

School officials must make a report to child protective services when they have reasonable cause to suspect a student is abused or maltreated. If the person who suspects abuse or maltreatment is a school staff member, he or she must notify the head of the school immediately. The Principal, Nurse or Social Worker then makes the report to the NYS Central Register (Soc. Serv. Law 413(1)). If a teacher is unable to contact the principal, the teacher is required to make the report. The law also states that, in addition to those persons legally required to report suspected child abuse or maltreatment, any person who has reasonable cause to suspect child abuse or maltreatment may make such a report (Soc. Serv. Law 414). The Special Services District Department Head will maintain a log of the DSS interview. Teacher and other referrals of suspected abuse will be made to the Building Principal who in turn will be in contact with the Special Services Department Head.

Mandated reporters who in good faith make a report are given immunity from liability, either civil or criminal, that might otherwise result from such action. Any person required to report who willfully fails to do so, is guilty of a Class A misdemeanor; and, civilly liable for the proximate damages caused by failure to report.

Reports of suspected abuse will be made as required by Section 422 of the NYS Social Services Law to the New York State Central Register of Child Abuse and Maltreatment and to the appropriate County Department of Social Services Child Protective Services. Reports of suspected child abuse and maltreatment are confidential and may only be made available to those individuals or groups specified by Section 422.

Building Principals, in compliance with the Federal Family Educational Rights and Privacy Act of 1974, and Section 422 of the NYS Social Services Law, may disclose personally identifiable information from the education records of a student to appropriate parties, as defined in Section 422, in connection with a health or safety emergency if knowledge of the information is necessary to protect the health or safety of the student or other individuals.

A Department of Social Services case worker may interview in school any pupil concerning whom a report of suspected abuse or maltreatment has been made. The Building Principal, or his/her designee(s), will be present during the interview. For the purpose of identification, written documentation from the investigative agency must be obtained prior to the interview.

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