



Ohio Administrative Code Rule 3337-3-10 Minors on campus.

Effective: September 5, 2022

(A) Purpose

Ohio university is committed to providing the best experience possible for minors. The university community, including faculty, staff, appointees, administrators, undergraduate and graduate students, volunteers, interns employees of temporary employment agencies and independent contractors/consultants is expected to uphold the highest standards of conduct when interacting with minors, and to be informed on their reporting obligations in instances of suspected or known abuse or neglect of minor children. This policy establishes requirements for those in the university community who work in activities and programs with minors, with the goal of promoting the safety and well-being of minors. Non-university affiliated program requirements will not be outlines in a university agreement (contract) with each respective program pursuant to operational guidelines.

Ohio university expects parents, teachers, or legal guardians to provide appropriate supervision of minors on university property unless they are involved in a covered program. Parents, teachers, or legal guardians should not leave minors unsupervised on university property. The university is not responsible for unsupervised minors on university property.

(B) Scope

(1) Any faculty, staff, appointees, administrators, undergraduate and graduate students, student employees, volunteers, interns, employees of temporary employment agencies and independent contractors/consultants who work with activities and programs with minors fall within the scope of this policy. Individuals that work in activities and programs for minors, but not with the minors themselves, are not within the scope of this policy.

(2) All activities and programs with minors are within the scope of this policy except as explicitly excluded in paragraph (B)(3) of this policy. This includes, but is not limited to:



- (a) Activities and programs with minors the university operates on or off university property including but not limited to overnight camps, instructional programs, day camps, academic camps, grant funded programming, and sports camps.
 - (b) Activities and programs with minors the university operate on or off university property including but not limited to outreach, mentoring, and community service activities.
 - (c) Virtual activities and programs with minors the university hosts on an online platform.
 - (d) Any university owned and/or operated transportation that is used to transport minors to, or during, any activity or program covered by this policy.
- (3) This policy, in its entirety, does not apply to:
- (a) Persons under the age of eighteen who are enrolled for academic credit or have been accepted for enrollment.
 - (b) Events on university property open to the general public, which minors attend.
 - (c) Institutional review board (IRB)-approved research.
 - (d) Student organizations operating, facilitating, or sponsoring activities and programs with minors where a parent, teacher or legal guardian is present and supervising the child.
 - (e) Authorized adult who invites a minor to university property or interacts off campus where the minor is an intern, volunteer or is being mentored if a parent, teacher or legal guardian is present and supervising the child (e.g. assisting a minor with a science fair project).
 - (f) Minors working for the university as employees.
 - (g) Activities and programs with minors operated, conducted, or organized by non-university entities which take place on university property including but not limited to facility rentals to third party organizations.



- (h) Medical care given to minors in a patient-care setting in the hearing, speech and language clinic, the psychology and social work clinic, or other university patient-care settings,
- (i) Ohio university child development center and kids on campus after school programs which are programs independently operated by the university and whose continuous operation is subject to state and/or federal compliance and accreditation standards.
- (j) University employees conducting regularly supervised routine recruiting activities as part of official university enrollment practices and who have been background checked in accordance to the minors on campus policy guidelines are exempt from the policy unless the activities involve transportation and/or overnight stays. Official recruitment activities will follow minors on campus guidelines established by the office of risk management and will be managed separately from this policy.

(C) Definitions

(1) "Activities and programs with minors" - any:

- (a) Event, operation or endeavor operated or organized by the university that includes minors; and
- (b) During which parents, teachers or legal guardians are not expected to be responsible for the care, custody or control of the minors and/or virtual covered program directed at minors and hosted by the university on an online platform during which parents, teachers or legal guardians are expected to maintain care, custody and control of the minor(s) but not participate in the event, operation or endeavor. Activities and programs with minors can be in-person, virtual or a hybrid of both.

(2) "Appointee" - an individual deemed to have an affiliation with the university who receives no compensation while in that capacity.

(3) "Authorized adult" - means any individual who is at least eighteen years old, paid or unpaid, who supervises, chaperones, accompanies or is otherwise responsible for the direct care, custody or control of minors during a covered program. This includes but is not limited to the program



administrator, faculty, staff, appointees, administrators, undergraduate and graduate students, volunteers, interns, employees of temporary employment agencies, and independent contractors/consultants.

(4) "Care, custody or control" - when an authorized adult who is not a licensed medical provider providing professional services to a minor is present and had primary responsibility for supervision of minors at any given point throughout the covered program. At least one authorized adult must have care, custody and control of minors at all times during the covered program.

(5) "Child abuse or neglect" - when a child has suffered or faces a substantial threat of suffering any psychological or mental wound, injury, disability or condition that reasonably indicates abuse or neglect. This also includes any conduct of a sexual nature that may be harmful to a minor's mental, emotional, or physical welfare.

(6) "Covered program" - any activities or programs with minors within the scope of this policy except as explicitly excluded in paragraph (C)(3) of this policy.

(7) "Minor" - means any person under the age of eighteen, or any person under the age of twenty-one years old who is incapable of self-care due to a mental or physical disability, who is participating in a covered program.

(8) "One-on-one contact" - is personal, unsupervised interaction between an adult and a minor without at least one other adult, parent or legal guardian being present. For purposes of this definition, another adult will be deemed "present" if within the line of sight of the adult interacting with the minor. One-on-one contact extends to all interactions and communications including those by telephone, mail, texting, social media, or any other means or medium.

(9) "Program administrator" - means a university affiliated individual approved by the appropriate authority and designated to coordinate, plan, implement or commit the use of university facilities for the covered program.

(10) "Unit" - the sponsoring university college or administrative planning unit.



(11) "University property" - any land, grounds, buildings or facilities owned, leased or used by Ohio university per formal contractual or legal agreements. Included are the Athens campus, regional campuses, and other university property outside of Athens. Location does not necessarily determine whether an activity or program falls within the definition of activities and programs with minors.

(12) "Volunteer" - any individual assisting in an unpaid capacity for a covered program with university sanction, which includes interns or practicum students.

(D) Summary of policy requirements

The following requirements are an overview only. Detailed instructions are in the operational guidelines located on the minors on campus website.

(1) All covered programs must register annually and at least two months before the program start date.

(2) Those working in covered programs who witness child abuse or neglect, or have information that would lead a reasonable person to believe a minor faces a substantial threat of such abuse or neglect,

(3) Planning units are responsible to ensure authorized adults have the appropriate background check conducted in accordance with operational guidelines before working in covered programs and regularly thereafter.

(4) Units must ensure that authorized adults working in a covered programs complete annual training approved by "Enterprise Risk Management and Insurance."

(5) All authorized adults must sign and abide by the program code of conduct before working in covered programs and on an annual basis thereafter. The code of conduct prohibits one-on-one interactions with minors unless otherwise authorized in accordance with this policy.

(6) Unites and authorized adults must cooperate with investigations when they occur.

(7) The program administrators must ensure that all volunteers for covered programs complete and



execute the volunteer agreement release form.

(E) Operational guidelines

The office of enterprise risk management and insurance will create and maintain operational guidelines for covered programs setting forth implementation and reporting procedures. These guidelines are hereby incorporated into this policy and adherence is required.

(F) Exemption process

(1) If a unit leader or their designee(s) of a covered program with minors deems that a section of this policy would place an undue hardship on a covered program with minors, an exemption can be requested by the unit leader or their respective designee(s) by submitting an exemption request form.

(2) Absent extenuating circumstances, an exemption request form must be submitted to the director of enterprise risk management and insurance no later than eight weeks prior to the covered program taking place and will be reviewed by enterprise risk management and legal affairs. Approval or denial will be communicated at least four weeks prior to the event. If an expedited process is required because of an extenuating circumstance, contact the office of enterprise risk management and insurance immediately.