

**3344-95-02 Definitions.**

(A) Child abuse

An “abused child” includes any child who:

- (1) Is the victim of sexual activity, which includes children who are the victim of statutory rape, sexual assault.
- (2) Is endangered as defined in section 2919.22 of the Revised Code. A child is endangered if the person who is the parent, guardian, custodian or is in loco parentis of a child creates a substantial risk to the health or safety of the child. Specific examples include child abuse, torture, excessive corporal punishment that creates a substantial risk of serious physical harm or impairment to the child’s mental health and encouraging, permitting or compelling a child to act, model or otherwise participate in the production, presentation, dissemination or obscene, sexually oriented material.
- (3) Exhibits evidence of any physical or mental injury or death, inflicted other than by accidental means, or an injury or death, which is at variance with the history given of it.
- (4) Because of the acts of his parents, guardian, or custodian, suffers physical or mental injury that harms or threatens to harm the child’s health or welfare.
- (5) Is subjected to out-of-home care child abuse.

(B) Neglected child

A “neglected child” includes any child who:

- (1) Is abandoned by the child’s parents, guardian, or custodian.
- (2) Who lacks adequate parental care because of the faults or habits of the child’s parents, guardian, or custodian.

- (3) Whose parents, guardian, or custodian neglects the child or refuses to provide proper or necessary subsistence, education, medical or surgical care or treatment, or other care necessary for the child's health, morals, or well-being.
- (4) Whose parents, guardian, or custodian neglects the child or refuses to provide the special care made necessary by the child's mental condition.
- (5) Whose parents, legal guardian, or custodian have placed or attempted to place the child in foster care or for adoption in violation of sections 5103.16 and 5103.17 of the Revised Code.
- (6) Who, because of the omission of the child's parents, guardian, or custodian, suffers physical or mental injury that harms or threatens to harm the child's health or welfare; or,
- (7) Who is subjected to out-of-home care child neglect, as defined in section 2151.06 of the Revised Code.

(C) "Child"

For the purposes of this policy, this definition includes a person under the age of eighteen years or a mentally retarded, developmentally disabled, or physically impaired child under twenty-one years of age, as defined in section 2919.22 of the Revised Code.

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