

SAFETY RESOURCE GUIDE

STUDENT ACCIDENTS OR MEDICAL EMERGENCIES

(CR A-412)

1. If there is a medical emergency, call 911.
2. Immediately notify principal/designee.
3. Principal/designee and appropriate staff (e.g., nurse) must go to scene of emergency.
4. Notify parent(s).^{*} Staff member must report potential suicide to principal/designee, even if student requests confidentiality [CRA-755].
5. Principal/designee must notify Borough Safety Director // Children First Network (CFN) Safety/Suspension Specialist.
6. Staff member must accompany student(s) to hospital.
7. Enter information into OORS.

STUDENT-TO-STUDENT SEXUAL HARASSMENT

(CR A-831)

Peer sexual harassment refers to unwanted conduct/communication of a sexual nature by a student directed against another student that is so pervasive it substantially interferes with education or creates a hostile school environment. An allegation of sexual harassment must be investigated, even if it involves only one incident.

STUDENT-TO-STUDENT BIAS-BASED HARASSMENT, INTIMIDATION AND/OR BULLYING

(CR A-832)

Bias-based harassment, intimidation and/or bullying is any intentional, written, verbal, or physical act that a student or group of students direct at another student(s) which: 1) is based on a student's actual or perceived race, color, creed, ethnicity, national origin, citizenship/immigration status, gender, gender identity, gender expression, sexual orientation or disability, and 2) substantially interferes with education or creates a hostile school environment.

*[*The term "parent" means student's parent or/ guardian or any person in parental or custodial relationship to the student, or the student if he/she is an emancipated minor or has reached 18 years of age.]*

If a student alleges or an employee suspects student-to-student sexual harassment or bias-based harassment, intimidation and/or bullying:

1. Immediately notify principal/designee.
2. Inform parents of alleged victim/perpetrator, unless the alleged victim of bias-based harassment, intimidation and/or bullying informs the principal/designee of safety concerns regarding such notification. In such case, the principal/designee must decide whether to inform parents following consideration of privacy and safety concerns. The principal may consult with the Office of Legal Services in making this request.
3. Notify NYPD if principal/designee believes conduct constitutes criminal activity.
4. Preferably within 24 hours (but no later than 5 days), interview and obtain written statements from alleged complainant, perpetrator, and witnesses.
5. Take appropriate disciplinary/follow-up action.
6. For complaints of peer sexual harassment, principal/designee must issue a written report of findings within 10 school days and submit to CFN Network Leader.
7. Notify parent of complainant of the results of the investigation in writing within 10 school days. Do **not** disclose specifics of any disciplinary action taken against alleged perpetrator.
8. Enter information into OORS.
9. If you have questions or need assistance, contact Borough Safety Director // CFN Safety/Suspension Specialist.

IMPORTANT TELEPHONE NUMBERS

DOE Office of Legal Services: 212-374-6888
DOE Office of Special Investigations: 718-935-3800
DOE Office of Equal Opportunity: 718-935-3320
State Central Register (Child Abuse): 800-635-1522
NYPD School Safety Investigations Unit: 718-730-8600
DIVISION OF OFFICE OF CORPORATION COUNSEL
KINGS COUNTY FAMILY COURT: 718-222-2381
Sex Crimes: 718-222-2304
QUEENS COUNTY FAMILY COURT: 718-658-0500
Sex Crimes: 718-658-0500 x221
NEW YORK COUNTY FAMILY COURT: 212-442-6860
Sex Crimes: 212-676-0968
BRONX COUNTY FAMILY COURT: 718-590-6022
Sex Crimes: 718-590-6022
RICHMOND COUNTY FAMILY COURT: 718-390-5395
Sex Crimes: 718-390-5337

IMPORTANT WEB ADDRESSES

OORS:

<https://ats.nycboe.net/safety/portal>

Chancellor's Regulations:

<http://schools.nyc.gov/RulesPolicies/ChancellorsRegulations/default.htm>

EIC: EMERGENCY INFORMATION CENTER MONDAY – FRIDAY, 7:30 AM – 10:00 PM 718-935-3210

Report all serious school-related incidents (criminal, serious non-criminal, or medical incidents which may have public health or safety implications or which may be newsworthy) to the Emergency Information Center.

1. When you call, identify:

Date, time, location, and details of occurrence.

Name(s), student(s') ID/OSIS number(s), and student(s') date(s) of birth.

Name(s) of staff member(s).

Precinct, police officer(s), and agent(s) involved.

2. Obtain a control number from EIC.

3. Enter information into OORS and submit.

4. Enter incident updates and submit as necessary.

CRIMINAL CONDUCT: NOTIFICATION & REPORTS

(CR A-412)

Principals must report suspected criminal activity to the police. In the event of a safety emergency, an employee must contact the police and then notify the principal **immediately**.

If there is a question as to whether conduct is criminal, for students age 16 and older or adults, contact your local precinct. For students under age 16, contact the Family Court Division of the Office of Corporation Counsel and ask for a supervisor.

- Notify Borough Safety Director // CFN Safety/Suspension Specialist and EIC.
- Notify parent(s) of student(s) involved.
- Enter information into OORS.

POLICE INVOLVEMENT WITH STUDENTS

(CR A-412)

If police want to question a student (under 18):

In absence of parental consent, police **may not** question a student suspected of committing a crime, nor may they question a student victim or witnesses unless there is a continued threat of imminent danger.

In *investigations of suspected child abuse*, the school **must** permit NYPD to interview the child **without parental notification or consent** if the suspect is the parent, custodian or guardian. For other suspects, consult NYPD to determine if parental notification/consent is appropriate.

If police interview a student:

Students may not be compelled to answer questions. Students under age 18 may not be interviewed without the presence of a parent or the principal/designee.

If police request documents/information:

Except in cases of health and/or safety emergencies or child abuse investigations, a student's home address, phone number, and other student record information **may not** be provided without a lawfully authorized subpoena or parental consent.

If police arrest a student:

1. Immediately notify parent.
2. Notify Borough Safety Director // CFN Safety/Suspension Specialist and Emergency Information Center (EIC).
3. Enter information into OORS.
4. If police refuse to wait for parent to arrive (or parent cannot be reached), staff member (**not School Safety Agent**) who is not involved in underlying incident must accompany student to precinct.
5. Staff member must stay with student for "reasonable time" or until no longer needed (e.g., parent arrives). If staff member wishes to leave the precinct prior to parent's arrival, staff member must notify the principal or another administrator.

CHILD ABUSE, NEGLECT, MALTREATMENT

(CR A-750)

Child abuse/maltreatment/neglect occurs when a parent or adult legally responsible for a child or continually/regularly found in the child's household causes harm, creates substantial risk of harm, or fails to exercise a reasonable degree of care.

ANY SCHOOL EMPLOYEE who has REASONABLE SUSPICION that a child is the victim of abuse or neglect:

1. **MUST** call the State Central Register (800-635-1522) and obtain a call ID number; provide SCR with the name, title and contact information for every staff person who is believed to have direct knowledge of the allegation (to the extent possible) and,
2. **MUST ALSO** notify the principal that the report has been made.

CHILD ABUSE (cont.)

The principal must:

1. Call 911 *if the child is in imminent danger and the Administration for Children's Services (ACS) has not arrived by the end of the school day.*
2. Enter information into OORS.
3. Submit written report LDSS-2221-A within 48 hours to the ACS office in the borough of the child's residence, with a copy to the CFN Network Leader.

<http://docs.nycenet.edu/docushare/dsweb/Get/Document-36/A-750.pdf>

4. Cooperate with ACS investigation or NYPD (if matter is referred to police), including provision of student record information.
5. Permit ACS or NYPD to interview the child without parental notification or consent if the suspect is the parent, custodian or guardian. For other suspects, consult ACS or NYPD to determine if parental notification/consent is appropriate.

The school must NOT conduct an independent investigation of suspected child abuse or neglect.

If you have questions or need assistance, contact CFN Network Leader.

STUDENT MISCONDUCT

(CR A-443)

When student misconduct is alleged:

1. Interview students involved, student witnesses, and relevant staff, and obtain signed written statements using OORS witness forms.
2. Enter information into OORS. Fax witness forms into OORS.
3. Determine whether conduct violates discipline code. Refer to code and student's IEP, Behavioral Intervention Plan and/or 504 Plan, where applicable, to determine appropriate discipline and/or intervention measures.
4. Begin discipline process in accordance with CR A-443 (e.g., teacher removal, principal's/superintendent's suspension).
5. Enter information into SOHO for teacher removals and all suspensions.
6. Notify parent.
7. For students with an IEP or 504 Plan, determine need for Manifestation Determination Review.
8. Provide removed/suspended student(s) with alternative instruction, including homework and class work. For suspended student(s), notify parents of alternate education site, if applicable.

If you have questions or need assistance, contact Director of Suspensions.

CORPORAL PUNISHMENT OR ABUSIVE LANGUAGE

(CR A-420, A-421)

Corporal Punishment is any act of physical force upon a pupil for purposes of punishing that pupil. Verbal abuse includes language that: (1) causes fear or physical or mental distress; (2) tends to threaten physical harm; or (3) tends to belittle or subject students to ridicule.

If corporal punishment/verbal abuse is alleged, or if such conduct is witnessed:

1. Notify principal. Principal must immediately report allegations to Office of Special Investigations (OSI) by entering information into OORS.
2. For verbal abuse that includes discriminatory language, principal must report allegations to Office of Equal Opportunity (OEO) using CR A-830 form.
<http://docs.nycenet.edu/docushare/dsweb/Get/Document-45/A-830.pdf>
3. Notify parent. Parental consent is **not** needed before school or OSI/OEO may interview student witnesses or alleged victims.
4. Follow OSI/OEO instructions regarding whether school or OSI/OEO is to investigate.
5. If school is directed to conduct investigation, complete and file A-420/A-421 form within 5 days, and submit to OSI/OEO and take appropriate disciplinary action.
6. If OSI/OEO conducts investigation, take appropriate disciplinary action upon receipt of report.

If you have questions or need assistance, call OEO or OSI.

MISCONDUCT INVOLVING ADULTS WITH STUDENTS & OTHER CRIMES BY ADULTS

(CR A-412)

When misconduct (either on or off school premises) by a school official, employee, or others connected with school programs or services is alleged:

1. Take action to protect students' safety and health.
2. Immediately report criminal misconduct to police; Borough Safety Director // CFN Safety/Suspension Specialist; and Special Commissioner of Investigation ("SCI") at 212-510-1500 (except corporal punishment – see above).
3. Notify parent(s) when student is involved.
4. Do **not** investigate alleged criminal activity or sexual misconduct unless instructed to do so by SCI or OSI.
5. Enter information into OORS.
6. Obtain parental consent before SCI interviews student (absent a health and safety emergency).