

Superintendent's Regulation

SUSPECTED CHILD ABUSE AND MALTREATMENT IN A DOMESTIC SETTING 5460-R1


Approved Upon Superintendent's Initials

9/25/26
Date

New York State law, including the Child Protective Service Act of 1973, as amended, requires the reporting of suspected cases of child abuse and maltreatment by mandated reporters and school officials. This regulation implements those requirements within the District and is intended to help protect students from the harmful effects of child abuse, maltreatment, and neglect. New York State law requires reporting of suspected child abuse and maltreatment by school officials and mandated reporters, and this regulation is intended to implement those requirements within the District and protect students from the harmful effects of child abuse, maltreatment, and neglect.

Definitions

The definitions of child abuse, maltreatment, neglect, and persons legally responsible for a child are established by New York State law. For purposes of this regulation, an abused child is a child less than eighteen years of age whose parent or other person legally responsible for the child's care inflicts or allows the infliction of serious physical injury, creates or allows a substantial risk of such injury, or commits or allows a sex offense against the child as defined by law. An abused child includes a child less than 18 years old whose parent or other legally responsible person inflicts or allows serious physical injury or risk of such injury, or commits or allows a sex offense against the child as defined by law

A neglected or maltreated child is a child less than eighteen years of age whose physical, mental, or emotional condition has been impaired or is in danger of becoming impaired because a parent or person legally responsible for the child's care has failed to exercise a minimum degree of care, including but not limited to providing adequate food, clothing, shelter, education, medical care, supervision, or guardianship, or where the child has been abandoned. A neglected or maltreated child includes a child less than 18 years whose condition is impaired or at risk due to failure to provide minimum care, including adequate food, clothing, shelter, education, medical care, supervision, or guardianship, or where the child has been abandoned

In order for a report of educational neglect to be accepted, three elements must be established: excessive absence from school by the child; reasonable cause to suspect that the parent is aware or should have been aware of the excessive absenteeism and has contributed to the problem or is failing to take steps to

effectively address the problem; and reasonable cause to suspect educational impairment or harm to the child or imminent danger of such impairment or harm. Educational neglect requires excessive absence, parental awareness or contribution or failure to address the problem, and reasonable cause to suspect educational impairment or harm or imminent danger thereof

A person legally responsible includes the child's custodian, guardian, or any other person responsible for the child's care at the relevant time. Impairment of emotional health or mental or emotional condition includes substantially diminished psychological or intellectual functioning that is clearly attributable to the unwillingness or inability of a parent, guardian, custodian, or other legally responsible person to exercise a minimum degree of care toward the child. A person legally responsible includes a custodian, guardian, or any other person responsible for the child's care at the relevant time. Impairment of emotional health or condition includes substantially diminished psychological or intellectual functioning clearly attributable to a legally responsible person's unwillingness or inability to exercise a minimum degree of care

Mandated Reporters and School Officials

All school officials and other mandated reporters who have reasonable cause to suspect that a child is abused or maltreated must immediately and personally make a report to the New York State Central Register for Child Abuse and Maltreatment or the appropriate local child protective services hotline. All school officials and other mandated reporters with reasonable cause to suspect abuse or maltreatment must immediately and personally report to the State Central Register or the appropriate local hotline

For purposes of this regulation, school officials include the following: teacher; guidance counselor; psychologist; nurse; social worker; full- or part-time athletic coach; athletic trainer; administrator; and any school personnel required to hold a teaching or administrative license or certificate. School officials include teachers, guidance counselors, psychologists, nurses, social workers, full- or part-time athletic coaches, athletic trainers, administrators, and any personnel required to hold a teaching or administrative license or certificate

Personnel making a report have the right to request that information which would identify the individual making the report be withheld if furnishing such data might prove detrimental to the safety or interests of that individual. Reporters may request that identifying information be withheld when disclosure could be detrimental to the reporter's safety or interests

Reporting Procedures

1. Reports may be made to the New York State Central Register at 1-800-342-3720, to the mandated reporter hotline at 1-800-635-1522, or to the Monroe

County Child Abuse Reporting Hotline at 585-461-5690, as appropriate. Reports may be made to 1-800-342-3720, to the mandated reporter hotline at 1-800-635-1522, or to the Monroe County Child Abuse Reporting Hotline at 585-461-5690

2. After making a report, the reporter must immediately notify the Building Principal or designee that a report has been made. The Building Principal or designee must inform the Superintendent of Schools or designee and ensure that all required follow-up administration is completed. After reporting to the Central Register, the reporter must immediately notify the Building Principal or designee, who must inform the Superintendent or designee and ensure required follow-up is completed
3. District employees who are not mandated reporters but who have reasonable cause to suspect child abuse, maltreatment, or neglect are encouraged to make a report to the Central Register and must promptly notify the Building Principal or designee. Non-mandated employees are encouraged to report to the Central Register and must promptly notify the Building Principal or designee
4. If the Building Principal is informed of a case of suspected child abuse or maltreatment that has not yet been reported to the Central Register, the Building Principal is required to phone the State Central Register and inform them verbally or contact the Register by facsimile on the required form, file a written report with the local child protective services agency and the Central Register within forty-eight hours after the initial report, and determine if additional steps need to be taken by the District. If the Building Principal learns of an unreported suspected case, the Principal must call the State Central Register or send a facsimile on the required form, file a written report with the local CPS and the Central Register within 48 hours, and determine if additional District steps are needed
5. A written report must be filed with the appropriate local child protective services agency and the Central Register within forty-eight hours after the oral report, using the form and information required by the Commissioner of Social Services, and copies must be maintained in accordance with District recordkeeping procedures and applicable confidentiality requirements. A written report must be filed with local CPS and the Central Register within 48 hours after the oral report, using the required form, and records must be maintained consistent with District procedures and confidentiality requirements
6. The Building Principal or designee may take color photographs or cause photographs to be taken of areas of visible trauma and, if medically indicated, may cause a medical examination to be performed, and photographic equipment will be kept at the school and be available for this purpose. These actions may be performed at public expense if they will

provide appropriate documentation when filing the report. The Principal may take or cause color photographs of visible trauma and, if medically indicated, cause an examination to be performed, and photographic equipment will be kept at the school and available for this purpose; such actions may be performed at public expense to support documentation

7. The school physician must notify the appropriate police authorities or local child protective services agency to take custody of any child the physician is treating if the physician believes the child is in danger, whether or not additional medical treatment is required. The school physician must notify police or CPS to take custody of a treated child if the physician believes the child is in danger, whether or not further treatment is required
8. School personnel who have reasonable cause to suspect that a child has died as a result of child abuse or maltreatment must report that fact to the appropriate medical examiner or coroner. School personnel who suspect that a child has died due to abuse or maltreatment must report that fact to the appropriate medical examiner or coroner

Child Protective Services and Law Enforcement Interviews at School

Consistent with the District's obligation to keep students safe and to cooperate with investigations, the District will cooperate with Child Protective Services workers and law enforcement officers who seek to interview students on school property regarding allegations of suspected child abuse, maltreatment, neglect, or custody-related concerns. District administrators should not contact parents or guardians unless specifically advised to do so by Child Protective Services or law enforcement. The District will cooperate with CPS and law enforcement interviews on school property, and administrators should not contact parents unless specifically advised by CPS or law enforcement

Requests to interview a student on school property must be made to the Building Principal or designee. The Principal or designee will arrange the time and place of the interview and should make reasonable efforts to ensure that the interview is conducted at the earliest mutually convenient time in a private location with minimal interruptions. Requests to interview a student must be made to the Building Principal or designee, who will arrange a private setting with minimal interruptions at the earliest mutually convenient time

Before permitting access to the student or to student records, the Principal or designee will examine and verify the credentials of Child Protective Services workers or law enforcement officers. An interview should be conducted in the presence of a school official, unless circumstances require otherwise. If sexual abuse is indicated, the presence of a same-sex staff member during the interview is appropriate. The Principal or designee will examine and verify the credentials of CPS workers before allowing interviews or record access, and interviews should be

conducted in the presence of a school official unless circumstances require otherwise, with a same-sex staff member appropriate if sexual abuse is indicated

The Principal or designee should reassure the student that an appropriate staff member may be available nearby for emotional support if requested by the student. Any staff member present during an interview is present solely to support the student and must not attempt to participate in or influence the interview. If the student does not request the presence of a staff member, Child Protective Services or law enforcement may interview the student alone. A staff member may be available for emotional support if requested, but if the student does not request a staff member, CPS or law enforcement may interview the student alone, and any staff present are solely to support the student and must not participate in the interview

If the nature of the allegations requires the student to remove any clothing for verification of the allegations, the school nurse or other District medical personnel must be present during that portion of the interview, and no student may be required to remove clothing in front of a Child Protective Services worker or District official of the opposite sex. If clothing removal is required, the school nurse or other District medical personnel must be present, and no student may be required to remove clothing in front of a CPS worker or District official of the opposite sex

A Child Protective Services worker may remove a student from school property without a court order only when the worker reasonably believes the student would be subject to danger of abuse if not removed before a court order can reasonably be obtained, and may do so without parental consent where permitted by law. A CPS worker may remove a student without a court order only when the worker reasonably believes the student would be subject to danger of abuse if not removed before a court order can reasonably be obtained, and may do so without parental consent where permitted by law

The Building Principal will request a summary report of the investigation of any case referred to Child Protective Services so the District can take appropriate next steps. The Building Principal will request a summary report of the CPS investigation so the District can take appropriate next steps

Training, Notice, Confidentiality, Posting, and Compliance

1. The District will maintain an ongoing training program addressing the identification, signs and indicators, and reporting of child abuse, maltreatment, and neglect. Attendance at training sessions is required for all school officials and mandated reporters, and permitted and encouraged for all other District employees who come into contact with students. Training may be offered at least once every three years. The District will maintain an ongoing training program addressing identification and reporting of child

abuse, maltreatment, and neglect, with attendance required for all school officials and permitted and encouraged for other employees

2. All District employees who are required to report suspected child abuse or maltreatment will be provided with these regulations and the related Board policy concerning child abuse and reporting requirements, including in employee handbooks. Employee handbooks will include a copy of these regulations and the related Board policy, and required reporters will be provided these materials. All District employees required to report will be provided with these regulations and the related Board policy.
3. The District will post the toll-free number for the Central Register, 1-800-342-3720, and directions for accessing the New York State Office of Children and Family Services child protective services information in English and Spanish on the District website and in highly visible areas of school buildings so that the information is readily accessible to students and staff. The District will also make such information available in District and school administrative offices, provide it to parents and persons in parental relation at least once per school year, including electronically and or sent home with students, and provide it to all teachers and administrators and, as appropriate, to all other mandated reporters. The District will post the Central Register number (800-342-3720) and directions for accessing OCFS CPS information, in English and Spanish, on the District website and in highly visible areas of school buildings, make such information available in administrative offices, provide it to parents or persons in parental relation at least once per school year, and provide it to all teachers and administrators and, optionally, to all other mandated reporters. The District will post the toll-free number and directions for accessing OCFS in English and Spanish on the District website and in highly visible areas of school buildings so the information is readily accessible to students and staff.
4. Only one report of an individual occurrence of suspected abuse or maltreatment is required, but separate or subsequent incidents of the same or similar concern must generate separate reports. Only one report of an individual suspected occurrence is required, and subsequent incidents must generate separate reports. Only one report of any suspected abuse is required.
5. School personnel who, in good faith, make a report or take photographs of injuries or bruises have immunity from civil or criminal liability, and the good faith of any person required to report is presumed. School personnel who, in good faith, make a report or take photographs have immunity from liability, and good faith is presumed for persons required to report. School personnel acting in good faith have immunity from civil or criminal liability for reporting or photographing injuries, and good faith is presumed.

6. Any person required to report suspected child abuse or maltreatment who fails to do so may be found guilty of a class A misdemeanor and may be held civilly liable for damages caused by the failure. Any person required to report who fails to do so may be guilty of a class A misdemeanor and may be civilly liable for resulting damages. Failure to report by a required reporter may result in a class A misdemeanor and civil liability.
7. Any school employee who fails to comply with this regulation or related Board policy is subject to discipline in accordance with applicable collective bargaining agreements, law, and District policy. Any school employee who fails to comply is subject to discipline consistent with collective bargaining agreements and or policy and applicable law.
8. If a report of child abuse or maltreatment has been determined to be unfounded, records in school files must be expunged in accordance with applicable law and District recordkeeping procedures. If a report is determined to be unfounded, records in school files must be expunged consistent with law and District procedures.

Administration

The Superintendent or designee shall implement procedures necessary to carry out this regulation, ensure availability of photographic equipment in each school for documentation purposes, and monitor compliance with training, posting, reporting, confidentiality, and recordkeeping requirements. Photographic equipment will be kept at the school and be available for purposes of documenting visible trauma in support of reporting.

Adoption date: August 20, 1998; Amended September 25, 2026