningside) or 212-305-7979 (Medical Center).

You are also strongly encouraged to notify the appropriate program director.

If any University employee covered by this policy willfully fails to report a case of suspected child abuse or maltreatment, this will result in disciplinary action, up to and including termination of employment.
Reasonable Cause to Suspect
Note that under Social Services Law §413 a report is required when the reporter has reasonable cause to suspect:
- A child is an abused or maltreated child.
- The parent, guardian, custodian, or other person legally responsible for the child comes before the reporter and states from personal knowledge facts, conditions, or circumstances that, if correct, would render the child abused or maltreated.

Definitions

Child Abuse includes physical abuse, physical neglect, sexual abuse, and emotional abuse. New York law defines these types of abuse as follows:

**Physical abuse**: Non-accidental physical injury of a child that ranges from superficial bruises and welts to broken bones, burns, serious internal injuries and in some cases, death. It includes actions that create a substantial risk of physical injury to the child.

**Physical neglect**: Withholding, or failing to provide, adequate food, shelter, clothing, hygiene, medical care, education, or supervision, such that the child’s physical, mental or emotional condition is impaired or at imminent risk of being impaired.

**Sexual abuse**: When an individual commits a sexual offense against a child or allows a sexual offense to be committed, such as rape, sodomy, or engaging a child in sexual activity or in a sexual performance.

**Emotional abuse**: Acts or omissions that cause or could cause serious conduct, cognitive, affective, or other mental disorder such as torture, close confinement, or the constant use of verbally abusive language. This may include emotional neglect, such as withholding physical and emotional contact to the detriment of the child’s normal emotional or even physical development.

Maltreatment (includes Neglect) means that a child’s physical, mental, or emotional condition has been impaired, or placed in imminent danger of impairment, by the failure of the child’s parent or other person legally responsible to exercise a minimum degree of care by:
- failing to provide sufficient food, clothing, shelter, education; or
- failing to provide proper supervision, guardianship, or medical care (refers to all medical issues, including dental, optometric, or surgical care); or
- inflicting excessive corporal punishment, abandoning the child, or misusing alcohol or other drugs to the extent that the child was placed in imminent danger.

Mandated Reporters are certain professionals recognized by New York State who are specially equipped to perform the important role of mandated reporter of child abuse or maltreatment. For additional information, please refer to the [Summary Guide for Mandated Reporters in New York State (Pub. 1159)](https://www13.nyc.gov/html/scs/downloads/pdf/motech/1159.pdf).

Definitions and examples of sexual harassment, sexual assault, intimate partner violence, and stalking are available in the [Student Policies and Procedures on Discrimination and Harassment](https://www.suny.edu/undergraduate/policies-and-procedures/).
Contacts

- New York State Child Abuse & Maltreatment Hotline: 800-342-3720
- Mandated Reporter Hotline: 800-635-1522
- Department of Public Safety: 212-854-5555 (Morningside) or 212-305-7979 (Medical Center)
- Office of Equal Opportunity and Affirmative Action: 212-854-5511
- Columbia University Compliance Hotline: 866-627-3768 or compliance.columbia.edu

Reference Material

Recognizing & Reporting Child Abuse & Neglect
This brochure from the NYC Administration for Children’s Services addresses questions often asked by friends, neighbors, and relatives about recognizing and reporting child abuse and neglect.

As part of its ongoing effort to ensure the safety and well being of New York City’s children, Children’s Services has produced this Fourth edition of the Parent’s Guide to the New York State Child Neglect and Abuse Laws. Children’s Services acknowledges the many challenges that families and children encounter. This publication provides useful information about the New York State laws that protect children.

Preventing Child Sexual Abuse Within Youth-Serving Organizations
This 48-page guide from the Centers for Disease Control and Prevention, U.S. Department of Health and Human Services includes chapters on prevention, overcoming challenges, developing processes, and implementing training.

Summary Guide for Mandated Reporters in New York State (Pub. 1159)
This material provides mandated reporters with an overview of their obligations and some basic information about the New York State Child Protective Services (CPS) system.

Mandated Reporter Self-Directed Online Training
This online, two hour, web-based online training course is sponsored by the New York State Office of Children and Family Services. This course meets the New York State Education Department mandatory requirements for Training in Child Abuse Identification and Reporting.

Cross References to Related Policies

- Employment Policies and Procedures on Discrimination and Harassment
- Student Policies and Procedures on Discrimination and Harassment
- Consensual Romantic and Sexual Relationship Policy Between Faculty and Students
- Gender Based Misconduct Policies for Students
- Guidelines for Short Term Visitors in Research-Related Activities

If any URL in this PDF document does not open into a webpage, please copy and paste the URL into another web browser window. You may also choose to save the PDF to your computer and open it with the most recent version of Adobe Acrobat: http://get.adobe.com/reader/. For further assistance, please call the CUIT Service Desk at 212-854-1919.