

# STATE OF NEW YORK

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8183

## IN SENATE

June 12, 2006

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Introduced by Sen. MEIER -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the social services law, in relation to the reporting and investigation of educational neglect

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Section 34-a of the social services law is amended by  
2 adding a new subdivision 8 to read as follows:  
3 8. The commissioner of the office of children and family services  
4 shall, in conjunction with the commissioner of education, develop model  
5 practices and procedures for local social services districts and school  
6 districts regarding the reporting and investigation of educational  
7 neglect. Such model practices and procedures shall be available to  
8 social services districts and school districts and shall be posted on  
9 the office of children and family services website and the state depart-  
10 ment of education website by September first, two thousand seven. Each  
11 social services district shall, in conjunction with local school  
12 districts within its district, submit written policies and procedures  
13 regarding the reporting of educational neglect by each school district  
14 within such social services district and the investigation of educa-  
15 tional neglect allegations by child protective services. Such policies  
16 and procedures shall be submitted to the office of children and family  
17 services for review by January first, two thousand eight and the office  
18 shall approve or disapprove such local policies and procedures, based  
19 upon the model practices and procedures established in conjunction with  
20 the state department of education, within sixty days of submission.  
21 § 2. This act shall take effect immediately.

EXPLANATION--Matter in italics (underscored) is new; matter in brackets [-] is old law to be omitted.

LBD17013-03-6

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### NEW YORK STATE SENATE INTRODUCER'S MEMORANDUM IN SUPPORT submitted in accordance with Senate Rule VI. Sec 1

BILL NUMBER: S8183

SPONSOR: MEIER

**TITLE OF BILL:**

An act to amend the social services law, in relation to the reporting and investigation of educational neglect

**PURPOSE OR GENERAL IDEA OF BILL:**

The purpose of this bill is to improve the local social service district response to educational neglect reports from local school districts.

**SUMMARY OF SPECIFIC PROVISIONS:**

Section one would require the Commissioner of the Office of Children and Family Services (OCFS) with the Commissioner of Education to develop model practices and procedures for local social services districts and local school districts regarding the reporting and investigation of educational neglect and post such model practices and procedures on the website of OCFS and the State Department of Education by September 1st 2007, and require each local social service district and local school district to submit to OCFS by January 1st, 2008 written policies and procedures regarding the reporting of educational neglect by each school district and the investigation of educational neglect allegations by child protective services. OCFS would have sixty days to approve or disapprove the submitted local policies and procedures.

Section two would provide for an immediate effective date.

**EFFECTS OF PRESENT LAW WHICH THIS BILL WOULD ALTER:**

This bill would add §34-a(8) to the Social Service Law.

**JUSTIFICATION:**

Recent events triggered public hearings regarding the oversight and accountability of the child welfare system. This is just one legislative initiative developed in response to testimony provided at the hearings. Many concerns were raised regarding situations in which a child is excessively absent from school. It was reported that school systems are reluctant to call a report into the State Central Registry until they have exhausted all of their efforts to improve the attendance of the child. Likewise, public school and child welfare officials both agreed that child abuse reports alleging educational neglect were responded to with less urgency than other reported child abuse allegations. Unfortunately, this has led to children being absent from school for weeks before reports are called into the State Central Registry; reports that result in very poor responses from the local child protective services. It was also recognized that long unexplained absences from school are often indicators of something seriously amiss at home. It is imperative that local social service districts and local school districts work together to develop an appropriate response to educational neglect reports ensuring the safety of children at risk of further abuse or maltreatment.

**PRIOR LEGISLATIVE HISTORY:**

New bill.

**FISCAL IMPLICATIONS FOR STATE AND LOCAL GOVERNMENTS:**

None.

EFFECTIVE DATE:

Immediately.

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