

Policy 5-308

Minors in Laboratories or Similar Facilities

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I. **Title**

Minors in Laboratories or Similar Facilities

II. **Policy**

A. **Policy Statement**

The University of Texas at Arlington (UTA) is committed to introducing minors to interesting and challenging scientific, scholarly, or artistic pursuits at a young age. These experiences should be handled in ways that will promote the safety of the minors and that will not impair the normal functions of the University.

B. **Rationale**

The welfare of children under the age of eighteen (minors) in university laboratories is of great importance to UTA.

This policy establishes restrictions relating to and conditions under which certain minors are permitted to be in UTA instructional and research laboratories and other UTA facilities that could pose risks to minors. To afford flexibility, this policy also provides a process for obtaining exceptions to provisions in the policy.

C. **Overall Restrictions**

1. Prohibited Minors: persons under the age of ten (10) are not permitted in any laboratory.
2. Prohibited Laboratories: covered minors are not permitted under any circumstances in the following laboratories:

- a. Laboratories where radiation or radioactive materials are stored or used,
 - b. Laboratories with Class IIIB or IV Lasers,
 - c. Laboratories classified at a level of containment of Biosafety Level 3 (BSL-3) or above, and/or
 - d. Animal care facilities classified at a level of containment of Animal Biosafety Level 3 (ABSL-3) or above.
3. Unless an exception is granted (see Section F below), covered minors are not permitted in the following laboratories:
- a. Laboratories classified as Biosafety Level 2 (BSL-2),
 - b. Animal care facilities classified at Animal Biosafety Level 2 (ABSL-2) or Animal Biosafety Level 1 (ABSL-1),
 - c. Any facility or location where the use of a hard hat or respirator is required during normal operations.
4. Prohibition on Covered Activities
- a. Unless an exception is granted (see Section F, below), covered minors are prohibited from participating in covered activities in laboratories where pyrophorics, or highly toxic gases are stored or used; however, they can participate in tours of such laboratories, providing that activities involving use of such materials are suspended during the tour .

D. Conditions Relating to Laboratory Tours

1. Mentor

Each covered minor who takes a laboratory tour must have an identified and responsible mentor.

2. Mandatory Prior Coordination Relating to Laboratory Tours

Prior to a laboratory tour, the mentor must take the following actions:

- a. Consult with the appropriate laboratory supervisor to:
 - i. establish a date for the tour that will not impair on-going research,
 - ii. select and to arrange for the research, scholarly or artistic activities that will occur during the tour,
 - iii. receive from the laboratory supervisor any laboratory-specific guidelines or protocols that will apply to the covered minors during their tour, and

- iv. if the mentor is not also acting as the monitor, to assign such covered minors to one or more monitor(s), and provide documentation of same to Environmental Health and Safety (EH&S).
- b. Consult with EH&S to establish the maximum number of covered minors who can visit that laboratory at any one time.
- c. At least two days before the scheduled tour, submit a *Laboratory Tour for Minors Notification Form* ([Form 8-92](#)), which includes a list of covered minors participating in the tour, to the laboratory supervisor and to:
 - i. the laboratory supervisor's department chair or dean (if the laboratory supervisor is a faculty or staff member assigned to a college); or
 - ii. the laboratory supervisor's director and vice-president (if the laboratory supervisor is a staff member who reports to a supervisor outside Academic Affairs); and
 - iii. the Vice President for Research; and
 - iv. EH&S
- d. Collect a properly signed *Consent for Minor in a Laboratory - Tours* ([Form 8-93](#)) from each covered minor participating in the laboratory tour.

3. Controls Applicable to the Laboratory Tour

- a. The monitor will confirm the names of all covered minors actually participating in the tour.
- b. While covered minors are in the laboratory, their assigned monitor will supervise the covered minors and will ensure that they are always in compliance with all applicable requirements or conditions included
 - i. in this policy,
 - ii. in the tour or program materials (if any),
 - iii. in any EH&S or other safety training materials or directives,
 - iv. in any laboratory-specific guidelines or protocols, and
 - v. in any Institutional Animal Care & Use Committee (IACUC) restrictions, directives, and/or required training in the case of ABSL-1 and/or ABSL-2 laboratories.

- c. The monitor, coordinating with the laboratory supervisor or his/her designee, will ensure that for the full duration of the laboratory tour:
 - i. all hazardous materials, such as chemicals and biological agents, will remain secured, and
 - ii. all activities that could pose a hazard to the covered minors are suspended.
- d. The monitor will ensure that the maximum number of covered minors allowed to tour the selected lab at one time is not exceeded.
- e. The monitor will immediately notify the mentor, laboratory supervisor and EH&S if any of their assigned covered minors are injured during a laboratory tour.

4. **Retention of Records Associated with Laboratory Tours**

In accordance with UTA's record retention policy, the mentor will ensure that consent forms for each covered minor on the laboratory tour and appropriate documentation about the laboratory tour are retained by the department responsible for the laboratory.

E. **Conditions Relating to Covered Activities**

1. **Mentor**

Each covered minor who willingly engages in covered activities must have an identified and responsible mentor.

2. **Mandatory Prior Coordination relating to Covered Activity(ies)**

Before any minor may participate in a covered activity, the mentor must take the following actions:

- a. Consult with the appropriate laboratory supervisor
 - i. to establish dates when a covered minor can participate in covered activities,
 - ii. to select and to list the research, scholarly or artistic activities in which the covered minor will participate (itemize the covered activities),
 - iii. to select and to appoint one monitor per every 10 covered minors (this ratio cannot be exceeded); and provide documentation to EH&S,
 - iv. to receive from the laboratory supervisor any laboratory-specific guidelines or protocols that will apply to the covered minor while participating in covered activities;

- b. Consult with EH&S to identify and to schedule any mandatory safety training for the covered minor and to establish the maximum number of covered minors who can participate in covered activities in the laboratory at any one time;
- c. Ensure that *Authorization for Minors in Laboratories - Covered Activities* ([Form 8-91](#)) is completed, including obtaining approval from the appropriate official(s) listed below:
 - i. the laboratory supervisor's department chair or dean (if the laboratory supervisor is a faculty or staff member assigned to a college); or
 - ii. the laboratory supervisor's dean (if the laboratory supervisor is a department chair):
 - iii. the laboratory supervisor's director and vice-president (if the laboratory supervisor is a staff member who reports to a supervisor outside Academic Affairs); and
 - iv. the Vice President for Research

An informational copy of the approved form should be forwarded to EH&S.

Collect a properly signed *Consent for Minor in a Laboratory- Covered Activities* ([Form 8-90](#)) from each covered minor.

3. **Controls Applicable to Covered Activities**

- a. Before any minor may enter the laboratory to begin participating in a covered activity, the monitor must take the following actions:
 - i. Ensure that all the applicable actions listed in Sections E.1 and E.2 above have been completed; and
 - ii. Ensure that the covered minor has received and understands all safety training required by EH&S and all laboratory-specific guidelines and protocols, including but not limited to, the use of personal protective equipment.
- b. Anytime the covered minor is participating in covered activities or is otherwise in the laboratory, the monitor, coordinating whenever necessary with the laboratory supervisor or his/her designee and EH&S, will ensure that:
 - i. The covered minor is supervised by the monitor at all times;
 - ii. The covered minor participates only in the itemized covered activities;

- iii. The covered minor follows all applicable requirements or conditions included
 - I. in this policy,
 - II. in the program materials (if any),
 - III. in any EH&S or other safety training materials or directives,
 - IV. in any laboratory-specific guidelines and protocols, including but not limited to, the use of personal protective equipment, and
 - V. in any Institutional Animal Care & Use Committee (IACUC) restrictions, directives, and/or required training in the case of ABSL-1 and/or ABSL-2 laboratories.
- iv. The maximum number of covered minors allowed to participate in covered activities in that laboratory at any one time is not exceeded; and
- v. The mentor, laboratory supervisor and EH&S are immediately notified of misconduct by covered minors and of any damages, safety concerns, injuries, or similar incidents relating to a covered minor's participation in covered activities or presence in the laboratory.

4. Retention of Records Associated with Covered Activity(ies)

In accordance with UTA's record retention policy, except for *Notice of Voluntary Service* ([Form 3-8](#)) described in Section II.E.2.e, above, the mentor and monitor will ensure that a signed *Consent for Minor in a University of Texas at Arlington Laboratory* ([Form 8-90](#)) for each covered minor participating in covered activities and other appropriate documentation relating to the covered minor and to the covered activities are retained by the department responsible for the laboratory.

F. Exceptions to the Policy

1. When an exception may be authorized:

An exception to provision(s) found in this policy to allow for tours or similar uses may be initiated by a laboratory supervisor and granted as provided below if the determination is made that any potential risks or disadvantages that may result from deviations to such policy provision(s) have been completely mitigated to ensure no additional risk to UTA.

2. Who must approve an exception:

If the laboratory supervisor makes the determination stated in Section F.1, then he/she should document the deviations to this policy and the rationale supporting the determination by submitting the *Minors in Laboratories - Restriction Exception Request* ([Form 8-94](#)) for review and approval. All of the individuals listed below must approve the exception and may make the approval contingent on the monitor or the mentor completing future actions prior to the policy deviation.

- a. For a laboratory supervisor who is faculty: prior written approval must be received from the department chair to whom the laboratory supervisor reports (if any), the dean (or his/her designee) of the laboratory supervisor, the Director of EH&S, the Vice President for Administration and Campus Operations and the Vice President of Research.
 - b. For a laboratory supervisor who is staff: written approval is required from the department chair who controls the laboratory (if any), the associate vice president to whom the laboratory supervisor reports (if any), the Director of EH&S, the Vice President for Administration and Campus Operations and the Vice President of Research.
 - c. When a laboratory tour or covered activities involve ABSL-1 and/or ABSL-2 laboratories, the tour or covered activities must first be approved by the UTA IACUC and the Institutional Official for Animal Care (Vice President for Research) before progressing through the approvals described in Section F. 2. (a) and (b). Additionally, the participating minor(s) must meet all requirements for their level of clearance to ensure compliance with the Association for Assessment and Accreditation of Laboratory Animal Care (AAALAC) rules of accreditation. The UTA Office of Regulatory Services will be responsible for verifying AAALAC requirements are met.
3. Authority of the Vice President of Research and the Vice President for Administration and Campus Operations:

At any time, the Vice President of Research or the Vice President for Administration and Campus Operations may intervene and make the final decisions on any exceptions to this policy. Exceptions for laboratories are addressed by the Vice President of Research. All safety-related exceptions are reviewed by the Vice President for Administration and Campus Operations.

G. Suspension of Covered Minor's Privileges

1. The monitor, mentor, an EH&S staff member, the laboratory supervisor, his/her department chair or his/her dean may temporarily suspend
 - a. a laboratory tour or covered activities; or

- b. a covered minor's participation in a laboratory tour or in all or part of the listed covered activities if violations, safety deficiencies or other conditions occur.
2. The laboratory supervisor, his/her department chair, or his/her dean may permanently suspend future laboratory tours, covered activities or a covered minor's participation in a laboratory tour or all or part of the listed covered activities if violations, safety deficiencies or other conditions occur and are not corrected.
3. The IACUC or Vice President of Research may permanently suspend future research laboratory tours, covered activities or a covered minor's participation in a research laboratory tour or all or part of the listed covered activities if violations, safety deficiencies or other conditions occur and are not corrected in ABSL-1 and/or ABSL2 laboratories.
4. At any time, the Vice President for Research or the Vice President for Administration and Campus Operations may intervene and make the final decisions relating to any suspensions of privileges governed by this policy, and on the management of any disciplinary actions relating to violations of this policy or to misconduct associated with covered minors.

H. **Role of the Environmental Health and Safety Office**

UTA's EH&S will annually review records documenting the number and frequency of minors in laboratories. Based on its review, EH&S will provide any recommendations related to the policy to the Vice President for Research and Vice President for Administration and Campus Operations.

I. **Administrative Oversight**

The Vice President for Research and the Vice President for Administration and Campus Operations maintain administrative oversight and ultimate authority to enforce requirements relating to laboratory tours, covered activities and organized programs associated with such tours and activities. Therefore, all such violations, safety deficiencies or other conditions must also be reported to the Vice President for Research and the Vice President for Administration and Campus Operations.

III. **Definitions**

Covered Activity(ies): Activities that covered minors may perform in certain laboratories. These may include, but are not limited to, covered minors observing ongoing research, scholarly or artistic activities, covered minors actively participating in research, scholarly or artistic activities, or covered minors actively participating in training exercises to learn skills associated with research, scholarly or artistic activities. [Also see "laboratory tour" definition below.]

Covered Minor(s): Person(s) at least 10 years old, but younger than 18 years of age who are not emancipated, matriculated as UTA students or employed by UTA. A minor student is not employed by UTA if the University provides the student with a stipend or

scholarship.

Laboratory(ies): All facilities covered by the EH&S Laboratory Evaluation Program at UTA, which include the following:

- Research and teaching laboratories such as chemistry, biology, engineering, physics, geology, biomedical engineering, kinesiology etc.
- Animal and plant facilities such as animal holding rooms, surgical suites, greenhouses, etc.
- Environmental laboratories such as ecology outdoor nature laboratory, etc.
- Other facilities posing similar risks that are routinely surveyed by EH&S, such as ceramics and art studios.

Laboratory Tour: A visit by one or more covered minor(s) to a particular laboratory at particular times on one day to observe pre-selected and pre-arranged research, scholarly or artistic activities.

Laboratory Supervisor: The UTA staff member or faculty member, including but not limited to a Principal Investigator, who has the ultimate control and responsibility for all activities and matters associated with a particular laboratory.

Mentor: The UTA staff member or faculty member with the responsibility for ensuring that covered minors have satisfied all the conditions and requirements in this policy. The mentor is responsible for guaranteeing that all appropriate UTA paperwork, requirements, and conditions have been completed before a minor is allowed into a laboratory (consulting with the appropriate university offices, officials, and/or committees, collecting mandatory forms from covered minors, etc.). In certain cases, the mentor and the monitor may be the same individual.

Monitor: The UTA staff member, faculty member or graduate student with the primary responsibility for supervising covered minors who are assigned to the monitor while they are in the monitor's designated laboratory. In certain cases, the monitor and the mentor may be the same individual or the monitor may assume certain responsibilities of a mentor as approved by the department.

IV. **Relevant Federal and State Statutes and Rules**

N/A

V. **Relevant UT System Policies, Procedures and Forms**

UTA Procedures and Forms

- *Consent for Minor in a Laboratory - Covered Activities*([Form 8-90](#))
- *Authorization for Minors in Laboratories - Covered Activities* ([Form 8-91](#))
- *Laboratory Tour for Minors Notification Form* ([Form 8-92](#))
- *Consent for Minor in a Laboratory - Tours* ([Form 8-93](#))
- *Minors in Laboratories - Restriction Exception Request*([Form 8-94](#))

VI. Who Should Know

This policy only applies to minors that will be entering UTA laboratories. It does not apply to emancipated minors, minors who are matriculated UTA students or minors who are employed by UTA.

VII. UTA Office Responsible for Policy

The Office of the Vice President for Administration and Campus Operations, (817) 272-2102, and the Environmental Health and Safety Office, (817) 272-2185.

VIII. Dates Approved or Amended

August 8, 2018

IX. Contact Information

All questions regarding this policy should be directed to the Environmental Health and Safety Office, (817) 272-2185.