

- Required
- Local
- Notice

STUDENT SERVICES IN ADDITIONAL SETTINGS

“Child abuse” means any one of the following acts committed in an educational setting by an employee or volunteer against a child:

- intentionally or recklessly inflicting physical injury, serious physical injury or death; or
- intentionally or recklessly engaging in conduct that creates a substantial

- any child sexual abuse as prohibited by sections 130 or 235 of the Penal Law; or

If the person making the allegation of abuse is someone other than the

child or the child's parent, the Principal/Superintendent shall contact the person making the report to learn the source and basis for the allegation.

The Principal shall also promptly provide a copy of the written report to the Superintendent and send a copy to the appropriate law enforcement

enforcement because of an inability to contact the Superintendent.

The Superintendent shall send to the Commissioner of Education any

withhold from the appropriate law enforcement authorities, a superintendent or the Commissioner of Education, where appropriate, an allegation of child abuse in an educational setting on the part of any employee or volunteer as required by

**CHILD ABUSE IN AN EDUCATIONAL SETTING EXHIBIT -
CONFIDENTIAL REPORT OF ALLEGATION**

SUBJECT CHILD	PARENT OF SUBJECT CHILD
Name _____	Name _____

Grade _____ Sex (M, F, Unknown) _____
Age or Birthday (Mo/Day/Yr) _____

“Child sexual abuse” shall mean conduct prohibited by section 170.1 of the penal law.

thirty or two hundred sixty-three of the penal law.

**CHILD ABUSE IN AN EDUCATIONAL SETTING EXHIBIT -
NOTICE/REPORTING REQUIREMENTS**

Duties of Employees

The law imposes reporting requirements on teachers, administrators,

workers, school board members and all other school personnel required to hold a teaching or administrative license or certificate. When these employees receive an allegation of child abuse by an employee or volunteer in an educational setting, they must take the following steps:

- a. Upon receipt of an oral or written allegation of child abuse in an educational setting, the employee must promptly complete the "Child Abuse in an

Child makes the Allegation

- a. Promptly notify the parent of the child that an allegation of child abuse in an educational setting has been made.
- b. Promptly provide the parent with the written statement setting forth parental

rights, responsibilities and procedures prepared in accordance with the Commissioner's regulations (8 NYCRR §100.2(hh)).

- c. Promptly forward a copy of the completed report form to the appropriate law enforcement authorities.

Parent Makes the Allegation

- a. Promptly provide the parent with the written statement setting forth parental rights, responsibilities and procedures prepared in accordance with the

Superintendent up to \$5,000 for failure to forward a copy of the completed report form to the appropriate law enforcement authorities.

Immunity Provisions

The law provides immunity from civil liability for employees, volunteers, ~~when~~ building administrators and superintendents who reasonably and in good

faith make a report of child abuse in an educational setting in the manner

Duties of the Commissioner of Education

Upon receiving notification of conviction from a district attorney, the

Commissioner of Education must begin proceedings against the convicted