**FAYETTEVILLE STATE UNIVERSITY**

**PROTECTION OF MINORS ON CAMPUS**

**PROCEDURES**

**Authority:** Issued by the Chancellor. Changes or exceptions to administrative policies issued by the Chancellor may only be made by the Chancellor.

**Category:** University-Wide

**Applies to:** Administrators Faculty Staff Students Volunteers External Organizations

**History:**  Revised March 2023

**Related Policies/**:  Protection of Minors on Campus Policy

 Prohibited Sexual Conduct Policy

**Regulations/Statutes**

**Contact for Information:** Office of Compliance, Equity and Risk Management - (910) 672-1043

Title IX Coordinator **-** (910) 672-2325

Division of Legal, Audit, Risk and Compliance - (910) 672-1041

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1. **PURPOSE**

The Protection of Minors on Campus Procedures (*Procedures*) serves as a companion to Fayetteville State University’s (University) Protection of Minors on Campus policy.

1. **SCOPE**

These procedures apply to all Covered Programs and Covered Individuals in their interactions with minors at Fayetteville State University. The University expects all individuals to adhere to and act in accordance with these procedures.

1. **DEFINITIONS**

**Authorized Adult**: An individual age eighteen (18) and older, paid or unpaid, who works with, supervises, chaperones, or otherwise interacts in Fayetteville State University programs or activities and who has complied with all registration, background check and training requirements pursuant to the PMOC Policy and these procedures.

**Covered Individuals**: All individuals age eighteen (18) and older, including employees, volunteers, and students of the University and owners, employees, and volunteers of third party entities operating a Covered Program who work closely with, supervise, instruct, or otherwise come into direct, non-incidental contact with minors in a Covered Program. Invited guest speakers, guest lecturers, or guest instructors whose interaction with minors is limited and only in the presence of a Covered Individual, are not required to be considered Covered Individuals.

**Covered Programs:** Activities, programs, or events primarily serving or including minors and which include either of the following:

1. Is conducted by the University (or a department, organization, or other entity thereof), whether located on university property or elsewhere; or
2. Is conducted by a third-party individual or organization on university property.

**Minor:** A person under the age of eighteen (18) who is not enrolled or being considered for enrollment at the University.

**One-On-One Contact**: Personal, unsupervised interaction between an Authorized Adult and a minor without at least one (1) other Authorized Adult, parent, or legal guardian being present.

**Program Applicant:** An individual age eighteen (18) and older who has applied to interact with, supervise, chaperone, or otherwise oversee minors in a Covered program.

**Program Manager:** The person in charge of the program for the External Organization, recognized student organization, or University department, unit, or employee that organizes or is responsible for the overall administration of a Program.

**Program Participant** – A minor person under the age of eighteen (18) who is not enrolled in an

undergraduate/graduate program of study at or employed by the University and who participates in a Program serving minors.

**Program Personnel:** An Authorized Adult involved with a Covered Program.

**Third Party:** An organization or individual not affiliated with the university that uses University Facilities to conduct a Program pursuant to an approved contract or other use agreement with the University.

**University Facilities**: Facilities owned by or under the control of Fayetteville State University.

1. **GENERAL PROGRAM REQUIREMENTS**
	1. **Program Registration**
		1. All programs serving minors must submit the PMOC Program Registration Form (link) to the PMOC Office.
		2. The PMOC Registration Form must identify the name of the program and assign a Program Manager who is responsible for compliance with all university policies and procedures.
		3. The PMOC will review the registration form and determine if the program constitutes a Covered Program.
		4. The Program Manager is responsible for submitting the registration form and communication with the PMOC Office about applicable requirements.
		5. Upon approval by the PMOC Office, the Program Manager will refer all program personnel to the PMOC website to review the PMOC Policy, procedures, training and resources.
		6. The PMOC Office will conduct routine auditing and monitoring of program files for compliance with university policies and procedures.
	2. **Program Application & Certification**
		1. All Program Applicants must complete the Protection of Minors on Campus (PMOC) Certification. Program Applicants are responsible for providing the correct Program Name and Program Manager Name in the PMOC Certification Exam. Failure to correctly identify the Program or Program Manager will result in a delay of approval.
		2. Program applicants must review the PMOC policy and training modules (links).
		3. Program applicants must successfully pass the PMOC Certification Exam with a score of 85 or higher at least 7 days prior to the program's beginning date. (Please allow adequate time for completion and scoring of the quiz.)
		4. The PMOC Certification Exam includes a mandatory Personal Boundaries Statement.
		5. Program applicants will receive a PMOC Exam Results email from the PMOC office within three business days of taking the exam.
		6. Upon successful completion of the PMOC Exam, Compliance will send the Program Applicant a criminal background check authorization. Background checks will not be processed until successful completion of the exam.
		7. Program Applicants that will provide transportation to minors must complete a Disclosure and Authorization Form for a Driving Record check. This form is time-sensitive and must be accessed through a link and EPASS code that will be sent to the email address provided by the Program Applicant.
		8. The PMOC Office will send a PMOC Certificate to the Program Applicant and Program Manager within three business days of successful completion of all application and certification requirements.
		9. No adult may directly interact with minors on campus until they have been certified by the PMOC Office.
		10. Authorized Adults must be recertified annually.
2. **THIRD PARTY PROGRAMS**
	1. Programs held on the university campus by third parties (i.e., external organizations) shall be operated consistent with the guidelines of the PMOC Policy and these procedures.
	2. External organizations using university facilities for programs involving minors may be required to sign a Facilities Use Agreement and/or a Release and Indemnification Agreement.
	3. The university reserves the right to require additional liability coverage.
3. **UNIVERSITY SERVICES**
	1. Programs must complete registration and receive approval from the PMOC Office prior to requesting access to residential housing or auxiliary services. (Please note: PMOC programs are not currently allowed to use the university pool.)
	2. Upon approval of the program, Compliance will notify the appropriate departments, including Police and Public Safety.
	3. Program Managers must maintain dates of residential housing, and identify use of any other auxiliary services, such as the auditorium, on the PMOC calendar.
	4. Compliance will monitor program use of university services. The university reserves the right to discontinue access to university services based on failure to comply with university policies and procedures.
4. **INTERACTIONS WITH MINORS ON THE UNIVERSITY CAMPUS**

Everyone should make reasonable efforts to ensure the safety of minors on campus, regardless of whether a minor participates in a Covered Program.

* 1. Comply with all university policies and procedures concerning the protection of minors on campus.
	2. Always be vigilant in protecting the well-being and safety of all minors on campus.
	3. Be familiar with university safety, security and emergency procedures.
	4. Immediately report suspected or actual abuse or neglect, of any minor to the police.
	5. Report all incidents involving minors to the PMOC Office within 24 hours.
	6. Demonstrate respectful behavior toward minors.
	7. Do not engage in abuse or neglect of any kind toward, or in the presence of, a minor.
	8. When having a one-on-one interaction with a minor, meet in an open, well-illuminated space or in a room with an open door or windows.
	9. Remain observable by another Authorized Adult when feasible and practical.
	10. Do not provide alcohol, tobacco products, or illegal drugs to a minor.
	11. Do not engage in any sexually oriented behavior with a minor.
	12. Do not touch a minor in a manner that a reasonable person could interpret as inappropriate.
	13. Do not take or display photographs or videos of a minor without first obtaining a signed release from their parent or legal guardian.
1. **Reporting Potential Harm to Minors on Campus**
	1. Every member of the University community has an obligation to immediately report instances or suspected instances of the abuse of violent or sexual offense against, or inappropriate interactions with Minors to Police & Public Safety.
	2. FSU Police and Public Safety is staffed 24 hours a day year-round by trained professionals employed to serve the University community.
	3. In life-threatening emergencies, or when there is a need for immediate police, fire, or medical assistance, make the following two calls: • 911 • 910-672-1911
	4. Any individual age 18 or older who knows, suspects, or receives information that a minor has been Abused or Neglected, or who has other concerns about the safety of a minor on campus (including a missing minor), must immediately inform the university. This reporting requirement applies regardless of whether an affected minor is participating in a University Program.
		1. Police and Public Safety at 910-672-1911
		2. Ethics Helpline (anonymous reports are accepted) 910-672-1400
		3. Protection of Minors on Campus Incident Form
	5. Any suspicion or knowledge of prohibited sexual conduct towards a minor on campus should be immediately reported to the Fayetteville State University Title IX Office.
2. **SUPERVISION RECOMMENDATIONS**
	1. The University strongly recommends that there are at least two Authorized Adults present for any interaction with a minor. Program Managers are responsible for ensuring sufficient supervision of minors.
	2. Overnight housing standards should be based on the nature and location of each Program. Authorized Adults are never allowed to enter the room of a minor without at least one other Authorized Adult present, unless the minor is under the legal guardianship of the Authorized Adult.
3. **TRANSPORTATION OF MINORS**
	1. All transportation of minors must be approved by the Director of Compliance.
	2. Programs must obtain written permission from the parent or legal guardian prior to transporting a minor.
	3. Programs that provide transportation of minors must submit a roster of drivers to the Director of Compliance. Drivers must successfully clear the driving background check prior to transporting a minor.
	4. All FSU policies must be followed for transportation in university owned, leased, or rented vehicles.
	5. An Authorized Adult should not utilize their own privately owned vehicle to transport a minor and should not utilize a fleet vehicle unless accompanied by at least one other Authorized Adult.
4. **PROTOCOL FOR INJURIES AND ILLNESS**
	1. The Program Manager shall secure and maintain a report of any accident, injury or illness that occurs during a Program. A copy of these accident, injury or illness reports will be provided to the Director of Compliance.
5. **VIRTUAL PROGRAMS**
	1. The use of video-conferencing platforms with minors, such as Zoom or Microsoft Teams, is subject to the same standards as an in-person event.
	2. Authorized Adults in a videoconference must have the ability to clearly observe all interactions.
	3. Reasonable steps, such as use of passwords and waiting room features, shall be taken to secure the videoconference from access by unauthorized participants.
6. **NONDISCRIMINATION**
	1. Any program or activity operating on university owned or controlled property involving Minors shall be required to review and train its personnel on the University’s non-discrimination Policy. The University does not discriminate in its educational programs and activities on the basis of age, race, ethnicity, national origin, color, religion, sex, gender identity, disability, sexual orientation, genetic information, veteran or military status, or any other characteristic protected by institutional Policy or state, local, or federal law. Any requests for accommodation received by any program or activity operating on campus involving Minors should be coordinated with Facilities and the Director of Compliance.
7. **Program monitoring**
	1. Program Managers are responsible for maintaining documentation of compliance with the university’s PMOC policy and procedures.
	2. The program must maintain a Program Roster listing all Program Personnel and a Program Calendar which notifies the PMOC of the location and description of Program Activities.
	3. Programs must maintain an updated list of Program Activity times and dates, locations, attendance and a designated contact person with the PMOC Office.
	4. Programs must maintain a list of program participants with their emergency contact information.
	5. Programs must list the dates, location and contact information for their program on the PMOC calendar.
8. **RECORDS RETENTION**
	1. The University shall maintain documents related to the Program according to its records retention policies. Emergency Medical Forms will be kept until no longer needed by the University.
	2. Information regarding reports of abuse of a minor, including sexual abuse, will be maintained by the Title IX Coordinator according to the UNC General Schedule.