

Altmar-Parish-Williamstown 2018-19

DASA / Mandatory Reporting Refresher



Commitment • Service • Value • Our Bond

DASA: Dignity for All Students Act

- No student shall be subjected to harassment by employees or students on school property or at a school function
 - School property includes buildings, playgrounds, athletic fields, and school buses
 - School functions include school-sponsored extra-curricular events or activities

Respect is a Learned Behavior

- Prevention starts before an incident occurs
- Establish a collaborative partnership with persons in parental relationship to support a unified message against bullying, harassment, intimidation, and discrimination
- Establish a responsive classroom environment
- Establish an environment of trust
- Practice de-escalation techniques
- Communicate with students about their role in prevention and intervention
- Be a role model by treating all students and colleagues respectfully
- Demonstrate appropriate boundaries and positive relationships
- Teach a respect for inclusion of differences
- Make personal connections with students
- Include skills to practice respect in daily activities
- Teach problem solving and positive relationship skills
- Read and learn about tolerance and acceptance

School Personnel Responsibility

- Discuss with students the school procedures and forms that may be used for reporting incidents to the Dignity Act Coordinator
- Listen to student complaints & reports of harassment, discrimination, and bullying
- Take the student's complaints & reports seriously
- School personnel must notify an administrator within one day of the report
- Follow up on what you can do to aid in the investigation
- Check to ensure that needs for counseling, mediation, or conflict resolution have been assessed and addressed
- All students should feel safe and supported in all classrooms

Reporting Incidents

- All employees have obligation to report any harassment or bullying by one student against another student, including, through social media sites
 - Minor incidents should be dealt with immediately at the classroom level
 - Serious incidents or recurring incidents should be reported to the Dignity Act Coordinator

What must be reported?

- Any serious complaint by students that they are victims of harassment or bullying, including cyberbullying
- Repeated conduct towards a student occurring over a period of time that appears to be negatively targeting that student or is detrimental to the student, regardless of whether the student complains
- Any conduct against a student that causes you to have concern regarding the student's physical or emotional wellbeing

Confidentiality Concerns

- Employees and administrators should only share DASA information with other school employees who ***need*** to know that information
 - DASA complaints should not be discussed with students or parents
 - Refer questions to Principal or DASA Coordinator

Mandatory Reporting

- ❖ Education Law Article 23-B – Reporting of Child Abuse in an Educational Setting
- ❖ NYS Social Service Law Article 6, Title 6 – Mandatory Reporting

Failure to comply with either of these laws is a crime.

Article 23-B

Who must report?

- teacher
- school nurse
- school counselor
- school psychologist
- school social worker
- school administrator
- school board member
- other school personnel required to hold a teaching or administrative license or certificate

NOTE: The District requires that all employees notify the building principal if they suspect or receive an allegation of child abuse by a co-worker, volunteer, or contractor.

Article 23-B

What must I report?

- Child abuse by a District employee, contracted service provider, or volunteer
 - intentional or reckless infliction of physical injury, serious physical injury or death
 - intentional or reckless conduct which creates a substantial risk of physical injury, serious physical injury or death,
 - any child sexual abuse
 - the commission or attempted commission against a child of the crime of disseminating indecent materials to minors

Note: while the statute states abuse must occur “in an educational setting”; essentially any abuse by a District employee, contractor or volunteer is deemed to be “in an educational setting”

Article 23-B

How do I make a report?

- If you are someone other than a building principal or the Superintendent
 - Complete NYSED Child Abuse Report Form
 - Personally deliver to the Building Principal of the school of the student and in which the abuse occurred (if different)

Note: you have this obligation even if the child attends another District and/or the abuse occurs in another District

Article 23-B

Consequences of reporting/not reporting

- Failure to report allegations of CAES where there is reasonable suspicion of abuse
 - Class A Misdemeanor
 - \$5,000 civil penalties
 - Potential revocation of certification
 - Civil liability (law suit)

- Reporting allegations where there is reasonable suspicion, but end up being false
 - NONE – the statute expressly protects individuals who make good faith reports

Social Service Law

Who must report?

- School official, which includes but is not limited to school teacher, school guidance counselor, school psychologist, school social worker, school nurse, school administrator or other school personnel required to hold a teaching or administrative license or certificate

NOTE: Anyone can make a confidential report to the child abuse hotline.

Social Service Law

What must I report?

- Reasonable suspicion of
 - Child abuse or maltreatment
 - By a person legally responsible for the child
 - Learned in conjunction with their professional capacity

Social Service Law Definitions

- Abused child – child under 18 whose parent/guardian:
 - Inflicts/allows physical injury or risk of physical injury that causes a substantial risk of death, disfigurement, impairment of physical or emotional health, loss or impairment of the function of any bodily organ, or
 - Commits/allows/encourages the commission of a sex offense, child prostitution, or child pornography against the child

Social Service Law

Definitions (*con't*)

- Maltreated/Neglected - child under 18 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 or other person legally responsible for his care to exercise a minimum degree of care as a result of:
 - Failure to provide food/clothing/medical/education
 - Failure to provide proper supervision due to excessive corporal punishment, misusing drugs, misusing alcoholic
- who has been abandoned

Social Service Law

Definitions (*con't*)

- Person legally responsible
 - child's custodian, guardian, any other person responsible for the child's care at the relevant time. Custodian may include any person regularly found in the home
- Professional Capacity
 - While doing your job

Social Service Law

How do I make a report?

- Call State Mandated Reporter Hotline
 - 800-635-1522
- Immediately inform “person in charge”
 - Supervisor
 - Superintendent
- Within 48 hours send written report to County Child Protective Services (form LDSS-2221A)

Social Service Law

Consequences of reporting/not reporting

- Failure to report allegations of CAES where there is reasonable suspicion of abuse
 - Class A Misdemeanor
 - Potential revocation of certification
 - Civil liability (law suit)

- Making a good faith report, even if wrong
 - NONE – the statute expressly protects individuals who make good faith reports
 - Report is confidential

District Requirements

- ❑ Full compliance with Education Law and Social Services Law
- ❑ All allegations of child abuse, maltreatment, or neglect must be reported to building principal and the Superintendent, even if committed by someone other than a District employee or parent/guardian
- ❑ All allegations of child abuse, maltreatment, or neglect must be investigated to determine if there is reasonable suspicion to believe abuse has occurred
- ❑ All suspected child abuse must be reported to the parent/guardian (unless the parent/ guardian is the suspected abuser)

Acknowledgement of Completion

Click link to acknowledge completion of this presentation:

[Acknowledgement Form](#)

For any questions,
contact your immediate supervisor