

ATTACHMENT Q

BOCES POLICY AND PROCEDURES ON SEXUAL ABUSE
INVOLVING SCHOOL PERSONNEL

Adopted December 15, 1988
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Children have the right to grow up safely and develop into healthy individuals. Sexual abuse is a violation of this right and threatens the healthy development of children.

Therefore, it shall be the policy of the Board of Cooperative Educational Services to protect the health, welfare, and safety of all the children enrolled in the district by immediately and accurately reporting all incidents of suspected sexual abuse of children involving school personnel; thoroughly documenting the incident(s); conducting an immediate investigation of the incident(s) by designated, trained school staff.

Procedures

Each Assistant Superintendent is responsible for accepting, investigating, documenting, and reporting suspected cases of child sexual abuse involving school personnel.

It is understood that the reporting, documentation, and investigation will be conducted in a confidential manner.

Any adult receiving information about alleged sexual abuse shall immediately report that information to the Assistant Superintendent or a designated representative when the Assistant Superintendent is unavailable.

The Assistant Superintendent or the representative will immediately inform the Superintendent of this alleged sexual abuse.

The Assistant Superintendent will simultaneously authorize/conduct interviews of appropriate staff and/or student(s) to ascertain the facts in the case. The interviewer will document the reported facts in writing.

The Assistant Superintendent will report his/her findings to the Superintendent who will, in turn, inform the Board of Education and the school attorney. The Assistant Superintendent will also inform the parents and request a conference in school or at the parents' home. When there is serious doubt that any crime has been committed, the Superintendent will review the case with the District Attorney before deciding on closure. Written reports of the investigation, including a summary of the results, and the reasons no action was taken will be kept by the Superintendent in a sealed file in his or her office for a period of five years and then expunged.

If the Assistant Superintendent determines that there is a threat to the child's health or safety, the Superintendent will consider the immediate removal of the accused from direct student contact.

If, at the conclusion of the investigation there are reasonable grounds to believe the allegations, the Assistant Superintendent will follow the procedures outlined below.

- I. The Assistant Superintendent will immediately report the incident to the appropriate law enforcement agency. When reporting to the police, the Assistant Superintendent should ask for a responsible individual to whom he/she may report an incident of child sexual abuse.
- II. The Assistant Superintendent will immediately notify the District Attorney's office.
- III. Reports of the investigation with a summary of the results shall be entered into the employee's personnel file and a copy shall be given to the employee.

The Assistant Superintendent shall safeguard the rights and reputation of the accused by holding any conversations with this individual in a private setting.

If the police are called, it is recommended that they go directly to the Assistant Superintendent's office and conduct their investigation in private.

In the event it is established by the school administration that an employee has committed acts which raise reasonable questions as to the individual's moral character, the Superintendent shall take the following actions:

- I. Professional staff shall be reported, in accordance with Part 83 of the rules and regulations of the Commissioner of Education, to the Director of Teacher Education and Certification.
- II. Non-instructional employees shall be reported to the appropriate governmental agency responsible for civil service personnel.

Both the Assistant Superintendent and his or her representative should undergo awareness instruction and training with respect to receiving or obtaining information regarding the circumstances surrounding the identification of child sexual abuse.

An awareness session on child sexual abuse should be conducted for all school employees and volunteers.