Observations on the Protection of Minors in Community Colleges

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Child Protection on the Top Ten List of Legal Issues Facing Community Colleges

In a 2016 article, Attorney Leslie Robert Stellman placed minors on campus as #9 among the top legal issues facing community colleges. He explained:

*Legal Exposure for Minors on Campus.* A lesson that Penn State University will no doubt never forget is that colleges frequently host minors, who are subject to special legal protections. While in general a state entity such as a community college is not constitutionally obligated to protect minors or other individuals from harm caused by third parties, nonetheless most states have strict laws governing sexual contact between adults and minors. In many cases adults who work with children on a regular basis – such as summer camp counselors employed on the campuses of many community colleges – are subject to background checks, including fingerprint analysis. In light of the Penn State scandal, many colleges and universities have revisited their rules and policies regarding the presence of minors on campus, and have become far more sensitive to concerns created by their presence. One of Penn State’s biggest faux pas was a failure to timely report each incident of sexual abuse to the U.S. Department of Education and to the University community as required by the Clery Act, which mandates the reporting and publication of campus crimes. The consequences of Clery Act violations range from hefty fines against the college to the denial of federal student loans to college attendees.²

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Suggested Steps for Implementing a Minors Protection Policy

1. Know Your State Law. Check your state law on reporting child abuse. You can find a summary of your state law on the federal Child Welfare Information Gateway. Consult a local lawyer on the current status of the state law. Other laws, such as camp licensing, may also be relevant. In Texas, the attorney general has allowed community colleges to ban handguns in certain areas with children.

2. Create an Initial Inventory. Take an initial snapshot of programs and activities through which your college interacts with minors, both enrolled and non-enrolled. Calculate the number of minors with whom your institution interacts annually. Consider separate counts for non-enrolled and enrolled student minors.

3. Adopt a Policy. Develop an institutional policy on preventing and reporting possible child abuse. See the sample community college policies below. Consider whether you’d like your policy to address related areas, such as emergency planning for youth-serving programs and accommodating campers and other minors who have disabilities. Features of your policy might include:
   a. Registry. Your policy may require that youth-serving programs must register in advance with a central person or office. As one potential resource, the University of Florida is licensing its software to other institutions.
   b. Training. Your policy may require certain staff, faculty, and students who work with minors (or everyone) to complete training in identifying potential child abuse and neglect and reporting it. Establish a training program and track that the designated individuals complete it before they start working with minors.
   c. Background checks. Your policy may require certain staff, faculty, and students who work with minors to complete a satisfactory criminal background check before they start working with minors. Decide how you will implement this and track completion.

4. Identify an Individual or Group to Oversee the Policy. Consider appointing one person, or a small group, to oversee compliance with the policy and to answer questions.

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3 https://www.childwelfare.gov/topics/systemwide/laws-policies/state/
4 The American Camp Association has an excellent state-by-state guide on laws concerning camps.
5 Visit the University of Florida's Office of Youth Conference Services website. https://oycs.ufsa.ufl.edu/educationalresources/ycrsinfo
5. Check Your Insurance. Understand how, if at all, your insurance addresses child abuse.

6. Look at Expectations on Facilities Renters. Examine your contracts with outside groups that rent college facilities for youth-serving programs. Decide whether you want to require them to conduct staff background checks and training. Decide on insurance requirements. Note that the University Risk Management and Insurance Association offers insurance for outside sports camps.6

7. Learn from Experience. Consider convening regular meetings to assess the effectiveness of your policy, compliance with it, and the need for any tweaks. Look into joining the Higher Education Protection Network, which is the primary knowledge-sharing venue on youth protection in higher ed.7

Sample Community College Policies and Websites on the Protection of Minors

Montgomery College (MD)
http://cms.montgomerycollege.edu/ProtectMinors/

Mira Costa College (CA)
http://www.miracosta.edu/studentservices/minorsoncampus_reportingchildabuse.html

Northwest Arkansas Community College
http://content.nwacc.edu/administrativeservices/Policyforas/emergencyriskmgmt/NonStudentsChildrenMinorsOnCampusProceduresApril2016.pdf

Truckee Meadows Community College (NV)
http://www.tmcc.edu/vpss/child-protection-procedure/

Westchester Community College (NY)

West Hills Community College District (CA)

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6 Visit www.urmia.org/insurance/sportscamps.
7 Dues for individuals in higher education institutions are $150. Visit www.higheredprotection.org.
News Stories on Child Molestation and Child Pornography in Community Colleges

NOTE: The following descriptions were drawn from media accounts. They are only as accurate as those accounts and do not include subsequent developments. It is possible, for example, that someone arrested was exonerated or that a finding of guilt was overturned on appeal.

Community College Tutor for Disabled Students Commits Suicide after Child Porn Conviction and New Campus Investigation
The disability support office at Oakland Community College (MI) suspended tutor Mark George Britten in 2013 after his conviction for possessing child pornography. He was sentenced to seven months in jail and five years of probation. Despite the misgivings of some employees, the college returned Britten to his role. One colleague, now retired, had expressed her concerns over Britten’s access to college computers and to minors on its campuses. His probation was modified to prohibit him from tutoring anyone under 17.
Recently the college launched an investigation into potential misuse of its computer system. Britten was suspended pending completion of the investigation and committed suicide in early May.

Convicted Sex Offender, Posing as Maintenance Worker, Lures Kids at Community College Pool
Adam Woolf was arrested in February 2017 in New Jersey, after posing as a maintenance worker at the pool in the Mercer County Community College physical education building. Woolf, 23, allegedly told several children that chlorine levels in the pool would damage their bathing suits. He directed three boys to go to the men’s locker room, where he stripped and invited them to shower with him. Two girls also told authorities that Woolf followed them into the women’s locker room and attempted to undress. The children were part of a community group that rents the pool.

Woolf was charged with multiple counts of luring, lewdness, and endangering the welfare of a child. At age 14, he had been convicted of criminal sexual contact and listed as a high-risk sex offender on the state’s registry. At the time of his recent arrest, he was a student in the college’s DREAM program, which serves adult mentally-disabled students who are too old to attend high school. He had participated for several years in the college’s Special Olympics program.

Woolf pleaded guilty to several counts and was sentenced to five years of non-custodial probation. His attorney said that he agreed to seek as much treatment as necessary to deal with his emotional condition. “He’s someone with cognitive challenges that require a significant amount of treatment and he’s getting the treatment even as we speak,” said the attorney.
Early Childhood Education Major Confesses to Molesting Boys in University Child Care Center

Kyle Loughlin, age 21, worked in the child care center at Bridgewater State University (MA), where he was majoring in early childhood education. In early April he was arrested for molesting two boys, ages 4 and 5, at the center. A parent became concerned after her son asked her to “tickle him the way that Kyle does.”

After a teacher reported the parent’s concerns to the Center’s director, Judith Ritacco, Ritacco allegedly told the teacher to keep the matter confidential. Ritacco allegedly did not act on the situation for two weeks. The prosecutor claims that Ritacco told the teacher that “she would handle the matter, and only she would handle the matter.” She was arrested for failing to make a prompt report and has pleaded not guilty. Her lawyer maintains that Ritacco told her superiors about the situation. Evidence to support that allegation has not yet been offered.

When police went to arrest Ritacco, her husband said he would not tell them where she was. The husband, the police chief at a nearby community college, was placed on administrative leave.

Veteran teachers at the child care center had raised concerns about Loughlin’s apparent preoccupation with certain children and other unusual behaviors. Upon hearing news of Loughlin’s arrest, fellow students also expressed opinions that he was strange. Ritacco is asserting that she had told her supervisor, the assistance vice president of student affairs, about the teacher’s misgivings about Loughlin. The VP reportedly told Ritacco to proceed carefully, as Loughlin is legally blind and might bring a discrimination claim.

Addendum: At the time of her arrest, Ms. Ritacco was also teaching a class in human development psychology at Quinsigamond Community College.

Child Abuse Prevention Efforts in Community Colleges

Many community college provide courses and certificates in child protection. Consider partnering with the faculty in those areas in developing, and improving, the institution’s own program. April is National Child Abuse Prevention Month. Some community colleges undertake special projects and outreach during April to promote awareness. Here are just a few examples.
Art Exhibit. Somerset Community College (KY) hosted an art exhibit by preschoolers of works in which they recreated old masters in their own style. The reception sought to raise awareness about child abuse and prevention.

Awareness Week. Students at Hagerstown Community College (MD) sponsored a week of activities to bring awareness to child abuse. Enrolled in the college’s Human Services Program, the students worked with their professor on daily projects. These included: inviting students to sign a pledge to report child abuse; a speaker; a fundraiser for a local children’s advocacy group; and a day to wear blue to show awareness of the issue.

Pinwheel Garden

Children from the Wayne Community College (NC) early childhood center planted a “garden” of pinwheels. Pinwheels have become a symbol of a safe and healthy childhood. Students from the college’s human development program and a local women’s club provided assistance.

At Virginia Western Community College (VA), a local child protection group, community members, and local officials planted 3,000 pinwheels that were displayed for a week.

Seminar. Pellissippi Community College (TN) hosted a two-hour training seminar on child abuse. “Stewards of Children” is a nationally-recognized awareness and prevention program.

Tabling. Every Wednesday during April, the School of Child Development and Education at Tulsa Community College (OK) sponsored a table in the student union with information on preventing child abuse.

Workshop. Ivy Tech Community College (IN) hosted a workshop sponsored by Prevent Child Abuse America. The topic was compassion fatigue. Parents and caregivers attended in the morning, and professionals attended in the afternoon.

Helpful Resources
American Camp Association www.acacamps.org
Child Welfare Information Gateway www.childwelfare.gov
Gundersen National Child Protection Training Center www.gundersenhealth.org/ncptc/
Higher Education Protection Network www.higheredprotection.org
National Sex Offender Public Website www.nsopw.gov
Prevent Child Abuse America preventchildabuse.org