

THE UNIVERSITY OF ALABAMA IN HUNTSVILLE

CHILD PROTECTION POLICY

Number 01.04.01

Division President's Office - Compliance

Date December 11, 2012

Purpose The University of Alabama in Huntsville ("UAH") is committed to maintaining a supportive and safe educational environment, one which seeks to enhance the well-being of all members of its community. This commitment reflects the institution's adherence to its mission, to its various policies supporting its mission, and to relevant state and federal laws. Within that commitment, UAH places importance on creating a secure environment for children. To that end, UAH has adopted the following child protection policy and procedures.

In order to ensure the safety and well-being of children, individuals, including UAH faculty, staff, students, volunteers, and representatives as well as third-party vendors and their employees, representatives, or volunteers that contract for use of UAH facilities, with responsibilities that involve interaction with children (collectively "UAH personnel"), must carefully review and abide by the following policy regarding abuse.

Policy **Obligations Under This Policy**

A "child" is any person under 18 years of age.

This Policy applies to child abuse or neglect that allegedly occurs on the UAH campus, on property owned or leased by UAH, or while UAH personnel are participating in a UAH connected activity off campus.

With very limited exception, Alabama law (Ala. Code § 26-14-1 *et seq.*) makes reporting known or suspected child abuse or neglect *mandatory* for hospitals, clinics, medical professionals, teachers, school officials, law enforcement officials, social workers, daycare workers, mental health professionals, members of the clergy, and any other person called upon to render aid or medical assistance to a child. It is UAH's position that, in addition to the mandated

statutory reporting requirements for certain individuals and entities, all UAH personnel should immediately report known or suspected child abuse or neglect as provided in this policy.

Definitions of Child Abuse and Neglect

No form of child abuse, whether physical, emotional or sexual, will be permitted or tolerated under any circumstances whatsoever. Child abuse is morally and legally wrong. It can come in many forms.

Harm or threatened harm to a child's health or welfare can occur through non-accidental physical or mental injury, sexual abuse or attempted sexual abuse or sexual exploitation or attempted sexual exploitation.

"Sexual abuse" may be perpetrated by an adult or another child and includes the employment, use, persuasion, inducement, enticement, or coercion of any child to engage in, or having a child assist any other person to engage in, any sexually explicit conduct or any simulation of the conduct for the purpose of producing any visual depiction of the conduct; or the rape, molestation, prostitution, or other form of sexual exploitation of children, or incest with children as those acts are defined by Alabama law. Sexual abuse also includes any activity that is meant to arouse or gratify the sexual desires of the perpetrating adult or child. Sexual abuse may or may not involve touching.

"Sexual exploitation" includes allowing, permitting, or encouraging a child to engage in prostitution and allowing, permitting, encouraging or engaging in the obscene or pornographic photographing, filming, or depicting of a child for commercial purposes.

"Negligent treatment" or "maltreatment of a child" includes the failure to provide adequate food, medical treatment, supervision, clothing, or shelter.

Procedures

Reporting Procedures

If you know or suspect that a child is a victim of child abuse or neglect, you must act.

In deciding whether or not to report an incident or situation of suspected abuse or neglect, it is not required that you have proof that abuse or neglect has occurred. Any uncertainty in deciding to

report suspected abuse or neglect should be resolved in favor of making a good faith report.

In making a report, your actions should be as follows:

First, immediately report the information to:

The University of Alabama in Huntsville Police Department at 256-824-6596.

Your oral report should include all available information regarding the known or suspected abuse or neglect, including, but not limited to, the name of the child, his or her whereabouts. The names and addresses of the parents, guardian, or caretaker and the character and extent of the injuries. The report should also contain, if known, any evidence of previous injuries to said child and any other pertinent information that might establish the cause of such injury or injuries, and the identity of the person or persons responsible for the same.

Second, do not directly question or solicit information from the child or from the person suspected of improper behavior. That is not your role; the role of investigation lies with city, county, and state officials.

Third, in addition to making an oral report, you must also complete a Child Abuse or Neglect Report Form and deliver the same to the UAH Police Department.

Notification Responsibilities

Any UAH employee who is planning an event in which children will be invited to the campus must obtain the written approval of the Vice President for Diversity prior to the event. Requests for approval of such events must be submitted to the Vice President for Diversity at least 10 days in advance of any event involving minor children.

Prohibition on Retaliation and Immunity from Liability

Any person who makes a good faith report of child abuse or neglect shall not be subjected to retaliation. Further, any person or entity that makes a good faith report of child abuse or neglect is immune under Alabama law from any liability civil or criminal that might otherwise be incurred or imposed.

Review

The Vice President for Diversity and the Chief University Counsel are responsible for the review of this policy every five years (or whenever circumstances require).

Approval

Kenneth W. Rich

Chief University Counsel

Delois F. Smith

Vice President for Diversity

APPROVED:

Robert A. Altenkirch

President