

Institutional Handbook of Operating Procedures Policy 09.07.04	
Section: Institutional, Academic, Clinical, Research, Volunteering	Responsible Vice President: Executive Vice President and Provost
Subject: Programs for Minors	Responsible Entity: Provost's Office

I. Title

Minors in the Workplace

II. Policy

Minors (under the age of 18) visit campuses and premises of The University of Texas Medical Branch at Galveston (UTMB) for a variety of reasons and are involved in a variety of programs and activities sponsored by UTMB or by third parties using UTMB facilities or resources.

This policy applies to UTMB faculty, employees, students, affiliates, volunteers, contractors, and visitors who are identified as a Designated Individual, as defined by this policy, at all UTMB premises and campuses, including administrative, clinical, and research spaces. A Minor Participant shall never be left unsupervised while in the care of a UTMB Youth Program.

This policy does not apply to (1) UTMB academic programs in which the only minors participating are students enrolled at the UTMB; (2) UTMB programs or events in which the only minor participants who participate are UTMB employees; (3) UTMB or approved third-party events (e.g. fairs, festivals, athletic events, artistic events, tours) that are open to the general public and people of all age groups, but at which minors may be present or participate; (4) UTMB or approved third-party tours or events at which minors are expected to be accompanied and supervised at all times by their parent(s), legal guardian(s), teacher(s) or official chaperone(s); or (5) research programs approved by the Institutional Review Board (IRB).

The purpose of this policy is to promote a safe environment for minors and ensure compliance with laws relating to minors participating in summer camps, trainee programs, shadowing/observations, mentorships, internships, events, volunteering activities, or other opportunities designed to include minors (i.e., Youth Programs) at UTMB. The policy serves to protect UTMB faculty, employees, students, affiliates, volunteers, contractors, and visitors from false allegations of abuse and supports compliance with federal and state law, as well as UTMB and UT System rules and regulations.

Additionally, the purpose of this policy is to define the processes and requirements for minors at UTMB. The processes and requirements are consistent with those established by the Fair Labor Standards Act (FLSA), the Texas Labor Code, and the UT System 192-Youth Protection Policy.

III. Procedures

A. Designation of Authority

UTMB has designated the UTMB Visiting Education department oversight of Youth Programs involving minors held on UTMB premises or sponsored by UTMB.

B. Eligibility Criteria for Minor Participants; Definition of Minor:

Any individual under the age of 18, at the time of application, participating in a sanctioned UTMB Youth Program will be considered a Minor Participant.

Additional eligibility criteria may be established by the individual Youth Program. For example, a summer research program designed for high school students would require the Minor Participant to be enrolled in the appropriate grade level to participate.

C. Permitted Areas for Minor Participants:

Minor Participants are permitted, with approved supervision of a Designated Individual on a UTMB owned or controlled premises *except* for:

- Emergency Department or Trauma unit.
- Obstetrics and Gynecology clinical area.
- Labor and Delivery unit.
- Intensive Care Units (ICU), including Neonatal Intensive Care Units (NICU).
- Operating Room.
- Restricted Access Areas for Research (e.g., GNL).
- Research Biosafety Level 3 (BSL3) or higher.
- Texas Department of Criminal Justice (TDCJ) hospital or unit.
- Correctional Managed Care (CMC) clinical area.

D. Parental Consents and Emergency Contact

General parental/legal guardian consent and appropriate forms, including permission forms, medical and emergency contact information, and liability waivers, must be collected for each Minor Participant to participate in the UTMB Youth Program. Additional consents may be warranted (ex. consent to criminal background check) based on the scope of activities, or environment, that the Minor Participant will participate in.

A medical and emergency contact must be collected for each Minor Participant in case of an emergency or plans for weather emergencies.

E. Background Check Criteria

In compliance with UTS 124 Criminal Background Check Policy, UTMB must obtain a criminal background check for any Minor Participant that is at least 15 years of age and assigned to a clinical health care location, patient care environment, or whose assignment may require contact with patients.

All background checks will follow the procedures illustrated in IHOP 03.02.06. UTMB does not automatically disqualify any minors with conviction records from participation in an UTMB Youth Program. The UTMB Visiting Education department will submit criminal history background information to the Vice President and Chief Human Resources Officer and the Chief of University Police, who will make the final decision on a case-by-case basis.

F. Requirements for UTMB Youth Programs

Each UTMB-sponsored program involving the participation of minors must comply with the following terms and conditions, as well as any other applicable requirements of federal, state, or local law or regulation.

1. **Eligibility Criteria:** UTMB requires any program involving minors to be sponsored and controlled by a UTMB department, unit, or school. Student organizations are not permitted to hold a program but may participate in a program sponsored by a department, unit, or school.
2. **Registration:** Each UTMB department, unit, or school sponsoring a program in which minors participate, whether located on or off-campus, is required to register such program with the UTMB Visiting Education department no later than thirty (30) days prior to the commencement date of the program. Any amendments or changes to the program registration should be submitted as soon as is practicable after the need for amendment becomes known. To register a program, the following needs to be provided:
 - a. Program name
 - b. Designated Lead or Point of Contact for the Program
 - c. Operational Plan
 - d. Communication Plan
 - e. Emergency Plan
 - f. Transportation Plan
 - g. Supervision Plan
 - h. List of all the Designated Individuals
3. **Operational Plan:** Identifies the approved location and planned activities for the Minor Participants. Also, the program must indicate if any other parental/legal guardian consents, other than general participation in the program or as indicated in Section V.E. Emergency Plan, would be collected.
4. **Communication Plan:** Establishes protocols for contacting Minor Participants' parents/legal guardians in the event of an emergency. Also, the communication plan ensures the parents/legal guardians are provided with contact information to reach the Minor Participants while the program is in session.
5. **Emergency Plan:** Each program must obtain from each Minor Participants' parents/legal guardians the following:
 - a. Authorization to review and discuss UTMB fire safety and severe weather protocols with the Minor Participant.
 - b. Authorization to permit transportation of the Minor Participant to a designated "rendezvous" point or a local hospital as deemed necessary in an emergency.
 - c. Authorization for emergency medical treatment in the event the parent/legal guardian or their designated emergency contact is not available.
 - d. Disclosure of any allergies, other medical conditions, or physical limitations of a Minor Participant that may impact his or her participation in the program.
6. **Transportation Plan:** Each program must establish a procedure for the pick-up and drop-off of Minor Participants, specifying times and locations, and assure that no Minor Participant will be released to any person other than his or her parent/legal guardian without specific written authorization.
7. **Supervision Plan:** Each Youth Program must have the following minimum adult supervision ratio requirements consistent with the American Camp Association staff ratio standards.

Age of Minor Participant	Number of Designated Individuals	Day Only Minor Participants	Overnight Minor Participants
5 years or younger	1	6	5
6-8 years	1	8	6
9-14 years	1	10	8
15-18 years	1	12	10

- 8. Designated Individuals:** Any UTMB employee, faculty, staff, student, contractor, volunteer, or affiliate who will serve as a Designated Individual in any UTMB-sponsored Youth Program, must first meet the following requirements.
- a. Background Check:** Background checks on Designated Individuals occur no less than one time per year and prior to start of the program. The background check must be conducted in accordance with UTS 192 Youth Protection Policy, UTS 124 Criminal Background Checks, and UTMB IHOP 03.02.06 for all Designated Individuals.
 - i. The background check results must be considered satisfactory according to policy standards and be completed prior to the start of the Youth Program.
 - b. Training:** Prior to participating in the UTMB Youth Program, Designated Individuals must complete the UTMB UTS Child Protection Training on recognizing, preventing, and reporting child abuse and neglect. The training is State Approved and mandated by Texas Education Code 51.976. Designated Individuals must complete this training on an annual basis. The UTMB Visiting Education department is responsible for ensuring training requirements have been met and verified prior to allowing a Designated Individual to participate in a UTMB Youth Program.
 - c. No unsupervised access** to Minor Participants by any person other than Designated Individuals is permitted.
 - d.** For employees who are or become Designated Individuals on an intermittent basis, the training and background check requirements described above must be completed prior to the beginning of their participation in the applicable Youth Program.
- 9. Prohibited Conduct:** Designated Individuals must not engage in any behavior that could cause harm or be misinterpreted as possibly causing harm to Minor Participants. Prohibited conduct for Designated Individuals includes, but is not limited to:
- a.** No one-on-one direct contact with Minor Participants is permitted outside the presence of another Designated Individual.
 - b.** Do not meet with Minor Participants outside of established times for Youth Program activities.
 - c.** Do not touch Minor Participants in a manner that a reasonable person could interpret as inappropriate.
 - d.** Do not engage in any abusive conduct of any kind toward, or in the presence of, a Minor Participant, including but not limited to verbal abuse, striking, hitting, punching, poking, spanking, or restraining.
 - e.** Do not shower, bathe, or undress with or in the presence of Minor Participants.
 - f.** Do not use, possess, or be under the influence of alcohol or illegal drugs while working a Youth Program.
 - g.** Do not be alone in a vehicle with a Minor Participant at any time.
 - h.** Do not have direct electronic direct contact with Minor Participants without another Designated Individual included in the communication.
 - i.** Do not make sexual materials in any form available to Minor Participants participating in Youth Programs or assist them in any way in gaining access to such materials.

10. Minors Visiting on Behalf of Local ISD/School

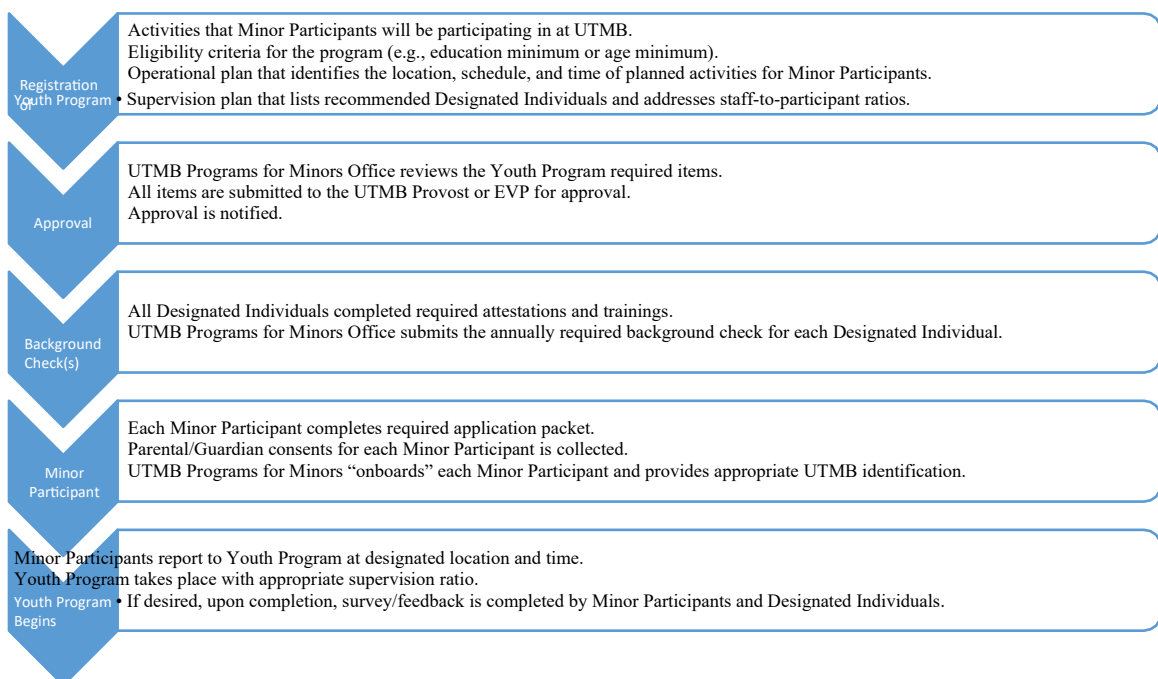
Any Minor Participant visiting UTMB on behalf of a local independent school district (ISD) to complete activities that go toward educational credit or coursework awarded by a school within the ISD are permitted to visit UTMB only if there is an Active Affiliation Agreement between UTMB and the appropriate ISD.

a. Requirements of Active Affiliation Agreement with an Independent School District:

Active Affiliation Agreement with completed Attachment A(s) containing description of activities that the Minor Participants will complete and participate in.

b. How to Request an Affiliation Agreement with an Independent School District: All requests for an affiliation agreement with an Independent School District should be forwarded via email to the UTMB Visiting Education department, Programs for Minors (minors@utmb.edu), so that the appropriate template can be provided. The request should include a contact email or phone number for an ISD representative. The template will include the Youth Protection Policy (IHOP 09.07.04) and the requirements for an Active Affiliation Agreement with an Independent School District.

11. Approval Process to Establish a Youth Program



12. Insurance

As required by the UTS 192 Youth Protection Policy, all Youth Programs must carry accident and liability insurance, appropriate for the type of program, with coverage at least equivalent to the Camp Insurance Program offered by the U.T. System Office of Risk Management. Any purchase of insurance must also comply with the requirements of Regents’ Rule 80601.

13. Incident Reporting

UTMB must comply with federal and state reporting requirements that apply to Youth Programs.

All emergencies or suspected crimes should be reported immediately by calling 911, followed by a report to the UTMB Visiting Education department. All non-emergency incidents must also be reported to the UTMB Visiting Education department in accordance with the procedures established.

- 14. Reporting Suspected Abuse or Neglect.** Under Texas law, if you believe a child is being abused or neglected, you are required to report it to the Department of Family and Protective Services (DFPS). Reports may be made at any time to DFPS by phone at 1-800-252-5400 or online at Texas Abuse Hotline. The hotline and website are available 24 hours a day, seven (7) days a week. UTMB's policy prohibits retaliation against good faith reporting of suspected abuse or neglect.

In addition to notifying DFPS and/or law enforcement, UTMB also requires Designated Individuals report any suspected abuse or neglect of minors on UTMB property to the UTMB Police Department and Title IX Office.

In an emergency, or if you see a crime in progress, always call 911 immediately.

- 15. Requirements for Reporting Crimes.** University officials are required by the Jeanne Clery Act to report to The University of Texas Medical Branch Police Department any suspected sexual assault or other crime that occurs on campus, on property immediately adjacent to UTMB, or on non-campus property or buildings owned or controlled by UTMB.

IV. Definitions

Minor Participant – An individual under the age 18 who is participating in a sanctioned UTMB Youth Program on UTMB premises or another location. For purposes of this policy, this definition does not include UTMB enrolled students or employees under the age of 18.

Youth Program – A summer camp, trainee program, shadowing/observation, mentorship, internship, event, volunteering activity, or other opportunity designed to include minors held on a UTMB owned or controlled premises, or sponsored or supported by UTMB that offers recreational, athletic, religious, or educational activities to Minor Participants. Youth Program also includes any "Campus program for minors" as defined by Section 51.976 of the Texas Education Code. "Youth Program" as defined herein specifically includes external 3rd party youth programs that contract with UT institutions for the use of institutional facilities. For the purposes of this Policy, this definition does not include programs for UTMB enrolled students or employees under the age of 18, or programs where the custody, control, and care of a minor (under age 18) is not the responsibility of the institution but instead held by non-UTMB teachers, official chaperones, parents, or legal guardians (e.g. campus tours of prospective students' families, visits by local school district classes).

Designated Individual – A person involved in and assisting with a Youth Program, who has direct contact with a Minor Participant and has been identified by the institution as a Designated Individual. An example of a Designated Individual can include faculty, employee, student, affiliate, volunteer, contractor, and visitor.

Direct Contact – The term "direct contact" means instructions, care, supervision, guidance, or control of a minor, and/or routine interaction with a minor.

External Third-Party Group – A group that is not under the organizational umbrella of UTMB and operates a sanctioned Youth Program on UTMB property through a contractual agreement. UTS 192 Youth Protection Policy requires all third-party events to be authorized on a per-program basis by the UTMB President.

V. Relevant Federal and State Statutes

Texas Labor Code

Fair Labor Standards Act (FLSA)

Texas Workforce Commission Summary of Texas Child Labor Law

Section 51.976 of the Texas Education Code

VI. Relevant References

UTMB Accordance with the Jeanne Clery Act

VII. Relevant System Policies and Procedures

UTS108 Affiliation Agreement Policy

UTS 124 Criminal Background Checks

UTS 192 Youth Protection Policy

VIII. Related UTMB Policies and Procedures

[IHOP – 03.02.06 – Criminal History Background Checks for Employment](#)

[IHOP – 09.07.01 – Hospital and Ambulatory Services Visitation](#)

IX. Dates Approved or Amended

<i>Originated: 3/18/25</i>	
<i>Reviewed with Changes</i>	<i>Reviewed without Changes</i>

X. Contact Information

UTMB Visiting Education

Programs for Minors_

minors@utmb.edu