



June 2018

TO: Executive Directors of Approved Private Residential Schools
Superintendents, Special Act School Districts
Superintendents, State-Operated Schools
Superintendents, State-Supported Schools with a Residential Component
Out-of-State Residential Schools

FROM: Christopher Suriano 

SUBJECT: Chapter 501 of the Laws of 2012 ("Protection of People with Special Needs Act") - Immediate Protections Safety Assessment

The purpose of this memorandum is to outline expectations relating to the performance of an immediate protections safety assessment and inform residential schools of a revised immediate protections safety assessment template that will be utilized by the New York State Education Department's Incident Management Unit.

The immediate protections safety assessment is required to ensure that proper actions have been taken to assure the health and safety of students who may be named in reportable incidents that occurred at the school or during off-hour school activities and were reported to the New York State Justice Center's Vulnerable Persons Central Registry pursuant to Chapter 501 of the Laws of 2012 ("Protection of People with Special Needs Act"). In accordance with section 200.15 of the Regulations of the Commissioner of Education, whenever there is an allegation of a reportable incident, the chief administrator of the residential school, or his or her designee, must immediately (1) obtain proper medical evaluation and/or treatment of a student, as needed, and (2) take other appropriate actions to assure the health and safety of the student(s) named in the report and of any other students similarly situated in the facility or program (such as removing or transferring the alleged subject staff; increasing the degree of supervision of the alleged subject staff; temporarily removing or transferring the student(s)), and (3) preserve any potential evidence through such actions as securing video surveillance and photographs of any student injuries.

Schools must have internal procedures in place to ensure that these immediate protections are taken when reportable incidents occur, and school administrators are designated and reachable. Therefore, each residential school must provide the Incident Management Unit with emergency contact information for school administrators during both official school and after-school hours. Please complete the attached emergency contact form and return as soon as possible, but not later than **June 15, 2018**. If you have any questions regarding this matter, please contact the Incident Management Unit at (518) 473-1185.

For all **abuse/neglect** incidents reported to the Justice Center that have occurred during the school day or during off-hour school activities, the attached immediate protections safety assessment form will be utilized by the Incident Management Unit to ensure that immediate protections are in place. Note that the Incident Management Unit will fill out section one, contact the residential school's chief education administrator, or his or her designee, to notify the residential school about the incident, and will forward the safety assessment to the residential school administrator, or his or her designee, to complete Section 2. **A copy of the completed immediate protections safety assessment form must be returned to the Incident Management Unit no later than 24 hours of receipt.**

Attachments