



November 2008

To: Executive Directors of Approved Residential Private Schools
Special Act School Districts
State-Operated Schools
State-Supported Schools with a Residential Component
Organizations, Parents and Individuals Interested in the Education of
Students with Disabilities
Other State Agencies

From: Rebecca H. Cort 

Subject: Chapter 323 of the Laws of 2008 - Child Abuse and Neglect in Residential
Settings

The purpose of this memorandum is to provide information regarding changes to the requirements for the protection of children in residential facilities from abuse and neglect. These changes, pursuant to Chapter 323 of the Laws of 2008, become effective on January 17, 2009 and apply to all approved special education in-state residential programs, Special Act School Districts, State-operated Schools, and State-supported Schools with a residential component.

A summary of the requirements of Chapter 323 of the Laws of 2008, as enacted July 21, 2008, is attached. These legislative changes enhanced the protections for children by amending and adding definitions, establishing procedures for investigation of allegations of abuse and neglect, and strengthening consequences for staff whose actions are likely to result in harm to a child.

To ensure that appropriate school staff within a residential setting receive training on the changes to child abuse and neglect regulations, please refer to the attached training information provided by the Office of Children and Family Services (OCFS). The training is at no cost and we encourage each school to send at least one representative.

In addition, if your school did not participate in the November 6, 2008 satellite broadcast, OCFS is in the process of creating a DVD of that training and will make that available to schools.



I ask each residential school administrator to share this memorandum with all school staff. Questions regarding this change in legislation may be directed to the Special Education Policy Unit at vesidspe@mail.nysed.gov or (518) 473-2878. Questions regarding training requirements should be directed to the Nondistrict Unit at (518) 473-1185.

Attachments