

MEMORANDUM

To: Carmen Scholz  
President, Faculty Senate

From: Robert A. Altenkirch   
President

Christine W. Curtis   
Provost and Executive Vice President for Academic Affairs.

Subject: Response to Faculty Senate regarding the Child Protection Policy

Date: June 18, 2018

In the Faculty Senate response to the Child Protection Policy, which is attached, several concerns are expressed. They include:

- The requirements for background checks for individuals who are engaged in University sponsored events that involve children. Specifically, the frequency that background checks are required for UAH faculty and staff involved in these activities, requiring volunteers who assist UAH with these events to have background checks, and requiring annual training for individuals engaged in University events involving children are considered to be a hardship on those involved in these University events.
- The record keeping required in the Child Protection Policy and Guidebook. The basis of the concern is that departmental faculty and staff will be required to keep the records. The Faculty Senate believes that the record keeping requirement would be an onerous burden for the faculty and staff in the departments.
- The requirements for faculty and postdoctoral fellows to adhere to the Child Protection Policy when high school students shadow them in the laboratory. This may limit those who are willing to participate in this activity.
- Deterrence of faculty from participating in off-campus outreach events that engage children.

The Faculty Senate's overall concern is that the Child Protection Policy and Guidebook requirements are "too extensive and therefore become prohibitive and will result in the

cancellation of programs that have been established for children with the foremost intent of inspiring them to pursue a higher education."

As the Faculty Senate is aware, UAH currently has an existing Child Protection Policy that must be followed when departments, colleges, and other units are engaged in University events that involve children, either on or off campus. The new Child Protection Policy and Guidebook incorporates current accepted and best practices to protect children and the institution. The purpose of the new Child Protection Policy and Guidebook is to ensure that those who are involved in programs for children are accountable and make safety and security for the children a priority. In order to accomplish these goals, it is the responsibility of the University and its faculty, staff, and students to ensure that when children are engaged in University events that children's wellbeing and safety risks are identified and remedied. Furthermore, it is the University's responsibility to ensure that faculty, staff, and students are trained and supported and are properly screened for any potential concerning behavior. We must ensure that our University and our actions as faculty, staff, and students are in compliance with federal and state law and best practices amongst our peers. To do otherwise would lead to increased risks of harm to a child along with liability and reputational risks associated with such an incident.

This past year there have been many discussions concerning this policy and its impact. These discussions have involved The University of Alabama System (UAS) Office, the Presidents of the UAS campuses, the UAH Deans, Provost, and Vice Presidents, the UAH Faculty Senate, Staff Senate and SGA as well as others. Through these discussions, the concerns of the different constituencies have resulted in the responsibilities and obligations of those involved in University events that involve children to be defined and supported more fully as detailed below.

Annual training is critical to ensure that faculty, staff, students, and volunteers are aware of their responsibilities as to the safety and wellbeing of the children entrusted to the program. The policy states that individuals with care, custody, or control of children are required to have the appropriate training (Mandatory Reporting, Campus Security Authority (CSA), and Child Protection Training) in accordance with the policy. The purpose of the training is to guarantee that faculty, staff, students, and volunteers are able to recognize, respond to, and report allegations of child abuse, and also to make those individuals aware of child abuse prevention strategies and best practices for establishing a safe environment. Best practices and national practices are constantly changing, so annual training is needed to make certain faculty, staff, students, and volunteers are kept informed and up to date.

The Child Protection Training, Mandatory Reporting Training, and CSA Training are all administered online, which will offer faculty, staff, and students the flexibility of completing the training during a time that best fits their schedule. A website is currently

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being developed that will allow the Director of Compliance to monitor participation. However, it will be up to the Program Director to ensure that everyone working with children has been properly screened and trained before they are allowed to interact with children. In addition, face-to-face training will be provided on campus annually during the summer months.

Background checks are limited to individuals who have responsibility for the care, custody, or control of a child as part of the activity or program. As a result, large camps and events may utilize unscreened guest speakers, instructors, judges, or volunteers to work if it is for a short-term, specific task, as long as the program provides continued supervision by an authorized adult who has undergone a background check. Unscreened individuals can never be left alone or have direct contact with children. The intent is to ensure the safety of the children without being over burdensome to the camps and events. The standards for background checks are consistent with national standards and our sister UAS campuses.

For all University activities, events and camps involving children, Program Directors are the individuals on site who are responsible for the day-to-day operations of the activities or programs, and they also oversee program staff. The Program Director is responsible for ensuring that program personnel are trained on the Child Protection Policy and Guidebook and that all program personnel with care, custody, or control of children have had background checks. In addition, the Program Director is responsible for ensuring that in advance of University activities, events and camps involving children all individuals involved including volunteers not engaged in the care, custody, or control of children sign and agree to abide by the requirements outlined in the Guidebook.

The Director of Compliance will provide the Program Directors with a list of all individuals who completed background checks and training. However, Program Directors must ensure that children are placed only with individuals who have been properly screened and trained. The added burden of ensuring that background checks and training are completed by individuals who have care, custody, or control of children is minimal compared to the risk and consequences associated with having an incident of child abuse. It is a burden that we must assume. The Program Directors will provide the information to the Director of Compliance who will keep the official records and will fund the background checks for University funded programs. For programs involving children that are externally funded, the budgets for those programs should include the cost of background checks.

Thank you for expressing your concerns regarding the Child Protection Policy and Guidebook. Please let us know if you have any further questions or concerns. We ask for your cooperation and compliance with the Child Protection Policy and Guidebook, which will go into effect at the beginning of fall semester 2018. On-campus training is scheduled for this month and July 2018. If you have any specific questions regarding

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compliance with the Child Protection Policy and Guidebook, please contact Laterrica Simmons, Director of Compliance and Interim Vice President for Diversity, Equity, and Inclusion.

cc: Laterrica Simmons, Interim Vice President for Diversity, Equity, and Inclusion and Director of Compliance and Title IX Coordinator

February 21, 2018

From: Faculty Senate  
To: President Altenkirch

Dear Dr. Altenkirch,

The Faculty Senate discussed the Child Protection Policy (01.04.01) and the accompanying Guidebook for Activities or Programs with Child Participants that you submitted to the Senate on January 29, 2018.

The Senate recognizes the need for stringent rules needed for all activities that involve children at the UAH Campus. The Senate supports most strongly the spirit of the Policy. With this letter we draw your attention to some details in the Policy and the Guidebook that may have detrimental effects on activities that are regularly held on campus and are in part designed as recruiting tools.

There are a number of programs that would fall under this policy, the following are currently known to the Senate:

- Tech Trek (Dr. Gaede)
- A transportation camp (Dr. Gholston)
- Let's pretend hospital (College of Nursing)
- Sign language classes (Education Department)
- Girls in Science and Engineering (Dr. Vogler)
- Chemistry Olympiad (Dr. Vogler)
- Alabama Science and Engineering Fair (Dr. Florinski)
- School field trips to the Salmon Library (Library)
- Unaccompanied minors can register for a UAH Library Guest card and can visit the library, including the computer facilities, at any time during business hours. Currently, more than 100 guest cards are issued to local high school students (Library)

UAH Personnel associated with these programs will have to undergo annual background checks and annual training in (i) Child Protection Policy, (ii) Mandatory Reporting and (iii) Campus Security Authority. This annual training is an extensive demand on the time of faculty; with little foresight as to the best approach to implement the requirements.

Third parties involved with the activity are required to undergo background checks. The involvement of third parties in some of these activities is very much appreciated, e.g. BASF in

‘Girls in Science and Engineering’, and it is difficult to request background checks of professionals who kindly give their time to educational activities for children.

The record keeping requirements are enormous and rest with colleges and units, which “must ensure that faculty, staff, students, student employees, graduate assistants, and volunteers have completed all required training annually...” This demand is prohibitive as colleges and in particular departmental units are already overextended in their responsibilities and this request goes beyond the workload that can be expected of units and their staff assistants. Equally the requested up-to-date record keeping on all such programs, as outlined in the Registration and Approval section of the Guidebook, within the sponsoring departments places an additional burden on the departments. These aspects of the policy can only be implemented by the central administration, as this extra workload cannot be placed on faculty.

Typically we have high school students shadowing our students and post-docs in our research labs. With the extensive demand for annual training and background checks, Principal Investigators may opt to close their labs to high school students.

Faculty take active roles in outreach and recruitment efforts; with these off-campus activities falling under purview of the policy, the requirements put forth by the policy may deter faculty from continuing these activities.

In summary, it is the opinion of the Faculty Senate that aspects of the Child Protection Policy are too extensive and therefore become prohibitive and will result in the cancellation of programs that have been established for children with the foremost intent of inspiring them to pursue a higher education.

The UAH Faculty Senate