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**If You See Something, Please Do Something to Prevent Child Abuse**

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Making headlines as national news in [The New York Times](#) is another scandal whereby 40 former students assert sexual abuse at a private prep school in Rhode Island. Another tragedy unfolding that could have been halted or prevented if the perpetrators were reported to law enforcement when the abuse occurred.

Also of interest in that article was the “pass the trash” bill being considered by the state of Massachusetts. It refers to “schools passing on problematic teachers to new schools without reporting problems, including those that might put others in jeopardy.” The bill would make it a crime to fail to report a complaint of sexual misconduct in public and private schools.

The continuous media coverage about the sexual abuse of children should be a rallying cry for everyone. Offenders are often cited as being members of the school community, such as teachers, coaches, teacher aides, or administrative staff. Often, laws are enacted, policies changed, prevention programs brought in, to try to halt these assaults on children.

Each state has discretion to enact legislation that it feels will protect children and hold perpetrators accountable. As an advocate for child protection in New York State, I was appalled to learn that hundreds of thousands of children who attend private schools in New York State aren’t included in protections under the current [Education Law 23-B](#) entitled “Child Abuse in an Educational Setting.” This law applies only to children in New York State public and charter schools. There is a double standard that leaves thousands of children at risk for child sexual abuse. It simply doesn’t make sense.

Most parents who send their children to private schools in New York State probably do not realize that this is the case. Basically, the private school administrators can decide if they want to report the abuse to the local authorities — or not. And, we can probably assume that many private schools want to “keep it quiet” so as to not tarnish their reputation. There are deals made that the parents and law enforcement never know about. It’s outrageous.

Child sexual abuse does happen in the private schools. Over the past few years, I have worked with private schools after child abuse cases to help them put better measures in place to protect children. They willingly did so. The template that was constructed for their new reporting procedures was based on the mandated reporting for public schools. Article 23-B requires, among other things, that public school principals forward reports of child abuse committed by school employees or volunteers to “appropriate law enforcement authorities.” It also forbids public school authorities from agreeing to withhold from law enforcement the fact that an allegation of child abuse has been made against a school employee or volunteer in exchange for the accused person’s resignation or voluntary suspension.

It’s alarming that private schools can essentially decide how to handle these issues internally. We have lived through the tragic results of actions by private schools where internal investigations protected perpetrators and resulted in countless additional children being subjected to child sexual abuse. It’s time to fix the law.

Last year, I raised all of these issues in an op-ed that I wrote for the [Albany Times Union](#), highlighting the need for action. According to [Private School Review](#), there are approximately 2,161 private schools in New York State. They are attended by over 492,000 children. They deserve the same protections as children in the public school system. They are just as vulnerable. The absence of private schools from the requirements of Article 23-B is a serious gap in the legislative scheme of protection for children. Pennsylvania, for example, requires law enforcement reports when abuse occurs in a public or private school by school personnel.

The New York Society for the Prevention of Cruelty to Children ([NYSPPC](#)) and The American Professional Society on the Abuse of Children - New York ([APSAC-NY](#)) has advocated for change in the past, and will continue to push elected officials in Albany to take this up during the 2016 legislative session. The tweaking needed to the current legislation is minimal. A simple insertion of the phrase “private school” or “private school administrator” in a few places could make a tremendous difference.

As of now, we don’t have any champions in either the NYS Senate or the Assembly to move this forward, but urge someone to step up soon. We need the legislature in every state to enact a “pass the trash” bill.

Let’s level the playing field and protect all children in our schools from child sexual abuse. It’s an easy fix.

For more information on keeping your children safe visit [www.nyspcc.org](http://www.nyspcc.org).