

**Regulation 7530R**

**Students**

**CHILD ABUSE AND NEGLECT/MALTREATMENT**

**School Officials Required to Report**

Pursuant to Policy 7530, all licensed and certified personnel employed by the district are considered "school officials" and are mandated to report cases of child abuse or neglect/maltreatment to the State Central Register (SCR) pursuant to Social Services Law Section 413(1). Such officials include, but are not limited to teachers, counselors, school psychologists, school social workers, school nurses, school administrators or other school personnel required to hold a teaching or administrative license or certificate.

All mandated reporters must make the report themselves and then immediately notify the building principal or his/her designee. The building principal or his/her designee will be responsible for all subsequent administration necessitated by the report.

**Reporting Procedures**

Any report will include the name, title and contact information for every staff member who is believed to have direct knowledge of the allegations in the report. Reports of suspected child abuse or maltreatment will be made immediately by telephone to Monroe County Child Protective Services at 585 461 5690 or to the state hot line at 800 342 3720. Within 48 hours after the oral report, a written report will be submitted to the Monroe County Department of Social Services. Written reports will be on Form LDSS-2221A (*Report of Suspected Child Abuse or Maltreatment*), available at <http://www.ocfs.state.ny.us/main/cps/>, and as form 7530F.1 from the District Regulation Manual.

Once the building principal has been notified, he/she will take follow up action including, but not limited to:

- Assisting the reporting person with follow up actions if needed.
- Where appropriate, contacting the school nurse and arranging for photos of injuries suspected of being related to child abuse.
- Informing the school social worker and the student's counselor of the report.
- Cooperating to the maximum extent possible with child protective workers and police who come to the school to interview the student and/or staff. Pursuant to Board policy 7530, personally identifiable information from the records of a student may be disclosed to appropriate parties if knowledge of the information is necessary to protect the health or safety of the student or other individuals.
- Informing the superintendent of the report
- In cases of suspected sexual abuse or in situations where the safety of the student is an immediate issue, the Irondequoit Police should be called (336 6000) and the student should not be dismissed except to a child protective worker or to the Irondequoit Police.

**Confidentiality of Reports**

Reports of suspected child abuse and maltreatment are confidential and may be made available only to those individuals who are specified by law. Prior to the release of a report, the Freedom of Information Law Records Access Officer should consult with the Superintendent and the school attorney regarding the propriety of releasing the report even to one specified by law as being entitled to receive the report. The Commissioner of Social Services may intervene to prohibit the release of a report by determining that to do so would be detrimental to the safety interests of the reporter.

### **Death**

Any mandated reporter or school official who has reasonable cause to suspect that a child died as a result of child abuse or maltreatment will report that fact to Monroe County Child Protective Services and to the appropriate medical examiner or coroner.

### **Penalties for Failure to Report**

Any mandated reporter who willfully fails to report a case of suspected child abuse or maltreatment shall be guilty of a misdemeanor and subject to civil liability for damages proximately caused by such failure.

### **Immunity from Liability**

Any person or institution participating in good faith in making a child abuse report, the taking of photographs, or the removal or keeping of a child pursuant to law and this regulation will have immunity from any liability for his/her participation.

### **Unlawful Methamphetamine Laboratories**

The district will provide information about recognizing signs of unlawful methamphetamine laboratories to all current and new school officials who, as part of their usual responsibilities, visit children's homes.

The New York State Office of Alcoholism and Substance Abuse Services will make such information available to the district.

### **Child Abuse in an Educational Setting**

Pursuant to Board of Education policy and Education Law, School District staff and school volunteers should be on the alert for the purpose of identifying abused and maltreated children, including abuse which occurs in an educational setting as enumerated in law; and reporting such findings as required.

Written reports should be submitted to the building principal or the Superintendent using form 7530F.

In addition, bus drivers working for companies with which the District contracts for services are required to report any allegations they receive to their supervisors, who in turn and without delay, are required to submit a written report to the Superintendent on form 7530F.

**Duties of School Administrators and Superintendents upon Receipt of a Written Report Alleging Child Abuse in an Educational Setting**

Upon receipt of a written report as described above alleging that a child has been abused in an educational setting, a school administrator or the Superintendent must then determine whether there is "reasonable suspicion" to believe that an act of such child abuse has occurred. Upon a determination that there is such reasonable suspicion, the school administrator or Superintendent will comply with the following procedures:

*Where the Child Has Made the Allegation*

1. Promptly notify the parent of such child that an allegation of child abuse in an educational setting has been made regarding such child and promptly provide the parent with a written statement prepared pursuant to Commissioner's Regulations setting forth parental rights, responsibilities and procedures under the law;
2. Where a school administrator receives a written report, promptly provide a copy of the report to the Superintendent; and
3. Promptly forward such report to appropriate law enforcement authorities.

*Where the Parent of the Child Has Made the Allegation*

1. Promptly provide the parent of such child with a written statement prepared pursuant to Commissioner's Regulations setting forth parental rights, responsibilities and procedures under the law;
2. Where a school administrator receives a written report, promptly provide a copy of the report to the Superintendent; and
3. Promptly forward such report to appropriate law enforcement authorities.

*Where Someone Other Than the Child or the Parent of the Child Has Made the Allegation*

1. Promptly notify the parent of the child that an allegation of child abuse in an educational setting has been made regarding his/her child and promptly provide the parent with a written statement prepared pursuant to Commissioner's Regulations setting forth parental rights, responsibilities and procedures under the law;
2. Ascertain from the person making the report the source and basis for such allegation;
3. Where a school administrator receives a written report, promptly provide a copy of the report to the Superintendent; and
4. Promptly forward such report to appropriate law enforcement authorities.

In no event will reporting to law enforcement authorities be delayed by reason of an inability to contact the Superintendent of Schools.

**Additional Duties of the Superintendent**

1. Where the Superintendent or school administrator forwards to law enforcement a report as mandated by law and enumerated above, the Superintendent must then forward such

report to the Commissioner of Education where the employee or volunteer alleged to have committed an act of child abuse in an educational setting holds a certification or license issued by the State Education Department.

2. A report which is made pursuant to Education Law Article 23-B and does not, after investigation, result in a criminal conviction will be expunged from any record which may be kept by a school or the School District with respect to the subject of such a report after a period of five (5) years from the date of the making of the report, or at such earlier time as the school or School District determines.

Revised: 05-15-08, 02-03-17, 03-21-19, 03.19-2020