

THE UNIVERSITY OF ALABAMA IN HUNTSVILLE

MANDATORY REPORTING OF CHILD ABUSE AND NEGLECT POLICY

Number	06.09.04
Division	Finance and Administration – Office of Risk Management and Compliance
Date	September 12, 2023
Purpose	This policy sets forth The University of Alabama in Huntsville’s (“UAH” or “University”) commitment to creating a secure environment for children. Code of Alabama Title 26, Chapter 14, Section 14 "Reporting of Child Abuse or Neglect" and Board Rule 106.2 of The Board of Trustees of the University of Alabama provide the authority for this Policy.
Policy	In order to ensure the safety and well-being of children, all individuals, including University faculty, staff, students, volunteers, and representatives as well as third-party entities and their employees, representatives, or volunteers that contract for use of University facilities or partner with the University on programs or activities involving interactions with children (collectively “Covered Personnel”), must carefully review and abide by the following policy regarding reporting known or suspected child abuse.

In addition to the requirements of this policy, Covered Personnel must adhere to obligations that may be imposed by applicable law or other University policy.

This policy applies to child abuse or neglect that allegedly occurs:

- x on the University’s campus,
- x on property owned or leased by the University,
- x while Covered Personnel are participating in a University connected activity on or off campus, or
- x that Covered Personnel discover as a result of their affiliation with the University or a University program.

For the purposes of this Policy, a “child” is:

- f* Any person under 18 years of age.
- f* Any person under 19 years of age who is in need of protective services and does not qualify for adult protective services under Chapter 9 of Title 38 in Alabama law.

With very limited exception, Alabama law (ALA. CODE § 26-14-1 et seq.) makes the reporting of known or suspected child abuse or neglect, regardless of the circumstances in which it may occur, mandatory for college and university employees, 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. All UAH employees are considered to be mandatory reporters under state law.

It is the University's position that, in addition to the mandated statutory reporting requirements for certain individuals and entities, all Covered Personnel who have a reasonable cause to suspect that a child is being abused or neglected must immediately make a report, regardless of the location, timing, setting or circumstances of the potential abuse or neglect. Neither Alabama law nor any University policy allows you to delegate the duty to report child abuse or neglect.

No form of child abuse, whether physical, emotional, or sexual, will be permitted or tolerated under any circumstances. Abuse may come in many forms:

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

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.

Failure to Report

Pursuant to ALA. CODE § 26-14-13, any mandatory reporter who fails to make a required report may be subject to criminal charges.

Any Covered Personnel who willfully fails to report a case of suspected child abuse is subject to disciplinary action up to and including dismissal. Students may be referred for disciplinary action under the Code of Student Conduct.

Additional Reporting Responsibilities

This Policy should not be viewed as limiting any legal, ethical, and/or professional reporting obligations. Individuals subject to additional reporting obligations should comply with those obligations as well as this Policy. Mandatory Reporters

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2. In addition to making an oral report