Frequently Asked Questions
University Programs that Involve the Participation of Minors
Updated 4/25/2016

These FAQs are meant to address common questions regarding NC State’s regulation on Programs that Involve the Participation of Minors (“Minors Regulation”).

Why has NC State adopted this regulation?

The university has adopted the Minors Regulation to provide guidance for those in the University community that host activities, events, or programs (“Programs”) that involve minors. The primary goal of the regulation is to promote the well-being and safety of minors who participate in Programs sponsored NC State.

For more information on this policy please visit the NC State Pre-College Programs website

What types of Programs are covered by this regulation?

In a broad sense, the Minors Regulation applies to any University-sponsored or affiliated Program in which minors will be participating. However, the regulation does not apply to performances or events open to the general public and which minors typically attend (such as athletic events, plays, concerts, open houses, lectures, or speaker events). Also, this regulation does not apply to internship or mentorship programs where minors will be under the supervision of a NC State employee. In addition, this regulation does not cover visits and tours for prospective students organized by the Office of Admissions or visits by minors, including overnight stays in University Housing facilities, by candidates for admission, prospective student-athletes, or siblings of enrolled students.

What about school or other outside entities requesting tours on campus if the tour is hosted by a University department or unit? Are these Programs under the Minors Regulation?

Yes. University departments and units should register these Programs by completing the form on the NC State Pre-College website as soon as practicable. However, as long as these tours are supervised at all times by school or the outside entity employees, and the university’s role in the activity is limited, departments and units do not have to conduct background checks or the training as required by sections 3.3.2 and 3.3.3 of the Minors Regulation. Nevertheless, waivers should be obtained from minors participating in the Program whenever possible.

Do Non-University Programs have to register?

Non-University organizations and entities that operate activities, events, or programs involving the participation of minors on NC State’s campus or property (such as Athletic Camps) are not required to register their programs. However, NC State will require these programs to comply with certain requirements of the Minors Regulation through the terms and conditions of their agreements with NC State, and monitored by the responsible University department or unit.

Do all 4-H Programs, including 4-H Clubs and Groups, have to register?
No. Only District and State-level sponsored 4-H Programs must register. Individual 4-H Clubs and Groups do not have to register.

**Do all NC Cooperative Extension Programs have to register?**

No. Only District and State-level sponsored Extension Programs must register. Individual clubs, groups, or county programs do not have to register.

**Since they are not required to register, do the Non-State level Extension or 4-H Programs have to comply with the other requirements of the Minors Regulation?**

Yes. Although not required to register, these groups must still comply with the other requirements of the Minors Regulation, including background checks, training, and reporting requirements. However, these groups do not have to submit the “compliance form” (see below for more information about this form). Extension and 4-H will be responsible for monitoring group compliance with these requirements.

**How do I register my Program?**

Go to https://emas.ncsu.edu/precollege/faculty-staff-resources/, click on “Registration Form”, provide the necessary information on the form, then hit submit.

**Do I have to register my Program each year?**

Yes. For recurring Programs, registration must be renewed at least annually utilizing this process.

**What type of training is required?**

All Program staff and volunteers must complete an annual training program. At a minimum, training must include:

- Applicable University policies, procedures, and rules, including the Minors Regulation;
- Behavioral expectations, including appropriate conduct when working with minors and related staff codes of conduct;
- Risk management best practices, procedures, and guidelines for all Program activities;
- Supervision plan for adequate supervision in light of the number and average age of the participants (supervisory ratio), the Program activities, and whether overnight stays are involved;
- Emergency planning, including for medical, severe weather, and other public safety emergencies;
- Basic warning signs of abuse or neglect of minors;
- Guidelines for protecting minors from emotional and physical abuse and neglect;
- Requirements and procedures for reporting incidents of suspected abuse or neglect or improper conduct;
- Other appropriate relevant or appropriate topics related to the Program

Training activities should be expanded depending upon the Program and the employee or volunteer’s role in the Program.
How can a Program fulfill training requirement?

Each Program is responsible for developing and conducting the required training. Consult with the Office of Insurance and Risk Management as well as Office of Violence Prevention and Threat Management for possible training ideas or opportunities.

Who is required to complete training?

Any Program leader, staff or volunteer who is involved in an activity, program or event involving the participation of a minor.

How do I certify that I have conducted background checks and all Program employees and volunteers received training?

The Program Director should complete the compliance form, found at https://emas.ncsu.edu/precollege/faculty-staff-resources/. This form will automatically be sent to appropriate dean or vice chancellor having supervisory authority over the Program.

What is the compliance form?

The Program Director must certify that all the requirements in Section 3.3 of the Minors Regulation have been met or will be met in advance prior to the start of the Program. The Program Director provides this certification by completing the compliance form prior to the start of the Program.

Does my Program need Campers’ Insurance?

Perhaps. Whether a Program needs Campers’ Insurance likely will depend on the nature and duration of the Program. All-day Programs and over-night Programs should obtain Campers’ Insurance. To determine whether your Program needs Campers’ Insurance and for questions on how to obtain this insurance, contact the Office of Insurance and Risk Management.

Why is the university requiring criminal background checks prior to participating in activities involving minors?

NC State is committed to promoting the well-being and safety of minors who participate in university programs or activities and in programs that outside organizations deliver on campus. Criminal background checks may reveal prior convictions that would make it inappropriate for someone to participate in a Program or activity with minors.

Who is required to have a criminal background check?

All volunteers working with minors in university-sponsored or affiliated Programs or activities are required to complete a background prior to the volunteer beginning work with minors. Program employees, including student-employees, will undergo background checks prior to their hire date. For more information concerning criminal background checks and their cost contact the Department of Human Resources and https://www.ncsu.edu/human_resources/backgroundcheck/ and see REG 05.55.08, Background Checks, at https://policies.ncsu.edu/regulation/reg-05-55-08.

Are students exempt from checks?

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No. Students who work or volunteer for a Program (secondary to their primary role as a student at NC State University) are subject to background checks if they will be working or engaging with minors.

**Are current employees subject to background checks?**

Likely not. However, employees who assume new duties that cause the current position to become appropriate for background checks (such as working with minors when they previously did not) are also subject to background checks.

**How do I get a criminal background check?**

Contact the Human Resource Department, Background Check Program Office at 919-513-5320 for the required paperwork and to arrange for payment of the required fee.

**How often will volunteers undergo a background check?**

Programs must conduct criminal background checks on returning volunteers every 2 years. However, volunteers must report any outstanding criminal charges they are subject to in the interim period between background checks.

**When are criminal background checks not required?**

State of North Carolina employees, public school teachers, and current NC State employees (unless they have changed job duties as described in the previous FAQ) are not required to complete a background check. However, pursuant to NC State REG 05.55.08, Background Checks, NC State employees are required to report any conviction to their immediate supervisor within 5 days of the conviction. Convictions include guilty verdicts/pleas, “no contest” pleas, and prayers for judgment continued (PJC).

In addition, individuals who have no direct individual contact with minor participants (such as a speaker, lecturer, or presenter), are not required to have a criminal background check.

**What should I do if I am not sure whether a criminal background check is required?**

You should evaluate your Program in light of the explanations included in this FAQ. If you require additional guidance, contact the Human Resource Department, Background Check Program Office at 919-513-5320.

**Can background checks be waived?**

Yes, in certain instances. If individuals will have limited contact with the participating minors (such as test proctoring) or where the only interaction occurs in a group setting (such as in a classroom or auditorium), a background check for that individual may be waived. Each circumstance will be evaluated on a case-by-case basis. To request a background check waiver, send a request to EMAS. EMAS will then consult with the Office of General Counsel, Vice Chancellor and Dean for Academic and Student Affairs, and the Dean or Vice Chancellor having supervisory authority over the Program as to whether to grant the exception.

**Who has access to background check results?**
Background information will be regarded as confidential and protected against unauthorized disclosure. Information shall not be released or otherwise disclosed except to persons who need to know this information in order to make a determination regarding employment or accepting the individual as a volunteer.

**Are there things I can do to make it less likely for child abuse to occur?**

Yes, there are several precautions you can take, and these should be covered in the required training program. For example, if you must have one-on-one contact with minors, try to do so in a public space rather than in a closed, private environment. Limit your contact with minors to professional interactions. Do not do anything to compromise your position as an adult role model.

**What if I see or suspect a case of child abuse, neglect or inappropriate interactions with minors?**

Every member of the NC State community has an obligation to immediately report allegations, instances or suspected instances of abuse or inappropriate interactions with minors to the NC State University Police Department (919-515-3000), as well as to his/her supervisor, Program director, dean, or vice Chancellor. This duty and obligation includes information about suspected abuse, neglect, or inadequate care provided by a parent, guardian, or custodian/caretaker.