

## **CHILD ABUSE IN A DOMESTIC SETTING**

The Board of Education recognizes the duty of school officials, as mandated reporters, to report suspected incidents of domestic child abuse or maltreatment to the Statewide Central Register for Child Abuse and Maltreatment orally or by facsimile, on an immediate basis and with a follow-up report in writing, within 48 hours to the County Department of Child Protective Services.

### ***Mandated Reporters***

Pursuant to law, school officials who are mandated reporters include all district-wide administrators, building level administrators, teachers, teaching assistants, guidance counselors, social workers, psychologists, therapists licensed by the New York State Education Department, registered nurses and coaches. They are under a duty to report as set forth below in this policy.

### ***Other Reporters***

The Board expects employees other than the mandated reporters to report suspected incidents of child abuse and maltreatment to the Building Principal at the school in which the child attends.

### ***Reporting***

Mandated reporters shall call the Statewide Central Register telephone number either with the Building Principal or alone, in the absence of the Building Principal, to report an incident of suspected child abuse. They shall ask for the call identification number to keep in the school district's record. A personal copy may be retained.

Within 48 hours the mandated reporter and the Building Principal or the mandated reporter alone, in the absence of the Building Principal, shall complete and submit the LDSS-2221-A form to the County Department of Social Services, office of child protective services.

In instances when the Building Principal receives information from other reporters, he or she shall follow the process described above for incident reporting.

Only one report per incident is required from the mandated reporters in the school district.

### ***Suspecting Child Abuse or Maltreatment***

Mandated reporters and other reporters are expected to report suspected incidents of child abuse or maltreatment as described in Regulations that accompany this policy. It is not the duty of mandated or other reporters to conduct an investigation once evidence of suspected child abuse or maltreatment is presented or is apparent. The district will cooperate to the extent possible with authorized child protective services workers in investigations of alleged child abuse.

### ***No Family Contact***

School employees and officials will 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.

### ***Incidents Involving Death***

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.

### ***Penalty for Failure to Report***

In accordance with the law, any employee 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 employees and other persons who report instances of child abuse immunity in good faith from any liability that might otherwise be incurred.

### ***Training***

The school district shall inform employees of the availability of the NYS mandated training program for the identification and reporting of child abuse and mistreatment. Attendance at sessions of this training program shall be required of all district employees who come in contact with students. 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 personnel 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.

### ***Policy Dissemination***

A copy of this policy, along with the administrative regulations explaining the reporting requirements, shall be distributed to all members of the professional staff.

Cross-ref: 5314, Corporal Punishment Complaints  
5500, Student Records

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

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