

SUSPECTED CHILD ABUSE AND MALTREATMENT

I. Obligation to Report Suspected Abuse or Maltreatment.

The Board of Education of the Berlin Central School District recognizes that its employees, because of their sustained contact with school-age children, are in an especially good position to identify abused or maltreated children, and to refer them for treatment and protection.

Pursuant to applicable law, any "school official," which shall include a teacher, guidance counselor, psychologist, social worker, nurse, administrator, or other school personnel required to hold a teaching or administrative license or certificate, who has reasonable cause to suspect that a child has been subjected to abuse or maltreatment by a parent or other person legally responsible for such child, shall report the case promptly to the New York State Child Abuse and Maltreatment Register, as required by law.

Any other school district employee who has reasonable cause to suspect that a child has been subjected to abuse or maltreatment by a parent or other person legally responsible for such child shall report this immediately to the building principal or Superintendent of Schools, who shall then report the case promptly to the New York State Child Abuse and Maltreatment Register, as required by law.

II. Reporting to State Office of Temporary and Disability Assistance.

The report to the Child Abuse and Maltreatment Register shall be made either by telephone or by telephone facsimile machine on a form supplied by the New York State Office of Temporary and Disability Assurance. A written report shall be made within forty-eight (48) hours to the appropriate local child protective service, and also to the statewide Register for Child Abuse and Maltreatment.

III. No Contact with Child's Family Regarding Suspicions.

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

IV. Reporting Obligation in Case of the Death of a Child.

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

V. Consequences of Failure to Report.

In accordance with New York law, any official or 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 her/his failure to report. The law grants officials and employees and others who report suspected instances of child abuse or maltreatment immunity in good faith from any liability that otherwise might be incurred.

VI. District Cooperation with C.P.S. Investigations.

The District shall cooperate to the fullest extent possible with authorized child protective services workers in their investigations of alleged child abuse or maltreatment.

VII. Staff Training Program and Administrative Plan.

The Berlin Central School District shall maintain a training program that will deal with the identification and reporting of child abuse and maltreatment. Attendance at training sessions in this program shall be required of all District officials and employees who come into contact with students. Attendance records for these programs shall be kept, and notations shall be made in individuals' personnel files of the dates of their attendance.

The Superintendent of Schools, in consultation with appropriate District personnel, shall develop a plan for implementing such a training program, and that plan shall be submitted to the Board of Education for its approval. In addition, this policy and any regulations adopted administratively to implement and enforce it shall be printed in all employee handbooks and shall be distributed annually to all District personnel who are not covered under existing handbooks.

VIII. Administrative Regulations and Policy Dissemination.

The Superintendent shall develop and implement any and all regulations that may be necessary to accomplish the full intent of this policy.

A copy of this policy, and also administrative regulations that explain the reporting requirements imposed by the laws of the State of New York, shall be distributed to all members of the District's professional staff.

References

Child Protective Services Act of 1973

Social Services Law Secs. 411 et seq.

Family Court Act Sec. 1012

20 USC 1232g (Family Educ'l Rights and Privacy Act)

45 CFR 99.36

Education Law Sec. 3209-a