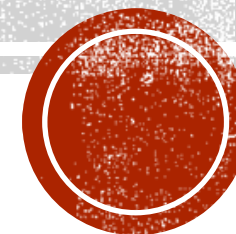


EDUCATIONAL NEGLECT TRUANCY

MCDHS 2020

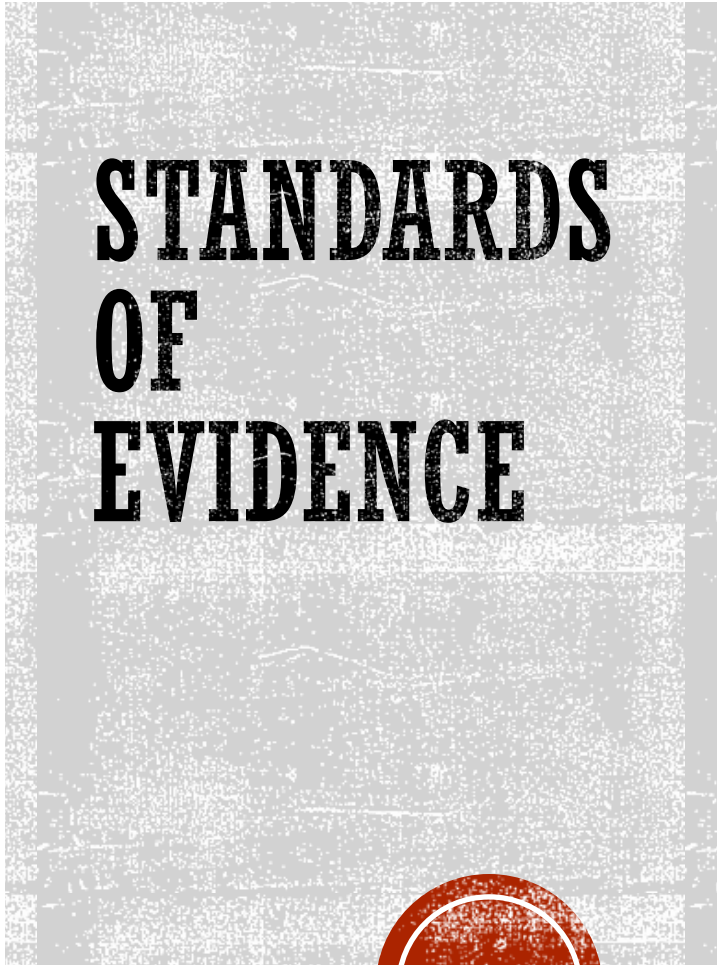


MANDATED REPORTERS

- Designated professionals are required to report to the SCR when they have **reasonable cause** to suspect that a child is an abused or maltreated child when the child, parent, or other person legally responsible for such child comes before them in their professional capacity and states personal knowledge, facts, conditions , or circumstances which, if correct, would render the child an abused or maltreated child.



Criminal Matter	Beyond a Reasonable Doubt
Termination of Parental Rights	Clear and Convincing Evidence
Family Court-Findings of Neglect/Abuse Administrative Fair Hearing Standard	Preponderance of the Evidence
Indication of a CPS report	Some credible evidence



NEGLECT:

- Defined by NY State Social Service Law
- Failure to provide a minimal degree of care, by omission or commission that has a causal relationship with the worsening of a child's emotional or physical condition.
- Worsening of a child's condition, or impairment, must be more than minor.



- Makes it mandatory that in each school district and Indian reservation in the state, each minor from 6 to 16 years of age shall attend school upon full time instruction.
- Board of Ed. In a district may require minors from 16 to 17 years of age attend as well
- If child is enrolled and begins before 6, they are required to attend that year

EDUCATIONAL NEGLECT AND SSL

1 Excessive absences from school by the child

2 Reasonable cause to suspect parent or PLR is aware and has contributed to the problem or is failing to take steps to address the problem

3 Reasonable cause to suspect educational impairment or imminent danger of such to child



START WITH PRIMARY PREVENTION

- CPS is a secondary prevention effort. YOU can engage in PRIMARY PREVENTION:
 - What steps were taken to inquire WHY child is missing school....
- Phone calls, emails, home visits to parents by school staff to inquire about barriers to child attending
- Assist family to address:
 - Transportation Issues
 - A Medical Condition
 - Address peer problems/bullying
 - Mental health needs impacting attendance (i.e. school anxiety)
 - Evaluation to determine if there are learning disabilities conducted
 - Children's refusal to attend/ ungovernable behavior



START WITH PRIMARY PREVENTION CONT....

- In COVID Times
 - What was done to ensure the child had access to laptop and wifi/mifi?
 - Does parent/child understand how to use the technology? (i.e. assess language barriers, lack of computer skills, cognitive delays)
 - What is family identifying as barrier to child attending/logging on/ completing remote learning?
 - What has been done to gather the above info?
 - District Educational Neglect Plans:
 - Home visits
 - Phone calls
 - Letters to discuss concerns
 - Virtual meetings with parents and children





How many days of school can a child miss? What is “excessive”?

What if child misses a lot of school but is still passing?

What if child is refusing to go/ log on?

What if school has tried to intervene and absenteeism continues?

SCHOOL ATTENDANCE PROBLEMS CAN BE A SYMPTOM OF AN UNDERLYING ISSUE

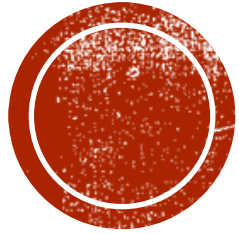
Examples

- Concerns at home
- Trying to protect a sibling/parent
- Need for a baby sitter so parent can work
- Mental health concerns
- Substance abuse issues

Are there Other Red Flags?

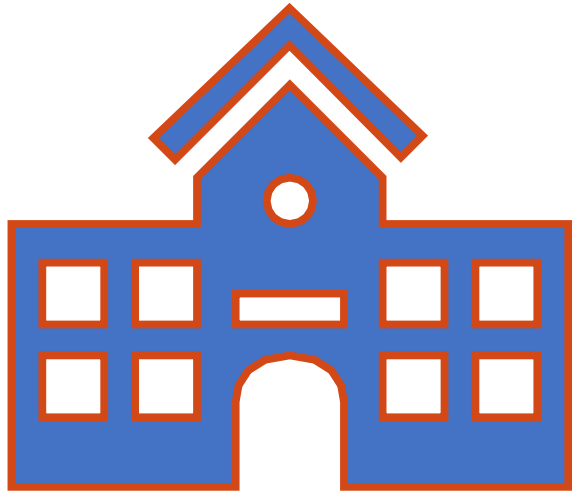
- Injuries on children or adults
- Lack of clean clothes and hygiene concerns
- Sudden change in behavior, grades, attendance patterns
- Supervision concerns
- Chronic homelessness





HELPFUL DOCUMENTS / INFORMATION:

Report Cards, Attendance Reports, Letters Sent to Parents, Documentation of Efforts to engage parents, evaluations, IEP's, updated grades, information as to parents response, evidence of the impact (grades over a period of time to demonstrate the impact)



UPDATED EDUCATIONAL NEGLECT LAW

- Amendment to the Family Court Act
- Diligent Efforts by DHS and School Districts (Neglect or PINS)
- Educational neglect cases are unique in that the school is the source of all evidence needed to make a *prima facie* determination of neglect.
- So not only are these documents “HELPFUL” - they are **ESSENTIAL**



TRUANCY

- Updated PINS legislation-effective January 2020
- PINS petitions are not filed based on truancy only
- No placement into foster care allowed
- FACT Family Access and Connections Team 753-2639
 - Parents and Schools can call regarding school age children's truancy related behaviors
 - FACT requires schools take diligent efforts PRIOR to referral
 - Services school aged youth, similar to preventive model
 - COVID related issues of patterns of not logging on



SOCIAL SERVICES LAW 34-A(8)

- Requires that OCFS and NYSED develop model practices and procedures for local social services and school districts regarding the reporting and investigation of educational neglect.

- In 2010 guidelines were established via MOU's. Guidelines included:
 1. School district will contact parents or other person legally responsible before contacting CPS.
 2. Number of absences before CPS will be contacted
 3. Information on the steps that parents or other persons can take to improve student attendance
 4. Information on the failure of the parent/PLR to take action to resolve the attendance problem, along with the presence of actual or impending impairment to the students academic performance or progress.



RECENT OFFICE OF CHILDREN AND FAMILY SERVICE GUIDANCE

- OCT 2020- OCFS and SED working together on ED Neglect Matters
- SCR standards for accepting EDNG reports (same), and normal questions asked by SCR for EDNG
- Additional training to SCR staff to include asking following questions:
 - Note specific questions about what school has done prior to call
- OCFS and SED to issue joint guidance documents to inform child welfare and educational professionals about educational neglectcoming in NOVEMBER



QUESTIONS?

- Julie Nichols, CFS Administrator
 - 753-5806
- Brice Meade, CFS Intake Supervisor
 - 461-5690



DO RIGHT BY KIDS

DORIGHTBYKIDS.ORG

Your authoritative source for answers to questions about preventing and reporting child abuse

Dorightbykids.org

