

Child Safety Alert

From Commissioner John B. Mattingly

Oct. 5, 2007

New Guidelines for Mandated Reporters

There has been a recent change in state law that affects all mandated reporters. Mandated reporters are now all required to make their reports to the State Central Register (SCR) personally.

Beginning October 1, 2007, those mandated reporters who work for a school, child care provider, foster care facility, residential care facility, hospital, medical institution or mental health facility, and who have direct knowledge of any allegation(s) of suspected child abuse or maltreatment, must personally make a report to the SCR. Afterwards, that reporter should then notify the person in charge of the institution that a report has been made. The person in charge is then responsible for all subsequent internal action that must follow such a report. This may include providing follow-up information to child protective services (CPS), for example, relevant information contained in the child's educational record.

Further, all reports made to the SCR shall include the name, title and contact information for every staff person of an institution that has direct knowledge of the allegations contained in the report.

No institution shall take retaliatory personnel action against an employee who made a report to the SCR. Also, no institution shall demand that prior approval is necessary before a mandated reporter reports suspected child abuse or maltreatment.

Chapter 193 of the Laws of 2007 also specifically includes school teachers, guidance counselors, school nurses and school social workers on the list of individuals classified as mandated reporters and therefore required to report cases of suspected child abuse or maltreatment to the SCR. Also, the new law would be applicable in residential and non-residential domestic violence programs.

All executive directors of voluntary authorized agencies, directors of Office of Children and Family Services (OCFS)-licensed day care centers and directors of residential and non-residential domestic violence programs should notify their respective staff of the provisions contained in Chapter 193 of the Laws of 2007, as outlined above.