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DOMESTIC VIOLENCE REGULATIONS  
DISCUSSION QUESTIONS ON SCR ISSUES

**Q) Need to clarify issue regarding parents making the call to CPS to report child abuse by batterer. Does this meet the regulatory reporting requirements of the DV program? Consider potential of increased risk to resident.**

**A) *No. The staff member is a mandated reporter and required to make a report to the SCR.***

**Q) When they should vs. must report?**

**A) *At any time the staff member has a reasonable cause to suspect child abuse or maltreatment, the staff member must make a report to the SCR.***

**Q) There can be danger for victim if she is the one who makes the call to SCR. What is reportable once she is in shelter and away from batterer?**

**A) *The allegations, facts and circumstances surrounding the DV Staff person's reasonable suspicion that child abuse or maltreatment has occurred.***

**Q) What is the impact of the new mandatory reporter laws?**

**A) *There is no impact on the DV staff person's requirement to report.***

**Q) DV program was told they are no longer mandated reporters –needs to be clarified ASAP.**

**A) *Please be advised that currently the regulations provide for mandated reporting of all suspected cases of child abuse and maltreatment to the State Central Register for all residential programs for victims of domestic violence (found at 18 NYCRR 452.9(e)). There may have been some confusion created during the discussions of the regulation revisions. For clarification purposes, programs are mandated to report cases of suspected child abuse or maltreatment whenever a staff person has reasonable cause to suspect that a child coming before them has been abused or maltreated, or when the child's parent makes statements from personal knowledge, facts, conditions, or circumstances to a staff person which, if correct, would render a child abused or maltreated. Therefore, unless new regulations are promulgated which change this requirement, the programs must report cases of suspected child abuse or maltreatment and may do so by calling the mandated reporter hotline number.***

**Q) Should there be SCR background checks for DV program employees?**

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*A) This is a decision for the sub committee to consider. Unless the regulations specifically require SCR background checks for DV program employees, they are not required.*

**Q) Issue re teens reporting– if a teen is seeking dv shelter are there instances where it is child abuse vs dv?**

*A) This is a fact specific question, as many factors are considering in determining child abuse or maltreatment, it would be important to know if the abuser is the person legally responsible for the minor child.*

**Q) Do DV shelters report unaccompanied adolescent client to SCR because they are being denied housing?**

*A) This question is also fact specific. If there is a child under the age of 18 years old and there is a person legally responsible for the child denying the child shelter, the DV staff person must make a report to the SCR.*