

Mount Pleasant Cottage School Union Free School District

SUBJECT: CHILD ABUSE IN AN INSTITUTIONAL SETTING

The Mount Pleasant - Cottage Union Free School District is committed to the protection of students in the residential school setting from abuse, neglect and other misconduct that may jeopardize a student's health, safety and welfare by employees and volunteers. Abuse as defined in Section 488 of Social Services Law means physical abuse, sexual abuse, psychological abuse, deliberate inappropriate use of restraints, unauthorized use of aversive interventions, obstruction of reports of reportable incidents and unlawful use or administration of a controlled substance. All reports of abuse or neglect and significant incidents will be reported to the Justice Center for the Protection of People with Special Needs in accordance with procedures established by the Center and to the Vulnerable Persons Central Register (VPCR) and the Commissioner of Education. The VPCR is a statewide central registry of reportable incidents established and operated in accordance with section 492 of Social Services Law.

Incident Review Committee

Unless exempted from such procedures by the State Education Department in accordance with Section 490 of Social Services Law, the school district will establish an incident review committee for the purpose of reviewing individual reportable incidents and incident patterns and trends to identify and implement preventive and corrective actions. Such actions may include, but will not be limited to, staff retraining or any disciplinary action allowed by law or contract, as well as opportunities for improvement. Investigations and report of findings will be made in accordance with applicable laws and Commissioner's regulations.

Duty to Report

Allegations of reportable incidents, including death for which there is any reason to believe that abuse or neglect may be involved, will be identified and immediately reported to the VPCR upon discovery by a mandated reporter in accordance with the provisions of sections 491 and 492 of Social Services Law. The death of any student attending a residential school will be immediately reported to the Justice Center in the form and manner prescribed by the Center and to the Commissioner of Education or his/her designee.

At the time a student is placed in the school, the student's parents will be provided with written information explaining the reporting requirements and processes regarding allegations of reportable incidents. Such information will also be made available upon request to any person.

Custodial Provisions

The District will check applicants for employment and volunteer positions as well as contractors and consultants, with the Register of Substantiated Category One Cases of Abuse and Neglect ("staff exclusion list") pursuant to the procedures developed by the Justice Center before determining whether to hire or allow any person to have regular or substantial contact with a student.

(Continued)

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If an applicant appears on the staff exclusion list, the school may not hire the applicant for a position in which the person would have the potential for regular and substantial contact with the student. If the result of that inquiry is that the person about whom the inquiry is made is not on the staff exclusion list, the school will make an inquiry of the Statewide Central Register of Child Abuse and Maltreatment pursuant to Section 424-a of Social Services Law.

Every employee, at the time of his/her initial employment and at least annually thereafter, will be provided with a copy of the code of conduct developed by the Justice Center and acknowledge that he/she has read and understands such code of conduct.

The District will develop procedures for protection of students from abuse, neglect and significant incidents in accordance with applicable laws and regulations.

Immunity from Liability

Any person, official, or institution who reasonably and in good faith reports to law enforcement officials information regarding allegations of child abuse pursuant to Social Services Law Section 424 and Social Services Law 492 will have immunity from any liability, civil or criminal, that might otherwise result by reason of such actions.

Education Law Article 23-B and Sections 902(b) and 3028-b
Penal Law Articles 130, 235 and 263
Social Services Law Sections Article II
8 NYCRR Article 83 and Sections 200.7, 200.15 and 200.22

Adopted: 7/7/14