

The Board of Education recognizes that because of their sustained contact with school-aged children, employees may be in a position to identify abused or maltreated children and refer them for treatment and protection. The Board further recognizes the specific dictates of law which require school officials to report suspected instances of child abuse or maltreatment in a domestic setting.

The purpose of mandatory reporting is to identify suspected abused and maltreated children as soon as possible, so that such children determined to be abused or maltreated can be protected from further harm and, where appropriate, can be offered services to assist him or her and his or her family.

Any school official, which includes, but is not limited to, school teacher, school guidance counselor, school psychologist, school social worker, school nurse, school administrator, full or part-time compensated school employee required to hold a temporary coaching license or professional coaching certificate, or other school personnel required to hold a teaching or administrative license or certificate, who has reasonable cause to know or suspect that a child has been subjected to abuse or maltreatment will immediately report this to the New York State Child Abuse and Maltreatment Register and notify the Building Principal. Any such report made by the school official must include the name, title, and contact information for every staff person of the school believed to have direct knowledge of the allegations in the report. Once the school official makes the initial report, the Building Principal will be responsible for all subsequent administration necessitated by the report. Only one report regarding the suspected abuse must be issued from the District.

The report shall be made by telephone or by telephone facsimile machine on a form supplied by the Commissioner of Social Services. A written report shall be made within forty-eight hours to the appropriate local child protective service, and to the statewide Central Register.

School employees who are not school officials, as defined above, but who have reasonable cause to know or suspect that a child has been subjected to abuse or maltreatment are encouraged to report to the Central Register. However, the school employee must report the matter to the Building Principal. If the matter has not yet been reported to the Central Register, the Building Principal shall make the report, in accordance with state law. In being required to file such report, the Building Principal does not have discretion.

School employees or officials may not contact the child's family or any other person to determine the cause of the suspected abuse or maltreatment. It is not the responsibility of the school official or employee to prove that the child has been abused or maltreated.

Any school official or employee who has cause to suspect that the death of any child is a result of child abuse or maltreatment must report that fact to the appropriate medical examiner or coroner.

In accordance with the law, any school official who fails to report an instance of suspected child abuse or maltreatment may be guilty of a Class A misdemeanor and may be held liable for the damages caused by the failure to report. The law grants immunity to persons who, in good faith, report instances of child abuse from any liability.

School employees will not be subject to retaliatory action, as defined in state law, because the employee believes that he or she has reasonable cause to suspect that a child is an abused or maltreated child and, therefore, makes a report in accordance with N.Y. Social Services Law.

The District will cooperate to the extent possible with authorized child protective services workers in investigations of alleged child abuse.

The school district shall maintain an ongoing training program which will address the identification and reporting of child abuse and maltreatment. Attendance at sessions of this training program shall be required of all school officials. Attendance records shall be kept, and notations will be made in personnel files as to the dates of attendance.

The Superintendent shall develop, with input from appropriate personnel, a plan for implementation of such a training program, to be approved by the Board. In addition, the policy and regulations will be included in all employee handbooks and distributed annually to all school officials who are not covered under existing handbooks. The Superintendent will prepare and implement all regulations as are necessary to accomplish the intent of this policy.

As required by state law and regulation, the District shall publicize the toll-free number for reporting child abuse and neglect to the Central Register (800-342-3720), and directions for accessing the NYS Office of Children and Family Services website (<http://ocfs.ny.gov/main/cps/>), in both English and Spanish.

Ref: Child Protective Services Act of 1973, Social Services Law §§411 et seq.
Family Court Act §1012
Family Educational Rights and Privacy Act, 20 U.S.C. §1232g, 45 CFR §99.36
Education Law §3209-a

Adoption date: May 27, 1997 (as Suspected Child Abuse and Maltreatment)

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