



New Hampshire

Department of Education Technical Advisory

Serving New Hampshire's Education Community

Duty to Report

Ed 510

This Technical Advisory provides information pertaining to Ed 510, Duty to Report

By way of relevant background, pursuant to Ed 510, superintendents have a duty to report all charges of misconduct, which can occur either on-duty or off-duty, against a credential holder. Specifically, Ed 510.01 provides that:

- (a) The superintendent **shall report all charges of misconduct** against a credential holder within the school district or school administrative unit to the director or designee.
- (b) Educators having reason to suspect that another educator has abused or neglected a student shall report the same to:
 - (1) The department of health and human services, pursuant to RSA 169-C:29; and
 - (2) The bureau
- (c) Failure to report any charges of misconduct or incidence of suspected misconduct shall result in disciplinary actions being taken against the non-reporting educator by the board.
- (d) The bureau shall conduct an investigation whenever it receives a report under (a) or (b) above.

All reports of misconduct should be made directly to either:

- Richard Farrell, Investigator: richard.farrell@doe.nh.gov or (603) 231-0521 (cell) or (603) 271-8372 (office); or
- Diana Fenton, Attorney: diana.fenton@doe.nh.gov or (603) 271-3189 (office).

Upon receiving notification of possible misconduct, the Department of Education will conduct an initial review of the complaint to determine if it falls within the Department's authority. Specifically, the Department will only investigate matters which may affect a credential—the Department will not involve itself in employment matters.

Once a determination is made that the Department has authority to review the complaint, the Department will send a notification letter to the credential holder and the employing school district, charter school or private school stating that the credential holder is currently under investigation. During the investigation process, the Department may interview the credential holder and other staff or personnel who might have information which is relevant to the

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investigation. The Department will also communicate with all other relevant stakeholders including law enforcement agencies, county attorneys, state agencies such as DCYF, and relevant unions, legal representatives, or associations which represent the credential holder. The Department will work closely with the administration of the employing school throughout the investigative process.

Contacts:

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