

**CHILD ABUSE, MALTREATMENT OR NEGLECT  
IN A DOMESTIC SETTING**

The Board of Education recognizes that because of their sustained contact with school-aged children, employees are in an excellent position to identify abused, maltreated or neglected children and refer them for treatment and protection. The Board further recognizes the specific dictates of law which require school officials to report suspected instances of child abuse, maltreatment (which includes neglect) in a domestic setting.

The purpose of mandatory reporting is to identify suspected abused and maltreated children as soon as possible, so that such children determined to be abused or maltreated can be protected from further harm and, where appropriate, can be offered services to assist him or her and his or her family.

School officials, who have reasonable cause to know or suspect that a child has been subjected to abuse or maltreatment, must immediately report this to the New York State Central Register for Child Abuse and Maltreatment (Central Register), as required by law. No conditions may be imposed which limit their responsibility to report. A school official is defined as:

- Teacher
- School counselor
- Psychologist
- Nurse
- Social Worker
- Full or part-time paid athletic coach
- Administrator
- Any school personnel required to hold a teaching or administrative license or certificate.

The school official will also report the matter to the Principal.

The report shall be made by telephone or by telephone facsimile machine on a form supplied by the Commissioner of Social Services. A written report shall be made within 48 hours to the appropriate local child protective service, and to the statewide Central Register.

School employees who are not school officials, as defined above, but who have reasonable cause to know or suspect that a child has been subjected to abuse or maltreatment are encouraged to report to the Central Register. However, the school employee must report the matter to the Principal. If the matter has not yet been reported to the Central Register, the Principal shall make the report, in accordance with state law. In being required to file such report, the Principal does not have discretion.

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

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

In accordance with the law, any school official 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 the failure to report. The law grants immunity to persons who, in good faith, report instances of child abuse from any liability.

School employees will not be subject to retaliatory action, as defined in state law, as a result of making a report when they reasonably suspect that a child has been abused or maltreated.

The Board recognizes that knowingly reporting a false claim of child abuse is a violation of state law and this policy acknowledges that it is a crime to do so. The district will make every reasonable effort to ensure the integrity of the district's child abuse reporting process and procedure.

#### School District Relationship with Local Social Service District

The school district will cooperate to the extent possible with authorized child protective services workers in investigations of alleged child abuse. The Superintendent, or his/her designee, will represent the district when collaborating with local social service agencies to address instances of abuse or maltreatment, and in the development of policy and procedures regarding abuse or maltreatment (including educational neglect). In addition, the Superintendent will share a copy of the district's attendance policy, 5100, with the local social service district.

The school district shall maintain an ongoing training program which will address the identification and reporting of child abuse and maltreatment, including the legal implications of reporting and not reporting. Attendance at

sessions of this training program shall be required of all school officials. Attendance records shall be kept, and notations will be made in personnel files as to the dates of attendance.

The Superintendent shall develop, with input from appropriate personnel, a plan for implementation of such a training program, to be approved by the Board. In addition, the policy and regulations will be included in all employee handbooks and distributed annually to all school officials who are not covered under existing handbooks. The Superintendent will prepare and implement all regulations as are necessary to accomplish the intent of this policy

Cross-ref: 5100, Attendance

Ref: Child Protective Services Act of 1973, Social Services Law §§411 et seq.  
Social Services Law §34-a  
Family Court Act §1012  
Family Educational Rights and Privacy Act, 20 U.S.C. §1232g, 45 CFR §99.36  
Education Law §§3209-a, 3036  
Penal Law §240.50

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**CHILD ABUSE, MALTREATMENT OR NEGLECT  
IN A DOMESTIC SETTINGREGULATION**

New York State Law (Child Protective Service Act of 1973, as amended) provides for reporting of suspected cases of child abuse by school officials. These regulations are designed to implement this law within the district and to help protect students from the harmful effects of child abuse.

*Definitions*

The definition of child abuse and maltreatment is established by law.

Abused Child, according to Social Services Law and the Family Court Act, is a child less than 18 years of age whose parent or other person legally responsible for his or her care:

- a. inflicts or allows to be inflicted upon such child physical injury by other than accidental means which causes or creates a substantial risk of death, or serious or protracted disfigurement, or protracted impairment of physical or emotional health or protracted loss or impairment of the function of any bodily organ; or
- b. creates or allows to be created a substantial risk of physical injury to such a child by other than accidental means which would be likely to cause death or serious or protracted disfigurement, or protracted impairment of physical or emotional health, or protracted loss or impairment of the function of any bodily organ; or
- c. commits, or allows to be committed, a sex offense against such child, as defined in the penal law, provided, however, that the corroboration requirements contained therein shall not apply to proceedings under this article.

Neglected or maltreated child, according to the Family Court Act, is a child less than 18 years of age:

- a. whose physical, mental, or emotional condition has been impaired or is in danger of becoming impaired as a result of the failure of his or her parents or other person legally responsible for his care to exercise a minimum degree of care:
  - (1) in supplying the child with adequate food, clothing, shelter, or education in accordance with provisions of Part One, Article 65 of the Education Law, or medical, dental, optometrical or surgical care though financially able to do so or offered financial or other reasonable means to do so; or in order for a report of educational neglect to be accepted, three elements need to be established:
    - a. Excessive absence from school by the child;
    - b. Reasonable cause to suspect that the parent is aware or should have been aware of the excessive absenteeism and the parent has contributed to the problem or is failing to take steps to effectively address the problem and;
    - c. Reasonable cause to suspect educational impairment or harm to the child or imminent danger of such impairment or harm.

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- (2) in providing the child with proper supervision or guardianship, by unreasonably inflicting or allowing to be inflicted harm, or a substantial risk thereof, including the infliction of excessive corporal punishment; or by using a drug or drugs; or by using alcoholic beverages to the extent that he/she loses self-control of his/her actions; or by any other acts of a similarly serious nature requiring the aid of the court; or
  - b. who has been abandoned by his/her parent(s) or other person legally responsible for his/her care.

Person legally responsible includes the child's custodian, guardian, or any other person responsible for the child's care at the relevant time. Custodian may include any person continually or at regular intervals found in the same household as the child when the conduct of such person causes or contributes to the abuse or neglect of the child.

Impairment of emotional health and impairment of mental or emotional condition includes a state of substantially diminished psychological or intellectual functioning in relation to, but not limited to, such factors as failure to thrive, control of aggressive or self-destructive impulses, ability to think and reason, or acting out of misbehavior, including incorrigibility, ungovernability, or habitual truancy; provided, however, that such impairment must be clearly attributable to the unwillingness or inability of the parent, guardian, or custodian to exercise a minimum degree of care toward the child.

### Reporting procedures and related information:

1. All school officials must, when they have reasonable cause to suspect that a child is abused or maltreated, report it to the New York State Central Register for Child Abuse and Maltreatment (800-342-3720). A school official, under state law, is defined as:
  - Teacher
  - School counselor
  - Psychologist
  - Nurse
  - Social Worker
  - Full or Part-time athletic coach
  - Administrator
  - Any school personnel required to hold a teaching or administrative license or certificate.

Personnel 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 interest of that individual.

2. The school official must also report the matter to the Principal who will determine if any additional steps need to be taken by the school district (for instance, contacting the school physician, social worker or other support services).
3. In the event that a school employee, who is not required to report under the law (such as a bus driver, custodian, cafeteria monitor, etc.), has reasonable cause to suspect that a child is abused or neglected, he/she is encouraged to make a report to the Central Register. The employee must, by district policy, report the matter to the Principal.
4. If the Principal is informed of a case of suspected child abuse or maltreatment that has not yet been reported to the Central Register, the Principal is required to:
  - (a) phone the New York State Central Register for Child Abuse and Maltreatment (800-342-3720) and inform them verbally of the problem; or
  - (b) contact the above agency by telephone facsimile machine on a form supplied by the Commissioner of Social Services; and
  - (c) file a written report with the local child protective services agency and the Central Register within forty-eight hours after the above report; and,
  - (d) determine if additional steps need to be taken by the school district, as outlined in step 2 above.
5. The Principal may take color photographs or cause photographs to be taken of the areas of visible trauma on the child, and/or, if medically indicated, cause an examination to be performed. Such actions may be performed at public expense if they will provide appropriate documentation when filing the report. Photographic equipment shall be kept at the school and be available for this purpose.
6. The written report that must be filed shall include all information which the Commissioner of Social Services may require.
7. If it should be necessary for Child Protective Services to interview a child at school to ascertain whether he/she has been abused or maltreated, or to obtain documentation of such acts, the interview should be conducted in the presence of a school official, unless circumstances require otherwise. The school official shall examine and verify the credentials of Child Protective Services worker(s) before allowing such worker(s) to either interview the child or to examine the child's records. If sexual abuse is indicated, the presence of a same-sex staff member during the interview is appropriate.
8. The Principal shall request a summary report of the investigation of a case referred to Child Protective Services so the district can take appropriate next steps.
9. The district shall maintain an ongoing training program which will address identification and reporting of child abuse and maltreatment. Attendance at sessions of this training program shall be required of all school officials.
10. Employee handbooks shall include a copy of these regulations and the related Board policy concerning child abuse and reporting requirements.
11. Only one report of any suspected abuse is required.

12. School personnel who, in good faith, make a report or take photographs of injuries and bruises have immunity from any liability, civil or criminal. The good faith of any person required to report cases of child abuse or maltreatment is presumed.
13. School personnel who have reasonable cause to suspect that a child has died as a result of child abuse or maltreatment shall report that fact to the appropriate medical examiner or coroner.
14. Any person required to report suspected cases of child abuse or maltreatment and who fails to do so may be found guilty of a class A misdemeanor and may be held civilly liable for the damages caused by this failure.
15. Any school employee who fails to comply with this policy is subject to discipline in accordance with collective bargaining agreements and/or policy.

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## EDUCATIONAL NEGLECT REGULATION

### *Policy and Procedure for the Reporting and Subsequent Investigation of Educational Neglect between Rensselaer County Social Services and Wynantskill Union Free School*

The intent of this policy and procedure is to clarify the roles and expectations of the Rensselaer County Department of Social Services in conjunction with its partnership with the Wynantskill Union Free School with regard to their mutual interest in the educational, and all around, well-being of the children of Rensselaer County. Based on understanding that the reporting and investigation of suspected cases of educational neglect present a range of complex issues and challenges for local social services districts and school districts we agree it to be in the best interest of our inherent partnership, and the children we serve, to collaborate in addressing these concerns through the means developed in this document.

Family Court Act (FCA) § 1012(f)(i)(A) identifies a "neglected" child as a child less than eighteen years of age:

Whose physical, mental or emotional condition has been impaired or is in imminent danger of becoming impaired as a result of the failure of his parent(s) or other person legally responsible for his care to exercise a minimum degree of care in supplying the child with adequate food, clothing, shelter or education in accordance with the provisions of part one of article sixty-five of the education law, or medical, dental, optometrical or surgical care, though financially able to do so or offered financial or other reasonable means to do so (emphasis added).

Please note that the term "parent or other person legally responsible for his care" as used in the FCA refers to the parent, custodian, legal guardian or other person legally responsible for the child at the relevant time. References in this document to the "parent" should be understood to also include custodians, legal guardians and other persons legally responsible for a child. (See, FCA § 1012(a) and (g).)

Per Part One of Article 65 of the New York State Education Law § 3205(1)(c), the following age requirements apply:

- A child must attend full time school instruction in September if he/she turns six years old on or before the first day of December of that school year. Please note: the school year begins July 1st and runs through June 30th.
- A child who becomes six years old after the first of December must attend full time school instruction from the first day of session in the following September. A child must attend full time school instruction until the last day of session in the school year in which the minor becomes 16 years of age. New York State Education Law § 3205(3), provides that the Board of Education in a school district may require minors from 16 to 17 years of age, who are not employed, to attend full time day instruction until the last day of the session in the school year in which the student becomes 17 years old. A child who has completed a four-year high school course of study is not required to attend school regardless of age.

- A child who has applied and is eligible for a full-time employment certificate may be permitted to attend school part-time not less than 20 hours per week.

Wynantskill Union Free School Considerations in Reporting

For purposes of this document, Educational Neglect is considered to be the failure of the parent to ensure that the child's prompt and regular attendance in school or the keeping of a child out of school for impermissible reasons resulting in an adverse effect on the child's educational progress or imminent danger of such an adverse effect.

Attendance: There are both excused and unexcused absences from school. Such absences occur for either a portion of the day or the entire school day. It is the responsibility of the parent to establish the legitimate nature of the absence to the satisfaction of the school district. See Wynantskill Union Free School Attendance Policy (#5100), which includes the Wynantskill Union Free School District's list of those student absences, tardiness and early departures will be excused and those that will not be excused. The Wynantskill Union Free School District Attendance Policy is incorporated herein.

Below are the three (3) elements the NY Statewide Central Registry for Child Abuse and Maltreatment (SCR) considers necessary for a report of educational neglect based on absenteeism, as identified in guidelines established at the SCR. By no means should these guidelines serve as a rubric limiting, or precluding a Mandated Reporter that has "reasonable cause to suspect" a child is being abused or maltreated.

1. Excessive absences from school by the child. Confirmation that the absences are unexcused is an issue for the CPS investigation and a decision on this issue is not required at the point of making a report. However, any information the school has as to whether the absences are excused or unexcused should be provided to the SCR; AND
2. Reasonable cause to suspect that the parent is aware or should have been aware of the excessive absenteeism and that the parent has contributed to the problem or is failing to take steps to effectively address the problem (in other words, failure to provide a minimum degree of care); AND
3. Reasonable cause to suspect educational impairment or harm to the child or imminent danger of such impairment or harm.

**Excessive Absence:** What constitutes excessive absence from school is a determination to be made by the school district. Guidelines for making that determination are included in the Wynantskill Union Free School District Attendance Policy. The law is not specific as to the number of absences that would provide reasonable cause to suspect that a child may be educationally neglected. School districts may decide on a number of absences that would trigger a report to the SCR or a number of absences that would trigger further inquiry by the school district to determine if a report to the SCR is warranted. The number does not have to be absolute; the number of absences that is potentially problematic may vary among different children.

**Role of Parent:** The role of the parent must be considered. School officials will contact the parent in accordance with the Attendance Policy (see 8 N.Y.C.R.R. § 104.1 (i)(2)(vii)) to determine the parent's awareness of the excessive absences and to offer assistance as appropriate. It is recommended that at least one attempt to contact the parent be made verbally and at least one in writing. In cases where a parent has been unable to be contacted, has been uncooperative with school officials, or cannot provide an explanation for a child's absences and other criteria for educational neglect can be met, that would establish reasonable cause to suspect that a parent is aware of the absence and has not taken steps to address the problem.

**Educational Impairment or Harm:** There must be concern that the absences have had an adverse effect on the child's educational progress or are creating a danger of such an adverse effect. Certainty of an adverse effect or risk of an adverse effect is not required for a report be accepted by the SCR; there only needs to be reasonable cause to suspect an adverse effect or risk thereof. Whether there is actually such impairment or risk is an issue for investigation by CPS.

**Other considerations:** The reporting of educational neglect by schools may also result in the reporting of other forms of abuse or maltreatment. Student absenteeism, whether excessive, unexcused or not, may be an indicator of other forms of underlying abuse or maltreatment in the home. As in all calls received by the SCR, the interviewer will be asking a series of open-ended questions to determine whether the caller/reporter/source has concerns that would result in ANY reasonable suspicion of abuse or maltreatment. With respect to the reporting of other forms of abuse and neglect, school district staff must follow the District's policy and procedures regarding the same as adopted in accordance with Educational Law § 3209-a for child abuse prevention.

**Home Schooling:** The SED regulations at 8 N.Y.C.R.R. § 100.10 set forth requirements applicable to home instruction of children, including procedures for resolving disagreements between a school district and parent as to whether the parent's plan for home instruction (the " individualized home instruction plan" or "HIP" meets the requirements of the Education Law and Regulations. These regulations should be consulted before considering whether an educational neglect report to the SCR is warranted. Failure to comply with these regulations coupled with the child not attending school could be a basis for a report to the SCR.

Procedure for Making a Report to the SCR:

Pursuant to changes in the mandated reporter laws in 2007, a report to the SCR must be made by a mandated reporter who has reasonable cause to suspect abuse or maltreatment. A school official who is mandated to report cases of child abuse or neglect includes but is not limited to a school teacher, school counselor, school psychologist, school nurse, school administration or other school personnel required to hold a teaching or administrative license or certificate. All mandated reporters shall make the report themselves and then, immediately notify the Principal or Superintendent. The Principal or Superintendent shall be responsible for all subsequent administration necessitated by the report. The mandated reporter who made the report must advise the Principal or Superintendent that the report was made and of the information that was reported to the SCR, including the names and contact information of other persons in the school believed by the reporter to have direct knowledge of the alleged abuse or maltreatment. The Principal or Superintendent becomes responsible for all subsequent

administration involving the report, including completing and submitting the written report (form LDSS 2221 A). This responsibility may also involve making an additional call to the SCR if there is additional information concerning the report to be submitted.

Mandated reporters making reports to the SCR should, to the extent possible, confirm necessary demographic information prior to making the report to the SCR, as well as any other information the source may have that would indicate there may be other forms of abuse or neglect present in the household in addition to educational neglect. If the mandated reporter making the report is unable to do so, it would become the responsibility of the person in charge of the school or the designee to obtain this information and provide it to the SCR.

The mandated reporter phone number is 1-800-635-1522.

The Child Abuse Specialist at the SCR will ask the reporter/source the following questions for all reports made to the SCR:

- Names(s), dates of birth, address(es) for all children and parents in the household.
- Name, title and contact information for the reporter of the information.
- Name, title and contact information for any other persons in the school who may have direct knowledge of the alleged educational neglect or other alleged child abuse or maltreatment.
- If the child attends school at the caller/reporter's location, this information will be included to assist the CPS investigator in assessing the safety of the child within 24 hours.
- If the child is not in attendance at the same location as the caller/reporter, it is important for that to be identified. The caller/reporter should have the correct street address of the school the child attends, as well as the mailing address for the school if different.
- Alternative contact information (hours of contact, phone number or alternative contact person) for the reporter to assist local CPS in gathering critical information necessary to assess the safety and ongoing risk of the child and any other children in the household. (CPS is responsible to assess the safety of every child in the household, not just children reported as abused or maltreated).

The Child Abuse Specialist at the SCR will ask the reporter/source the following additional questions for reports made to the SCR involving possible educational neglect:

- Information related to any allegation of educational neglect and/or other allegations of abuse or maltreatment for any child in the family or child residing in the household to the knowledge of the reporter.
- Information on the number of absences from school, whether the absences are excused or unexcused (if known) and the suspected effect on the child's educational progress.
- Information related to the awareness of parent of the absenteeism and any efforts taken by the school to provide notification of the excessive absenteeism.

Rensselaer County CPS Investigative Considerations

**Educational Impairment/Harm to the Child:** Educational impairment or harm or imminent danger of harm may be difficult to prove until the harm has actually occurred. Harm may be presumed if another child in similar circumstances has already experienced harm, or would be likely to experience harm under similar circumstances, or there is a reasonable belief that the child would be harmed if the circumstances continued. The most important aspect of preventing potential harm of educational neglect is early intervention. The reporting of educational neglect at the time of the initial identification of potential harm is critical to be able to address the issue with the family and to take necessary actions that will ensure satisfactory completion of the child's grade level and successful school experience. The investigation is where the CPS investigator will address the issues with the parent with the objective of resolving any problems that exist so the problems do not recur. The school should also be involved in the resolution of issues related to educational neglect.

To put into practice, the definition of educational impairment or harm is a difficult task. Each child is different and the potential for educational harm is different according to the age, developmental abilities and intellectual capacity of the child, as well as the knowledge of, or potential encouragement by the parent of the absenteeism. Each instance of absenteeism must be evaluated in relation to the standards noted above: the parent's awareness of the excessive absenteeism, the steps taken and efforts made by the parent to address the absenteeism, and the actual potential harm to the child.

Investigating Educational Neglect: Social Services Law (SSL) § 424 and 18 Part 432 identify the specific responsibilities and duties of CPS concerning reports of suspected child abuse or maltreatment. These duties include the requirements to be able to receive all reports 24 hours a day, seven days a week, and to initiate an investigation within 24 hours of the receipt of a report of suspected abuse or maltreatment to assess the immediate safety to the child(ren). This applies to all reports of suspected child abuse and maltreatment, including educational neglect reports.

Determination of Some Credible Evidence: CPS must have "some credible evidence" that the child has been harmed or is in imminent danger of being harmed as a result of the parent's failure to exercise a minimum degree of care in regard to the child in order to determine a report of child abuse or maltreatment as "Indicated". (Section 412 (12) of the SSL and Section 1012 of the FCA). An "Indicated" determination must include identification of the specific harm or impact on the child and confirmation that the parent, by acting or failing to act, was responsible for the harm or imminent danger of harm of the child.

Making a determination that there is, or is not some credible evidence that educational neglect exists is a process that includes multiple steps on the part of CPS. The school must provide CPS with all documentation that will assist the CPS worker in completing the investigation and making the determination of an "Unfounded" or "Indicated" report. (Pursuant to SSL § 412 (11) and (12), an "unfounded" report is one for which some credible evidence cannot be found to substantiate the allegations of abuse or maltreatment. An "indicated" report is one for which some credible evidence can be found to substantiate the allegations of abuse or maltreatment.) For this reason, it is important for the school district to document not only the

child's educational progress but also efforts made to contact the parent, advise the parent of the absenteeism and to engage the parent in addressing the issue. These records must be available to the CPS worker during the course of the investigation.

In considering whether a report of Educational Neglect should be "indicated", Rensselaer County CPS uses the information listed below, as guidance, this is not intended to be exclusive criteria, but only a guideline for the determination process.

1. Use of the school district's definition of what constitutes excessive absences from school. Unexcused absenteeism that reaches or exceeds that level would be considered excessive absences, but not necessarily, in and of itself, constitute the level of harm commensurate with establishing the criteria necessary for CPS to "indicate" said report.
2. Identify the impact or potential harm on the child. Does the extent of unexcused absenteeism place the child in jeopardy of:
  - Failing a course?
  - Failing the grading period?
  - Failing the semester?
  - Failing the school year?
  - Failing to acquire basic skills commensurate with the grade level?
  - An inability to make up past work that is essential to passing the course or being promoted to the next grade?
  - Receiving a grade that reflects a significant decrease in performance from one marking period to the next?
  - Not meeting the goals identified in the child's Individualized Education Program (IEP) or Section 504 Accommodation Plan?
3. Identify the vulnerability of the child in relation to potential harm.
  - Is this a child with special needs for whom excessive unexcused absences may place the child in potential harm?
  - Is this child of an age whereby the educational foundation necessary for the child to progress in school is jeopardized by the excused absenteeism?
  - Does the child have past experience of criminal behavior that has occurred during the time of unexcused absenteeism?
4. Has the parent contributed to the problem or failed to provide a minimum degree of care?
  - Has the school been provided with notes from the parent identifying the reason for all absenteeism?
  - Are the reasons provided reasonable and consistent with the school district's attendance policy?

- Has the school been provided with notes from a physician or other health care provider in accordance with school policy?
  - Has the school obtained information from reliable sources that the parent is complicit or encouraging unexcused absences?
5. What effort has the school made to apprise the parent of the absenteeism?
- It is recommended that schools have documentation of a minimum of one written letter sent to the parent advising them of the child's absenteeism.
  - It is recommended that schools have made a minimum of one phone call (where possible) to the parent advising them of the child's absenteeism.
  - As required by 8 N.Y.C.R.R. § 104.1(i)(2)(vii), see Attendance Policy #5100, for the notice provided to parents where the children are absent, tardy or depart early without a proper excuse.

**Interviewing the Child at School:** In the interest of Best Practices, and assuring the child has the ability of disclose pertinent information regarding their safety (or the safety of others in the home), free from the influence of an alleged subject (perpetrator), it is necessary that Rensselaer County CPS interviews child(ren) apart from the family and/or the alleged subject. Oftentimes, this necessitates Rensselaer County CPS Caseworkers to interview children in the school. The Wynantskill Union Free School, in partnering with the Rensselaer County Department of Social Services and being in compliance with SSL § 425 (1), which provides that agencies of the State and local government entities must provide OCFS and local CPS with such assistance and data as are necessary to enable them to fulfill their CPS responsibilities, grants permission for CPS Caseworkers to conduct such interview on school grounds.

Interviewing a child in his/her school setting is predicated upon ongoing cooperation and dialogue with school authorities so that both CPS and the school authorities understand each other's policies, procedures and responsibilities.

The circumstances or allegations which may, but do not necessarily prompt a decision by CPS to interview a child at school, include but are not limited to:

- bruises inflicted by parents
- unusual punishments
- unattended illness
- child fearful of returning home
- sexual abuse

In general, circumstances where a child may be in imminent danger, where time is a factor, or where other considerations exist, i.e. the child expresses a need to speak privately with CPS, may make it advisable for CPS to interview a child at school. This may occur prior to or following CPS interviewing the parents.

In making the decision whether to interview the child at school, Rensselaer County CPS understands fully that interviewing a child in school may have negative consequences such as:

- Disrupting the child's school routine;
- Calling special attention to an allegation about a problem at home which in fact may not be problem or may not be significant to warrant such extraordinary attention; and
- Upsetting the parent to the extent that the parent's communication will become extremely guarded out of suspicion or fear, or further strain the relationship between the parent and the school district and/or Rensselaer County Department of Social Services.

The Wynantskill Union Free School District and the Rensselaer County CPS agree that a school official should generally be present during the interview. However, the school official and CPS may decide that the school official may be absent during the interview when the school official and the CPS caseworker agree that the presence of the school official is not essential to protect the interests of the student, and the absence of the school official may increase the likelihood that CPS can accomplish the purposes of the interview.

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