

## RF Child Protection Policy

<b>Effective Date:</b>	April 1, 2026
<b>Supersedes:</b>	N/A
<b>Policy Review Date:</b>	3 years from effective date
<b>Issuing Authority:</b>	Research Foundation President
<b>Policy Owner:</b>	V.P. Sponsored Programs and Regulatory Affairs
<b>Contact Information:</b>	518.434-7284 RFCOSponsoredPrograms@rfsuny.org

### Reason for Policy

The Research Foundation for the State University of New York (“RF”) recognizes child protection as a top priority and programs involving Children must be of high quality of service, as well as demonstrate a commitment to safety. Program activities involving vulnerable populations, including Children, have a substantial degree of inherent risk and as such, protocols must exist to ensure that Children involved in these programs are properly cared for and that any potential for harm is minimized to the greatest extent possible.

### Statement of Policy

Individuals employed by the Research Foundation or who support RF programs and activities must act appropriately with and ensure the safety of Children who participate in those programs. All Covered RF Representatives engaged in Covered RF Activities must comply with the requirements set forth in the [State University of New York \(SUNY\) Child Protection Policy](#) and the [SUNY Policy on Mandatory Reporting and Prevention of Child Sexual Abuse](#) and the additional requirements in this Policy set forth below. This Policy will clearly identify the duties and responsibilities of RF Representatives who support Covered RF Activities and define internal mechanisms to be followed. This policy is not applicable to university on-campus child care centers, which are subject to regulations, including by New York State’s Office of Children and Family Services.

Individuals covered under this policy (“Covered RF Representatives”) include RF employees (including RF employees under staffing services agreements), SUNY employees, and volunteers who are responsible for the custody, control, or supervision of Children participating in Covered RF Activities, or are otherwise responsible for such programs (e.g. Principal Investigators or Project Directors).

Where this policy conflicts with state law, regulation, or SUNY Policy: state law, regulations, or SUNY Policy will prevail when the law, regulation, or SUNY Policy is more protective of Children or requires a

higher standard of care of Children. Stricter standards outlined in this policy that are above any legal requirement or applicable SUNY policy must be adhered to.

Research involving children is subject to additional regulatory requirements. See [45 CFR 46 Subpart D, Additional Protections for Children Involved as Subjects in Research](#) and also [NIH Policy 3014-402 - Research Involving Children](#).

## **Required and Prohibited Conduct**

### Required Conduct

Covered RF Representatives must:

- Ensure compliance with SUNY's Child Protection Policy and Policy on Mandatory Reporting and Prevention of Sexual Abuse, and this policy.
- Disclose to the PI (as applicable):
  - as soon as practicable but no later than within two weeks if they get arrested, or if they are convicted of a crime.
  - as soon as practicable any existing relationships (e.g. family, friends, friends of family) with a Child involved in the Covered RF Activity.

### Prohibited Conduct

Covered RF Representatives Must Never:

- Be alone (one-on-one) with a Child, unless the Covered RF Representative is a parent, guardian, or Caregiver of the Child, unless one-on-one contact is approved in accordance with the requirements in SUNY's Child Protection Policy on the basis of the pedagogical or health-related nature of the Covered Activity requiring such one-on-one contact with a Child (e.g. tutoring, music lessons, speech therapy, and medical, dental or optical services).
- Be alone (one-on-one) with a Child in a restroom, locker room, shower, sleeping area (including but not limited to a bed or a cot; or a room or part of a room that is designated for sleeping like a bedroom, a clearly designated nap area or a hotel room) unless such Covered RF Representative is a parent, guardian, or Caregiver of the Child.
- Be alone (one-on-one) with a Child in a motor vehicle, unless (i) such Covered RF Representative is a parent, guardian, or Caregiver of the Child, or (ii) there is an emergency situation involving a clear safety risk to the Child. In such emergencies, the Covered Person must notify the Principal Investigator as soon as practicable before or after transporting the child one-on-one.
- Engage in Verbal Abuse, Emotional Abuse, Physical Abuse or Sexual Abuse of a Child.
- Engage in the use of alcohol, marijuana or illegal drugs during Covered RF Activities, or otherwise be under the influence of alcohol, marijuana or illegal drugs during Covered RF Activities.
- Enable, facilitate, or fail to address and report a Child's use of alcohol, marijuana, illegal or non-prescribed drugs during a Covered RF Activity.
- Contact a Child outside the Covered RF Activity for reasons related to the Covered RF Activity outside the Child's parent, guardian, or Caregiver unless this is not possible or practical. In such

cases, the Covered RF Representative must obtain approval in writing from the PI, including the reason direct contact with the Child is necessary.

- Any program-related use of social media, social media messaging services, or Non-Native Tools Or Applications must be approved by the PI annually and documented.
- Contact a Child outside the Covered RF Activity for any reason not related to providing services required by the Activity, including through electronic media including social media, social media messaging services, or Non-Native Tools or Applications, unless such Covered RF Representative is a relative, guardian or Caregiver of the Child.
- Offer or make a gift to a child for the purpose of engaging in any prohibited conduct.
- Ask a Child for a personal favor.
- Ask a Child for any personal information for reasons unrelated to a Covered RF Activity.
- Take any property, possession, or money from a Child unrelated to a Covered RF Activity.
- Disclose any information relating to a Child, including photographs, to anyone outside of the Program other than parent, guardian, or Caregiver, specifically including posting to any social media, without a written authorization from the Child's parent, guardian, or Caregiver.
  - Information regarding a Child shall be provided to the RF's Office of General Counsel, Office of Internal Audit Services, or Office of Compliance Services when requested in situations involving potential incidents or concerns involving Covered RF Activities.
- Release a Child from a Covered Activity to anyone other than a Child's parent, guardian, or Caregiver without a written authorization from the Child's parent, guardian, or Caregiver.
- Leave a Child unsupervised in a public place or a place that is not the usual program site, or leave a Child unsupervised at a usual program site if not allowable under program rules/policy.
- Otherwise endanger the welfare of a Child.

The Campus RF HR Director or designee must:

- Upon notification by the Principal Investigator ("PI") regarding new and ongoing Covered RF Employees and volunteers supporting Covered RF Activities, ensure that criminal background checks are obtained not more than 90 days before those Covered Employees and volunteers take part in a Covered Activity and every five years thereafter:
  - Criminal background checks must include the following:
    - NYS criminal history check
    - Federal/FBI criminal history check
  - In addition, for any individual who resides or resided in another state in the prior five (5) years, the criminal history repository must be checked for that state(s).
- Upon notification by the Principal Investigator regarding any Covered RF Employees and volunteers supporting Covered RF Activities who will drive one or more Children for a Covered Activity, ensure driving records are checked for those Covered Employees and volunteers not more than 90 days before they take part in the Covered Activity and annually thereafter.
- The Campus RF HR Director or designee will have 1 year from the effective date of this policy to bring current Covered RF Employees and volunteers supporting Covered RF Activities into compliance with these background check requirements.
- Retain documents related to background checks required under this policy for the period of employment or support for the Covered Activity, and a period of six years after those Covered RF

Employees have separated from the RF or those volunteers have ended their involvement with the Covered RF Activity.

Principal Investigators responsible for Covered RF Activities must:

- Ensure compliance with and enforce this policy.
- Annually certify compliance with this policy.
- Annually approve and document any program-related use of social media, social media or other messaging services, or Non-Native Tools Or Applications and the reason(s) for such use.
- Approve any direct contact of a Child outside the Covered RF Activity by a Covered RF Representative for reasons related to the Covered Activity when contact with the Child's parent, guardian, or Caregiver is not possible or practical.
- Retain documents related to approvals obtained pursuant to this policy for the duration of the approval plus three years.
- Report immediately to 1) the campus Operations Manager ("OM") or Deputy OM and 2) the RF Office of General Counsel or RF Central Office of Human Resources:
  - if notified or aware that a Covered RF Representative has been arrested or convicted of a crime; or
  - if notified of or aware of any problems or issues with a Covered Program related to this policy, or any known or suspected violations of this policy.
- Notify the Campus RF HR Director or Designee of Covered RF Employees (and volunteers supporting Covered RF Activities) as needed to ensure:
  - that criminal background checks are obtained for all Covered RF Employees (and volunteers) not more than 90 days before those Covered Employees take part in a Covered Activity and every five years thereafter; and
  - that checks of driving records are obtained for any Covered RF Employees (and volunteers) who will drive one or more Children for a Covered Activity prior to the Covered Activity taking place.
- Ensure that Covered RF Employees (and volunteers supporting Covered RF Activities) do not take part in a Covered RF Activity until background checks required by this policy are obtained; and ensure that sex offender registry checks are complete for all Covered RF Representatives as required by SUNY's Child Protection Policy.

## Reporting

All RF employees and Representatives, regardless of if they are a Covered RF Representative, must contact law enforcement immediately to report:

- any instances of Child Physical or Sexual Abuse, or any reasonable suspicion that such Abuse is occurring or has occurred;
- any ongoing assault or other immediate danger to a Child; or
- if there is reason to believe a crime has been committed during a Covered Activity.

The RF [Office of Internal Audit Services](#) and the campus OM or DOM must be notified of any such reports made to law enforcement as soon as practicable. This is in addition to (and not instead of) any applicable reporting obligations as a mandatory reporter, under law or any other reporting obligations that may exist.

All Covered RF Representatives:

- also have an affirmative duty to report any potential violations of this policy through any of the reporting channels outlined in the [RF Fraud and Whistleblower Policy](#). The RF will not tolerate the harassment of or retaliation against any RF employee or Representative who, in good faith or with reasonable belief, raises concerns or participates in an RF investigation of potential violation of this policy.

### **Progressive Discipline**

Any RF employee or Representative found liable for Physical, Sexual, Verbal or Emotional Abuse of a Child, providing or allowing a Child to have alcohol, illegal drugs or marijuana during a Covered Activity or who otherwise violate this policy or engage in any acts prohibited by this policy will be subject to progressive discipline up to and including separation of employment. The RF retains the right to prohibit any Covered RF Representative who violates this policy from continuing to work for the Covered Activity.

### **Responsibilities**

The following table outlines the responsibilities for compliance with this Policy:

<b>Responsible Party</b>	<b>Responsibility</b>
Covered RF Representatives	Must comply and ensure compliance with the requirements set forth in this policy, <a href="#">SUNY's Child Protection Policy</a> , and <a href="#">SUNY's Policy on Mandatory Reporting and Prevention of Child Sexual Abuse</a> .  Must comply with all relevant disclosure and reporting obligations required under this policy.

Responsible Party	Responsibility
<p>PIs responsible for Covered RF Activities</p>	<p>In addition to having the responsibilities of Covered Employees above:</p> <p>Annually certify compliance with this policy.</p> <p>Notify the Campus RF HR Director or Designee of Covered RF Employees and volunteers supporting Covered RF Activities as needed to ensure:</p> <ul style="list-style-type: none"> <li>• that criminal background checks are obtained for all Covered RF Employees and volunteers not more than 90 days before those Covered Employees take part in a Covered Activity and every five years thereafter; and</li> <li>• that checks of driving records are obtained for any Covered RF Employees and volunteers who will drive one or more Children for a Covered Activity prior to the Covered Activity taking place.</li> </ul> <p>Ensure that Covered RF Employees and volunteers supporting Covered RF Activities do not take part in a Covered RF Activity until background checks required by this policy are obtained; and ensure that sex offender registry checks are complete for all Covered RF Representatives as required by SUNY’s Child Protection Policy.</p> <p>Approve and document annually any program-related use of social media, social media messaging services, or Non-Native Tools Or Applications.</p> <p>Approve any direct contact of a Child outside the Covered RF Activity by a Covered RF Representative for reasons related to the Covered Activity when contact with the Child’s parent, guardian, or Caregiver is not possible or practical.</p> <p>Retain documents related to approvals obtained pursuant to this policy for the duration of the approval plus three years. This includes approvals for program-related use of social media or other messaging services, and approval for direct contact with a Child outside the program when contact with the Child’s parent, guardian, or Caregiver is not possible or practical.</p>

Responsible Party	Responsibility
Campus RF HR Director or designee	<p>Upon notification by the Principal Investigator regarding new and ongoing Covered RF Employees and volunteers supporting Covered RF Activities, ensure that criminal background checks are obtained as required by this policy.</p> <p>Upon notification by the Principal Investigator regarding any Covered RF Employees and volunteers supporting Covered RF Activities who will drive one or more Children for a Covered Activity, ensure driving records are checked for those Covered RF Employees as required by this policy.</p>
All employees and Representatives	Must comply with the applicable reporting obligations required under this policy.

## Definitions

*Caregiver* – an individual who is acting as a parent, but is not the natural parent or guardian, who provides care for the student on a day-to-day basis (e.g., a grandparent, another relative, or a family friend, etc.).

*Child (Children)*- An individual under the age of eighteen years, who is participating in a Covered Activity, unless: the individual is seventeen and is a matriculated SUNY student at the SUNY campus which is supporting or performing Covered Activities; or is legally emancipated.

*Covered RF Activity*- a program or activity sponsored or approved by the Research Foundation for the State University of New York, including work through which the RF is involved through staffing services agreements, occurring on or off a SUNY campus, for the duration of which the responsibility for custody, control and supervision of Children is vested in the RF or SUNY. This policy is not applicable to university on-campus child care centers, which are subject to regulations, including by New York State’s Office of Children and Family Services.

*Covered RF Employee* – A Covered RF Representative who is 1) an employee of the Research Foundation for the State University of New York, including RF employees under staffing services agreements; or 2) a volunteer supporting a Covered RF Activity.

*Covered RF Representative* – A individual who is responsible for the custody, control or supervision of Children participating in a Covered RF Activity, or otherwise responsible for programs involving Covered RF Activities (i.e. PIs or Project Directors).

*Non-Native Tools Or Applications*- Messaging or Communications Software that is not standard or built into a hardware platform, i.e. Google Mail, Apple Mail, Outlook, but is a separately downloaded or purchased software application, including but not limited to Signal, What’s App, Group Me, Viber, Wickr Me, Telegram, etc.

*Physical Abuse* - Physical contact with a child by a covered person which is intended to cause, or causes, pain or physical injury, including punching, beating, shaking, throwing, kicking, biting and burning, or directing a child, outside the norm of the supervised activity, to perform physical activity which is intended to cause physical injury.

*Representatives*- individuals doing work on behalf of the RF pursuant to a delegated authority or with assumed authority, including PIs and Project Directors.

*Sexual Abuse* - Engaging in a sexual offense with a child and/or encouraging or promoting sexual performance by a child. Pursuant to the NYS Penal Law Articles 130, 263, and Sections 260.10 and 260.25, sexual offenses include: sexual misconduct, rape, criminal sex acts, forcible touching, persistent sexual abuse, sexual abuse, aggravated sexual abuse, course of sexual conduct against a child, facilitating a sex offense with a controlled substance, sexually motivated felony, predatory sexual assault against a child, and sexual performance by a child. This also includes Penal Law offenses relating to children including endangering the welfare of a child and unlawfully dealing with a child in the first degree. Sexual performance by a child, as defined by the Penal Law, is any behavior which results in touching of the sexual or other intimate parts of a child for the purpose of sexual gratification of the child and/or adult, including touching by the child and/or adult with or without clothing, and all acts as defined by New York State Penal Law Articles 130, 263 and Section 260.10.

*Verbal and/or Emotional Abuse* - Yelling and nonphysical behavior that belittles another person which can include insults, put down, verbal threats or other tactics that make the child feel threatened, inferior, ashamed or degraded.

## Related Information

[State University of New York Child Protection Policy](#)

[State University of New York Child Protection Policy – Guidance](#)

[State University of New York Policy on Mandatory Reporting and Prevention of Child Sexual Abuse  
RF Fraud and Whistleblower Policy](#)

## Forms

None

## Change History

Date	Summary of Change
April 1, 2026	New policy.

## Feedback

Was this document clear and easy to follow? Please send your feedback to [webfeedback@rfsuny.org](mailto:webfeedback@rfsuny.org).