

STATUTORY REPORTING REQUIREMENTS FOR SCHOOL EMPLOYEES

REPORTING PHYSICAL VIOLENCE

Victim/Offender Relationship	Age of Victim	Reporting Requirement	Statute	Incident Location	Examples of Crimes	School Employee Interview of Victim/Offender	Required Notification to Law Enforcement (LE)	Reporter to LE	Required Notification to DFS	Reporter to DFS	Required Notification to School Principal or Designee	Required DOE Notification	Reporting Timeframe
Student on Student (Not Teen Dating Violence)	Juvenile or Adult	Reasonable suspicion that a physical injury was caused (violent felony offense or assault occurred)	Title 14	School Environment	Assault 1st, 2nd and 3rd degrees.	No. Minimal Facts only until LE investigating officer approves interviews. See training in PDMS - Schoology.	Yes	School Principal or Designee	No	n/a	Yes	Yes. <i>To be completed by School Principal or Designee via eSchool.</i>	Immediate
Student on Student (Teen Dating Violence)	Juvenile or Adult	Reasonable suspicion that a physical injury was caused or fear of physical injury (violent felony offense or assault occurred)	Title 14	School Environment	Assault 1st, 2nd and 3rd degrees; Stalking; Strangulation	No. Minimal Facts only until LE investigating officer approves interviews. See training in PDMS - Schoology.	Yes	School Principal or Designee	No	n/a	Yes	Yes. <i>To be completed by School Principal or Designee via eSchool.</i>	Immediate
School Employee on Student	Juvenile or Adult	Reasonable suspicion that a physical injury was caused (violent felony offense or assault occurred)	Title 14 ; Title 16	Any Location	Assault 1st, 2nd and 3rd degrees; Reckless Endangering 1st degree	No. Minimal Facts only until LE investigating officer approves interviews. See training in PDMS - Schoology. <i>SRO (if involved) to refer to Children's Advocacy Center for children ages 3 to 12.</i>	Yes	School Principal or Designee	Yes - Call Report Line 800-292-9582	School Employee with Direct Knowledge (Juvéniles only)	Yes	Yes. <i>To be completed by School Principal or Designee.</i>	Immediate
Parent/Caregiver (or Other Minor if living in household) on Student	Juvenile	Good faith suspicion or knowledge of child abuse or neglect	Title 16	Any Location	Offensive Touching; Assault 1st, 2nd and 3rd degrees; Endangering the Welfare of a Child	No. Minimal Facts only until LE investigating officer approves interviews. See training in PDMS - Schoology. <i>SRO (if involved) to refer to Children's Advocacy Center for children ages 3 to 12.</i>	No. Police May Be Contacted.	School Principal, Designee or School Employee	Yes - Call Report Line 800-292-9582	School Employee with Direct Knowledge	Yes	No. <i>Unless it occurred on school property.</i>	Immediate

"Abuse" means causing any physical injury to a child through unjustified force as defined in § 468(1)(c) of this title, torture, negligent treatment, sexual abuse, exploitation, maltreatment, mistreatment or any means other than accident.
 "Neglect" means that a person, who has care, custody or control of a child and who does have the ability and/or financial means to provide for the care of the child, fails to provide necessary care with regard to: food, clothing, shelter, education, health, medical or other care necessary for the child's emotional, physical, or mental health, or safety and general well-being; or Chronically and severely abuses alcohol or a controlled substance, is not active in treatment for such abuse, and the abuse threatens the child's ability to receive care necessary for that child's safety and general well-being; or Fails to provide necessary supervision appropriate for a child when the child is unable to care for that child's own basic needs or safety, after considering such factors as the child's age, mental ability, physical condition, the length of the caretaker's absence, and the context of the child's environment.
 "Teen dating violence" means assaultive, threatening, or controlling behavior, including stalking as defined in § 1312 of Title 11, that one person uses against another person in order to gain or maintain power or control in a current or past relationship and can occur in both heterosexual and same sex relationships and in serious or casual relationships.
 "Violent felony" means a crime designated in § 4201(c) of Title 11.

STATUTORY REPORTING REQUIREMENTS FOR SCHOOL EMPLOYEES

REPORTING SEXUAL CONTACT & VIOLENCE

Victim/Offender Relationship	Age of Victim	Reporting Requirement	Statute	Incident Location	Examples of Crimes	School Employee Interview of Victim/Offender	Required Notification to Law Enforcement (LE)	Reporter to LE	Required Notification to DFS	Reporter to DFS	Required Notification to School Principal or Designee	Required DOE Notification	Reporting Timeframe
Student on Student (Not Teen Dating Violence)	Juvenile or Adult	Reasonable suspicion that a sexual offense occurred	Title 14; Title 16	School Environment (Adults); Any location (Juveniles)	Unlawful Sexual Contact 1st, 2nd & 3rd degrees; Rape 1st, 2nd, 3rd, and 4th degrees; Sexual Exploitation	No. Minimal Facts only until LE investigating officer approves interviews. See training in PDMS - Schoology. <i>SRO (if involved) to refer to Children's Advocacy Center for children ages 3 to 12.</i>	Yes	School Principal or Designee	Yes - Call Report Line 800-292-9582	School Employee with Direct Knowledge (Juveniles only)	Yes	Yes. <i>To be completed by School Principal or Designee via eSchool.</i>	Immediate
Student on Student (Teen Dating Violence)	Juvenile or Adult	Reasonable suspicion that a sexual offense occurred	Title 14; Title 16	School Environment (Adults); Any location (Juveniles)	Unlawful Sexual Contact 1st, 2nd & 3rd degrees; Rape 1st, 2nd, 3rd, and 4th degrees; Sexual Exploitation	No. Minimal Facts only until LE investigating officer approves interviews. See training in PDMS - Schoology. <i>SRO (if involved) to refer to Children's Advocacy Center for children ages 3 to 12.</i>	Yes	School Principal or Designee	Yes - Call Report Line 800-292-9582	School Employee with Direct Knowledge (Juveniles only)	Yes	Yes. <i>To be completed by School Principal or Designee via eSchool.</i>	Immediate
School Employee on Student	Juvenile or Adult	Reasonable suspicion that a sexual offense occurred	Title 14; Title 16	Any location	Unlawful Sexual Contact 1st, 2nd & 3rd degrees; Rape 1st, 2nd, 3rd, and 4th degrees; Sexual Exploitation	No. Minimal Facts only until LE investigating officer approves interviews. See training in PDMS - Schoology. <i>SRO (if involved) to refer to Children's Advocacy Center for children ages 3 to 12.</i>	Yes	School Principal or Designee	Yes - Call Report Line 800-292-9582	School Employee with Direct Knowledge (Juveniles only)	Yes	Yes. <i>To be completed by School Principal or Designee.</i>	Immediate
Parent/Caregiver/Other Minor on Student	Juvenile	Good faith suspicion or knowledge of child sexual abuse	Title 16	Any location	Unlawful Sexual Contact 1st, 2nd & 3rd degrees; Rape 1st, 2nd, 3rd, and 4th degrees; Sexual Exploitation	No. Minimal Facts only until LE investigating officer approves interviews. See training in PDMS - Schoology. <i>SRO (if involved) to refer to Children's Advocacy Center for children ages 3 to 12.</i>	No. Police May Be Contacted.	School Principal, Designee or School Employee	Yes - Call Report Line 800-292-9582	School Employee with Direct Knowledge	Yes	No. <i>Unless it occurred on school property.</i>	Immediate

"Sexual abuse" means any act against a child that is described as a sex offense in § 761(h) of Title 11.

"Sexual offense" means any offense defined by §§ 763 through 780, 783(4), 783(6), 783A(4), 783A(6), 787(b)(3), 787(b)(4), 1100A, 1108 through 1112B, 1335(a)(6), 1335(a)(7), 1352(2), and 1353(2), and 1361(b) of this title.