THE UNIVERSITY OF ALABAMA®
WHERE LEGENDS ARE MADE
Youth Protection

April 2019
Minors?

• So many people think that minors on campus looks like this:
Reality

• It actually looks more like this:
## UA Registered Programs as of March 2019

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<th>Jan</th>
<th>Feb</th>
<th>Mar</th>
<th>Apr</th>
<th>May</th>
<th>Jun</th>
<th>Jul</th>
<th>Aug</th>
<th>Sep</th>
<th>Oct</th>
<th>Nov</th>
<th>Dec</th>
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</table>
Minors are different

- Are not legal adults
- Cannot enter into contracts
- Cannot bear responsibility for actions
- Cannot sign waivers, releases
- Cannot refuse medical care

*Definition of “minor” set by state law.
Relevant Laws

Overview of Federal Laws

- Protecting Young Victims from Sexual Abuse and Safe Sport Authorization Act of 2017 (Safe Sport)
- Child Protection Improvements Act of 2017
- Children’s Online Privacy Protection Act (for-profit programs)
- Clery Act
- Title IX
- Americans with Disabilities Act
Relevant Laws

Overview of State Laws

• Age of Majority/Age of Consent
• Licensing
• Mandatory Reporting
• Background checks
• Transportation
Other Relevant Rules

- Institutional Policies
- NCAA Bylaws
- Accreditation
So, we follow the law and that’s it?

Not exactly......

• The *Duty of Care* to minors is different, more stringent than the duty we owe other adults
  – Need to consider the risks that are unique to this population.
  – Also need to consider how the “usual risks” might require a different response.
Risks to Consider

• Sexual Abuse/Molestation
  – High public profile
    • Penn State: $237 million and climbing
    • Michigan State: $523 million and climbing

• Physical Abuse

• Neglect
Other Risks to Consider

- Physical Injury/Accidents
- Alcohol/Controlled Substances
- Bullying
- Disabilities
- Accommodations
- Medical Care
- Medication Management
- Custody Situations
- Pickup/Dropoff Procedures
- Emergency Plans
- Internet Access/Usage
- Pictures/Images
- Social Media
- Mixed Age Groups
Best Practices to Minimize Risk

- Policies
- Personnel Screening/Selection
- Training
- Monitoring/Supervision
- Reporting Systems
- Institutional Follow-thru
What if there is a problem?

Things to consider before it happens:

• **Training** – does it cover what to do if something goes wrong?
• **Training** – does it cover what to report and to whom?
• **Crisis Communications** – who says what to who when?
What if there is a problem?

• Follow policy
• Investigate (where appropriate)
• Provide assistance as needed to law enforcement (where appropriate)
• Document, Document, Document!
Where can I get help?

American Camp Association (ACA) acacamps.org

Higher Education Protection Network (HEPNet) higheredprotection.org

A host of other resources and locations, including: Gallagher, Everfi, United Educators, Praesidium
Questions?

Thank you for your time and attention!