



Legislation Text

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Int. No. 81

By Council Members Riley, Louis, Brooks-Powers, Abreu, Gutiérrez, Hudson, Schulman, Hanks, Stevens, Marte and De La Rosa

A Local Law to amend the administrative code of the city of New York, in relation to requiring an audit and report on foster care placement notices

Be it enacted by the Council as follows:

Section 1. Chapter 9 of title 21 of the administrative code of the city of New York is amended by adding a new section 21-922 to read as follows:

§ 21-922 Foster care placement notices; audit and report. a. ACS shall conduct quarterly random audits of a statistically significant sample of foster care placement change notices required by paragraph (g) of subdivision (3) of section 358-a of the social services law, subdivision (5) of section 1017 of the family court act, subdivision (j) of section 1055 of the family court act and item (H) of paragraph (vii) of subdivision (d) of section 1089 of the family court act. Such audit shall include a review of the following:

1. The incidence of failure to provide a notice of placement change where required by law;
  2. The amount of time that elapsed between changes in foster care placement and the provision of the placement change notice;
  3. When the notice of such placement change was provided to an attorney for the child in relation to the date of such placement change;
  4. Whether or not the notice included all the information required by law; and
  5. A summary of the legally required information that was missing from the notice, if any.
- b. No later than April 30, 2023, and quarterly thereafter, ACS shall submit to the mayor and the speaker

of the council, and shall post conspicuously on the ACS website, a report for the immediately preceding quarter with the results of the audit required by subdivision a. Such report shall include the following:

1. The number of instances in which a placement change notice was required but no such notice was sent;

2. The number of placement change notices sent, disaggregated by the number of days before or after the change;

3. The number of emergency placement changes made, disaggregated by the number of notices sent within 24 hours of the change and the number of notices sent 24 hours or more after the change;

4. The number of notices that included all required information; and

5. The number of notices that did not include all required information, disaggregated by the category of information that was missing; provided that such categories shall include, but not be limited to, the information missing as to the reason for the change, the planned new placement location, the contact information for the new placement location, and the number of placement changes in which a child moved from one borough to another.

c. No report required by subdivision a of this section shall contain personally identifiable information. If a category contains between one and five children, or contains a number that would allow another category that contains between one and five children to be deduced, the number shall be replaced with a symbol. A category that contains zero shall be reported as zero, unless such reporting would violate any applicable provision of federal, state or local law relating to the privacy of child information.

§ 2. This local law takes effect immediately.

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