



<b>SUBJECT:</b> Pre-Collegiate Programs	<b>Effective Date:</b> 2-1-16	<b>Policy Number:</b> 3.1	
	<b>Amended:</b> 8-21-17; 4-30-18; 2-8-21		
	<b>Supersedes:</b> New	<b>Page</b> 1	<b>Of</b> 9
	<b>Responsible Authority:</b> Vice President, Student Affairs		

**APPLICABILITY/ACCOUNTABILITY:**

**Scope and Applicability:** This policy applies to all Florida Atlantic University (FAU or University) operated or affiliated programs (FAU pre-collegiate programs) designed for individuals under 18 years of age who have not yet graduated from high school (“minor participants”), whether operated on or off campus, and in which the program participants are left in the care and supervision of FAU employees or volunteers. FAU operated or affiliated means programs or activities the University operates or sponsors, or in which program staff participate through their University roles with the approved use of University trademarks or facilities.

The Florida Atlantic University Operating Standards for Pre-Collegiate Programs apply to all programs covered by this policy. The policy applies year-round—it is not limited to programs conducted during the summer months. These standards shall be maintained, reviewed annually, and updated as necessary by the Pre-Collegiate Programs Office (PcPO).

**Limitations:** This policy is limited to programs sponsored, overseen, supervised, operated, or managed by the University or any affiliate, and where the participants are under the age of 18. Participants must be: (1) registered in a program approved by the PcPO; (2) in the care and/or supervision of a University employee or volunteer; and (3) without a parent, guardian, teacher, etc. who is responsible for their supervision at all times. The name or title of the program is not controlling, and may include fairs, festivals, entertainment or sporting activities, and educational programs that include, in whole or in part, care and/or supervision by a University employee or volunteer.

**Exclusions:** Excluded from this policy are: (i) programs designed for individuals 18 years of age or older; (ii) programs designed for individuals who have graduated from high school; (iii) FAU’s developmental research (laboratory) school (FAUS) programs designed for FAUS students; (iv)

early childhood education programs at FAU's Educational Research Center for Child Development; (v) recruited student-athlete "official visits" involving minors; (vi) Institutional Review Board (IRB) approved research involving minors; (vii) licensed childcare facilities on campus or University sites; (viii) activities involving minors who are enrolled, dually enrolled, or accepted for enrollment at the University, or who are employed by the University; and (ix) field trips, visits, and programs supervised by a minor's school or organization where guardians or chaperones are invited or expected to accompany and supervise the minors.

Such programs are excluded even if they serve some or all participants under 18 years of age. Also excluded are pre-collegiate students who, on their own, are using University facilities, taking campus tours, or participating in programs that do not involve the University's assent to directly supervise the individual.

**All programs covered by this policy must submit an Acknowledgement of Understanding of the Florida Atlantic University Operating Standards for Pre-Collegiate Programs AND the Pre-Collegiate Programs Application. Annual submission of both documents is required.**

#### **DEFINITIONS:**

1. *Children*: Individuals under the age of 18. When used herein, refers to both the singular and the plural, i.e., child or children.
2. *Minor*: Individuals under the age of 18 who have not graduated from high school, and are not enrolled at the University.
3. *Participants*: Children participating in a program covered by the aforementioned Pre-Collegiate Programs Policies and Procedures. When used herein, refers to both the singular and the plural, i.e., participant or participants.
4. *Pre-Collegiate Program*: A program organized for individuals under age 18, including but not limited to summer, vacation, or after school; and whether academic, athletic, social, or other—that is covered by the aforementioned Pre-Collegiate Programs Policies and Procedures. When used herein, refers to both the singular and the plural, i.e., pre-collegiate program or youth programs.
5. *Florida Atlantic University Affiliate*: Any group, organization, or association that is external to the University, but benefits from an official relationship. Benefits of such relationships may include the approved use of the University's trademarks, facilities or other services.
6. *Florida Atlantic University Operating Standards for Pre-Collegiate Programs (hereinafter "Operating Standards")*: Standards to which any program staff member or affiliate who is or may be undertaking the custodial care of children must adhere.
7. *Custodial Care*: Responsibility for the supervision of children on a temporary basis for the purpose of the children engaging in the pre-collegiate program.

8. *Program Staff Member*: Any Florida Atlantic University employee, volunteer, student, intern, or affiliate who has independent, unsupervised access to children in a pre-collegiate program or who is authorized to have independent, unsupervised access to children in a pre-collegiate program.
9. *Visitor*: Any individual who is not a program staff member and who does not, and will not, have authorized independent, unsupervised access to children in a pre-collegiate program.
10. *Volunteer*: Any individual not paid by FAU or an affiliate who may supervise or interact with children, or have independent, unsupervised access to children. Volunteers may be adults or minors.
11. *Continuing*: No break of employment or volunteer time greater than 90 days.
12. *Emergency*: A sudden and unforeseen imminent situation requiring immediate remedy or action to preserve the safety of the children in program staff's custodial care.

**POLICY:**

**I. GENERAL PROGRAM STAFFING REQUIREMENTS (SR):**

1. **SR-1: Director/Owner/Administrator**: The pre-collegiate program directors, owners, and administrators must have at least two prior years of administrative or supervisory experience in the type of pre-collegiate program they are responsible for directing, **OR** five years of academic experience or content-area expertise in the responsible program. Each program director/owner/administrator must also hold a bachelor's degree or appropriate professional certification related to the responsible program. All program directors/owners/administrators must complete and pass a Level 2 background check pursuant to Florida State law.
2. **SR-2: Program Staff** – Eighty (80) percent of the program staff must be 18 years of age or older. All program staff must be at least 16 years of age and at least 2 years older than the **oldest** program participant(s). Pursuant to Florida State law, all program staff must complete and pass a Level 2 background check through FAU Human Resources (HR). A list of all program staff must be submitted to the PcPO prior to the first day of the program.

**II. PROGRAM STAFF SCREENING REQUIREMENTS (SS):**

1. **SS-1**: The following screening requirements apply to all new paid **and unpaid** program staff with unsupervised access to participants:
  - **SS-1A**: Background check in accordance with Florida State law and Florida Atlantic University Human Resource policy;
  - **SS-1B**: Check of the National Sex Offender Registry through the Florida Atlantic University Human Resource Office;
  - **SS-1C**: Driver's license screen through the Florida Atlantic University Human Resource Office for anyone transporting participants in a vehicle;

- **SS-1D:** Personal interview of the individual by the director/owner/administrator of the pre-collegiate program or designee; and
  - **SS-1E:** Check of references – Either conduct a documented interview or obtain a written recommendation from two individuals known to the prospective program staff member for at least one year and who are not family members or friends. Be sure to inquire if there is any reason the prospective program staff member should not work with the participants.
2. **SS-2:** The following screening requirement applies to all continuing paid **and unpaid** program staff with unsupervised access to participants:
- **SS-2A:** On an annual basis, complete a Florida Atlantic University Disclosure Statement for Pre-Collegiate Camps/Programs identifying any criminal charges or convictions since the prior year (a sample Florida Atlantic University Disclosure Statement for Pre-Collegiate Camps/Programs is available in the Florida Atlantic University Pre-Collegiate Programs Guide).

### III. PROGRAM STAFF TRAINING REQUIREMENTS (ST):

**ST-1:** All pre-collegiate program directors must provide a training program for their program staff. The training program must be in written form and updated annually. Program directors are responsible for providing documentation confirming that each program staff member has been trained on the following basic topics:

1. **ST-1A:** Recognition, prevention, and reporting of child abuse (in accordance with applicable law and FAU’s Child Abuse & Neglect Reporting Requirements);
2. **ST-1B:** Recognition and reporting pursuant to Title IX; and
3. **ST-1C:** Emergency procedures and the role of program staff and/or visitors in their implementation.

**ST-2:** The directors/owners/administrators of all FAU pre-collegiate programs that use Florida Atlantic University housing are required to review and understand the Florida Atlantic University Housing Guidelines. All pre-collegiate program directors/owners/administrators will receive housing-policy training materials for use in their staff-training programs.

**ST-3:** All pre-collegiate program directors/owners/administrators must complete program director’s orientation training prior to the start of their pre-collegiate programs.

### IV. SUPERVISION REQUIREMENTS (SP):

**SP-1:** All pre-collegiate programs are required to establish and maintain appropriate supervision ratios. **A list of all program participants must be submitted to the PcPO following the first day of the program.**

The overall program staff to participant ratio must be 1:10. This ratio must be met with program staff members who are at least 18 years of age and program staff members who are at least two years older than the participants they are supervising. **In the event of an emergency, when the ratios cannot be met, use your best judgment to ensure continued supervision.**

**SP-2:** All pre-collegiate programs are required to establish and maintain appropriate supervision for program participants.

#### **Participants Younger than Age Six**

Supervision of participants younger than six years of age requires that program staff are in the same area as the participants and are readily accessible, aware, responsible for the ongoing activity of each participant, and **able to intervene when needed**.

#### **Participants Age Six and Older**

Supervision of participants ages six and older requires that program staff are readily accessible, aware, responsible for the ongoing activity of each participant, and **able to intervene when needed**.

**SP-3: One-to-one interactions should be avoided to the extent possible.** For example, in situations that require a personal conference, conduct the meeting or activity in view of other adults or participants (i.e., out in the open). This includes both adult-to-participant and participant-to-participant contact.

**SP-4: Behavior Management and Discipline:** Pre-collegiate program directors should develop written policies and procedures to implement fair and consistent disciplinary steps that are appropriate to the participants' ages, the pre-collegiate program, and the situation. Discipline policies shall not include corporal punishment.

### **V. MEDICAL CARE (M):**

**M-1:** All pre-collegiate programs must develop procedures for handling medical issues and medical emergencies.

- **M-1A:** All pre-collegiate programs should use the Florida Atlantic University Pre-Collegiate Program Registration and Release Form (located in the Florida Atlantic University Pre-Collegiate Programs Guide), which includes a Permission to Treat clause (to be completed by parent or guardian). If your pre-collegiate program does not use this form, please submit your own form for review and approval. All athletic pre-collegiate programs should require participants to submit a medical statement (completed and signed by licensed medical personnel) attesting to the participant's fitness to participate in the program;
- **M-1B:** All pre-collegiate programs should use the Permission to Administer Medication Form (to be completed by parent or guardian) for participants who may require medication during the pre-collegiate program (located in the Florida Atlantic University Pre-Collegiate Programs Guide);
- **M-1C:** All pre-collegiate programs shall designate a health officer who is responsible for maintaining participant medication in a locked and secure location **at all times**;
- **M-1D:** All pre-collegiate programs must have a plan for obtaining medical attention for participants in emergency and non-emergency situations;
- **M-1E:** All pre-collegiate programs must provide a written notice to parents or guardians that identifies the situations in which they will be notified of illness or injury of their child; and

- **M-1F:** Each pre-collegiate program must have at least one individual (a program staff member or visitor) with current First Aid & CPR certification on site at all times.

## VI. RELEASES AND WAIVERS (RW):

**RW-1:** All pre-collegiate programs must use the FAU Parental Permission Form and Release of Liability for Pre-Collegiate Programs (located in the Florida Atlantic University Pre-Collegiate Programs Operating Guide) OR another Release of Liability approved by Florida Atlantic University Office of the General Counsel.

## VII. TRANSPORTATION (T):

**T:** All pre-collegiate programs that transport their participants must:

- **T-1:** Comply with Florida Atlantic University transportation requirements established by Risk Management and Pre-Collegiate Programs Office.
- **T-2:** Have procedures for the orderly arrival and departure of vehicles and for the unloading and loading of vehicles;
- **T-3: NOT transport participants in the back of a pickup truck or trailer.** All participants must be **in their own seat** and **must wear a seatbelt** when being transported in vehicles on public roads except when participants are transported using public transportation or school buses. The only exceptions are:
  - When wagons or trailers are used for hayrides or similar activities, at slow speeds (5–10 miles per hour) **off public roads**, and where protective devices are provided to keep participants from falling out or off of the vehicle.
  - When participants are participating in a county-approved parade.
- **T-4:** Prohibit the transportation of participants in 12- or 15-passenger vans. Excepted from this requirement are 12- or 15-passenger vans that have been appropriately modified to mitigate the risk of rollover;
- **T-5:** Load vehicles only within the passenger-seating limits established by the vehicle's manufacturer;
- **T-6:** Require that all passengers remain seated while the vehicle is moving;
- **T-7:** Require that all motor vehicles used by the pre-collegiate program be equipped with first-aid kits;
- **T-8:** NOT allow the use of private vehicles to transport participants;
- **T-9:** Implement a system of regular maintenance and safety checks on Florida Atlantic University-owned vehicles used for transportation; and
- **T-10:** Verify the acceptable driving record and experience of any drivers. All drivers must be at least 18 years of age, have a driving record that has been reviewed within the last 12 months, and have the appropriate license for the vehicle that is being driven. **All other operating standards apply.**

## VIII. INSURANCE COVERAGE (INS):

**INS-1:** Insurance requirements for pre-collegiate programs depend upon whether or not the program deposits its revenues back into University operations. Those that do deposit revenues back into University operations are covered under the University's general liability policy and do not need to purchase additional general liability coverage. Programs whose revenues benefit the program organizers are required to purchase general liability coverage. Information about policy

limits and optional accident/illness insurance is included in the Florida Atlantic University Pre-Collegiate Programs Operating Guide.

#### **IX. EMERGENCY MANAGEMENT (EM):**

**EM-1:** All pre-collegiate program directors and staff members should opt into the University's online alert notification system. Information about opting in is located at <http://www.fau.edu/emergency/universityalerts.php#Non-FAUEntity>.

#### **X. HOUSING (HSG)**

**HSG-1:** All pre-collegiate programs that use Florida Atlantic University housing must comply with all housing guidelines. Florida Atlantic University housing guidelines are included in the [FAU Housing Community Guide](#). They are also set forth in FAU housing contracts.

**HSG-2:** Each participant in a residential program should have his or her individual bed or sleeping surface. The **one student per bed** policy is applicable for any residential program or housing arrangement (on campus or off campus).

#### **XI. PARKING AND TRANSPORTATION SERVICES (PK)**

**PK-1:** All pre-collegiate programs that use Florida Atlantic University facilities on campus must comply with all Parking and Transportation Services rules and regulations, which are available at [fau.edu/parking/rules](http://fau.edu/parking/rules).

#### **XII. DINING SERVICES (DS)**

**DS-1:** All pre-collegiate programs that use Florida Atlantic University facilities on campus must comply with all Dining Services and conference guidelines.

#### **XIII. COMPLIANCE WITH STATE AND FEDERAL REGULATIONS REGARDING DISABLED INDIVIDUALS (DSB)**

**DSB-1:** All pre-collegiate programs must comply with State and federal laws and regulations regarding individuals with disabilities. Refer any questions to the Office for Students with Disabilities, the Office of Equity, Inclusion and Compliance, or Office of the General Counsel.

#### **XIV. RECORD RETENTION (RR)**

**RR-1:** Records, including participant demographics, health forms, program staff or visitor paperwork, etc., should be retained securely, either physically or electronically, for a minimum of seven years.

#### **XV. VARIANCE OR EXEMPTION REQUESTS (VAR):**

**VAR-1:** If a program director/owner/administrator believes there is a reasonable basis for a pre-collegiate program to vary from an operating standard, the director/owner/administrator may submit a variance request for review by the advisory committee of the Pre-Collegiate Programs

Office. Variance requests must be submitted at least thirty days prior to the pre-collegiate program's start date; however, please allow as much time as possible and develop a contingency plan in case the request is denied.

#### **XVI. NEW OPERATING STANDARDS ADDITIONS/CHANGES (NEW):**

**NEW-1:** All revisions to the operating standards will be completed by October 15 of each year. If a standard is added or modified after October 15, the PcPO will distribute to all program directors/owners/administrators a memorandum explaining the rationale for the addition or modification.

#### **XVII. PRE-COLLEGIATE PROGRAMS ADVISORY COMMITTEE (AC):**

**AC-1:** The Pre-Collegiate Programs Advisory Committee shall be comprised of representatives from PcPO, the Compliance Office, Risk Management, and three (3) other members, each of whom shall be designated by the respective vice presidents of the Division of Academic Affairs, the Division of Athletics, and the Division of Student Affairs.

**AC-2:** The Pre-Collegiate Programs Advisory Committee is authorized to review, revise, and update the operating standards, and to review and approve or disapprove requests for variances from the operating standards.

#### **XVIII. ROLES AND RESPONSIBILITIES**

##### Pre-Collegiate Programs Office

The Pre-Collegiate Programs Office is responsible for the central management of programs offered to minors. As referenced in this policy, PcPO will approve and track all such programs at FAU. PcPO will ensure that all pre-collegiate programs adhere to applicable State and federal laws, including required background screenings. PcPO will issue, implement, review, and update policies and procedures, as needed.

##### Discrete Pre-Collegiate Program

Each program director is responsible for notifying PcPO of such program operations. Program directors must also comply with all accrediting standards, regulations, rules, and policies as they pertain to their specific program area and the pre-collegiate program offered.

##### Program Director/Owner/Administrator

The PcP director/owner/administrator is responsible for coordinating arrangements for use of University facilities; providing counselors and staff members for the summer program (at a ratio no smaller than 1:10); inspecting facilities immediately prior to and after each session; advising participants and parents of appropriate check-in and check-out procedures; familiarizing participants with University policies, especially those pertaining to fire- and emergency-evacuation procedures and appropriate conduct; maintaining discipline of participants; completing insurance forms at the time of treatment; being accessible in emergency situations; assisting with the check in and with check out of campers; inspecting any reported damages; coordinating approval of invoices for University services and facilities; and ensuring that all camp staff members have met staff-screening and -training requirements, as outlined in Sections II and III of this policy.



Human Resources

Human Resources shall screen all program staff members participating in pre-collegiate programs, as required by law, and retain all related records. Human Resources will collaborate with program directors and PcPO to manage any changes to program staff.

Risk Management

Risk Management is responsible for reviewing incident reports and providing support to PcPO programs during post-incident investigations and service recovery efforts. PcPO programs will report incidents directly to the University’s risk-management department, which will record and retain the reports. Risk Management may also provide support related to insurance-claim filings and/or liability questions in conjunction with the University’s general counsel.

Athletics

Athletics shall work with PcPO on all such FAU-sponsored and –affiliated pre-collegiate programs to ensure that proper procedures and processes are in place and adhered to, as required by PcPO, State, and NCAA regulations.

**PROCEDURES:**

At least annually, each University operated or affiliated pre-collegiate program shall apply for approval with the Pre-Collegiate Programs Office on a form or in a manner prescribed by the PcPO. A pre-collegiate program may not be run by an FAU entity or affiliate without a current approval letter from the PcPO.

**INITIATING AUTHORITY:** Vice President, Student Affairs

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POLICY APPROVAL  
(For use by the Office of the President)

Policy Number:   3.1  

*Initiating Authority*

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Name: Dr. Larry Faerman

*Policies and Procedures  
Review Committee Chair*

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Name: Elizabeth F. Rubin

*President*

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Name: Dr. John Kelly

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Executed signature pages are available in the Office of Compliance