
RULE SUMMARY

Texas A&M AgriLife Research (AgriLife Research) is committed to ensuring that programs for minors—which are sponsored by or conducted under the direction of AgriLife Research—will provide activities in a safe, nurturing environment. AgriLife Research units that conduct programs for minors will comply with The Texas A&M University System (A&M System) Regulations and these rules.

This rule is required by A&M System Regulation 24.01.06, *Programs for Minors*, and provides guidelines for AgriLife Research units conducting programs for minors. These guidelines are necessary to ensure compliance with State and Federal laws and A&M System Policies and Regulations.

PROCEDURES AND RESPONSIBILITIES

- 1.0 All programs for minors, including third-party programs using AgriLife facilities, will be approved in writing by the Texas A&M AgriLife (AgriLife) Compliance Officer/designee.
- 2.0 Criminal and sex offender background checks will be conducted annually on all individuals involved with a program for minors. AgriLife Human Resources will review the background checks for current employees. Determinations will be made to allow or disqualify the individual from participating in these programs as specified in A&M System Regulation 24.01.06
- 3.0 Except for parent-child relationships, communication, including by social media, between minors and counselors outside the official program communications is prohibited.
- 4.0 Anyone suspecting or having a cause to believe that a minor has been subjected to abuse, molestation, or neglect, including the suspicion that a digital device has been used to photograph a minor in a compromising position, will immediately make a report to local law enforcement. The Director of the Ethics and Compliance Office must also be notified. All participating employees, volunteers, and third-party personnel will be informed of this requirement prior to the start of the program.
- 5.0 The distribution of medicine shall be as follows:
 - A. When a program has a nurse/designated first aid person, the medication(s) will be turned over to the nurse/first aid person, who will be responsible for providing the medication to the minor as required and documented.
 - B. When the program does not have a nurse/designated first aid person, the medication(s) will be distributed by the parent/guardian or, through prior arrangements, may be turned over to a program staff employee/volunteer, who will be responsible for providing the medication(s) to the minor as directed by the label or parent/guardian. If the medication is to be distributed by a program staff employee/volunteer, prior written authorization from the parent/guardian must be obtained using the "Authorization for Dispensing Medication" form or equivalent.
- 6.0 For overnight programs, day programs that are more than two days in duration and day programs for which we have been given the care, custody and/or control of the minor and a parent is not with the minor, Each program participant must complete the Indemnification, and Medical Treatment Authorization Form or Waiver, Indemnification, and Medical Treatment form, AG-909, will be completed, and provided to the program staff.

These documents will be filed in Laserfiche section 7.21.3, if access is available, or in paper form, and retained in accordance with the A&M System Records Retention Schedule. A copy in paper form will be available to the dedicated program director during the program. These documents may contain information protected by the Health Insurance Portability and Accountability Act (HIPAA), and access to that information should be strictly controlled—see form AG-909, page 3. Note: all persons with access to these forms will be required to remain current on their Youth Protection Training.

- 7.0 During the planning phase for all programs for minors, a risk assessment will be conducted by the program director/sponsor or designee to mitigate risks associated with the activities of the event. This risk assessment will be conducted using the A&M System [Risk Assessment Matrix](#) and will include, but is not be limited to, the following:
- A. A review of any and all activities associated with the event.
 - B. An inspection of any agency-owned facility to ensure it meets health and safety standards. For overnight programs, inspecting housing facilities (including toilet/bathing areas) for adequacy and whether they meet the required standards.
 - C. Review plans for agency-provided food to ensure adequacy and safety. Consider the possibility of any special needs or requirements for allergen-free food.
 - D. Identification of first-aid/health care providers for the program.
 - E. If transportation is to be provided, identify potential safety issues including, but not limited to, drivers, types of vehicles, need for driver certifications (i.e., 15-passenger vans, etc.), distance of travel, etc.
 - F. Personal protective equipment which may be required.
- File the risk assessment in the unit folder in Laserfiche section 7.21.2 in a program folder if access is available, or in paper form and retain in accordance with the Records Retention Schedule.
- 8.0 Job duty descriptions for each position involved in the operation of programs will be placed in a unit file in Workday or other appropriate file, and will be retained in accordance with the Records Retention Schedule.
- 9.0 For each program, the minor/counselor ratio will be 8:1 or less, with no fewer than 2 adult counselors at any time. There will be no one-on-one contact with an adult/counselor and a minor unless in full view of other participants/counselors of the program.
- 10.0 A dedicated program director will be appointed in writing for each program for minors, including third-party programs using AgriLife Research, AgriLife Extension, and TVMDL facilities. A copy of these documents will be placed in the employee's personnel file, and a copy placed in the program file in Laserfiche section 7.21.1.
- 11.0 When notified that a minor with special needs will attend a program, the minor's special needs will be accommodated whenever possible and in accordance with applicable federal and state laws, A&M System regulations, and agency rules and procedures.
- 12.0 All units sponsoring programs, including third-party programs, must purchase general liability and accidental medical insurance through the A&M System Risk Management Camp Insurance Program, as identified in A&M System Regulation 24.01.06. If a third-party program has insurance from another source that meets A&M System Risk Management standards and it has been validated that such third-party insurance is equivalent in limits and coverage to the program provided through A&M System Risk Management, the third-party program will not be required to purchase additional insurance through the A&M System.
- 13.0 All AgriLife Research employee program counselors and volunteer positions involving contact with minors at a program for minors will be required to successfully complete the System-approved Child Protection Training Course as required in A&M System Regulation 24.01.06 every two years. This training may be the A&M System Child Protection Training or one approved as designated in A&M System Regulation 24.01.06. For any personnel hired specifically for a position involving contact with minors in programs, the training must be completed within the first five days of hire and be prior to any contact with minors. Certificates will be retained in TrainTraq, in the

personnel file (if a non-A&M System training is used), or for volunteers using non-A&M System training, in the appropriate Laserfiche or unit file section 7.21.6 and retained for two years as required by A&M System Regulation 24.01.06 and the Records Retention Schedule.

14.0 The unit holding/sponsoring the program for minors will be required to submit the Texas Department of State Health Services (TDSHS) "[Campus Program for Minors](#)" form for each program within five days of the start of the program if the program for minors meets the following criteria:

- A. Has more than 20 participants who are not enrolled at the institution.
- B. Not a licensed day or youth program.
- C. Participants attend or temporarily reside at the program for all or part of at least four days.

The form will be submitted via email/mail to TDSHS at the appropriate address as listed on the form, and a copy should be retained in the unit files.

15.0 A copy of the participant roster and employee/volunteer roster will be maintained in accordance with A&M System Regulation 24.01.06.

RELATED STATUTES, POLICIES, OR REQUIREMENTS

[A&M System Regulation 24.01.06, Programs for Minors](#)

[AgriLife Extension Service Rule 24.06.01.X1, Programs for Minors](#)

[Texas A&M Veterinary Medical Diagnostic Lab Rule 24.06.01.V1, Programs for Minors](#)

[Risk Assessment Matrix](#)

[Campus Program for Minors Form](#)

[Waiver, Indemnification, and Medical Treatment Authorization Form](#)

[Authorization for Dispensing Medication \(Form 7238\)](#)

DEFINITIONS

Definitions are contained in [A&M System Regulation 24.01.06, Programs for Minors](#).

CONTACT OFFICE

Questions regarding this rule should be referred to Texas A&M AgriLife Ethics and Compliance at 979-845-7879.

REVISION HISTORY

Approved: July 27, 2012
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