



Legislation Text

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Int. No. 81-A

By Council Members Riley, Louis, Brooks-Powers, Abreu, Gutiérrez, Hudson, Schulman, Hanks, Stevens, Marte, De La Rosa, Joseph, Ossé, Banks, Hanif, Narcisse, Brannan, Won, Rivera and Mealy

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 21-925 to read as follows:

§ 21-925 Foster care placement notices; audit and report. a. ACS shall conduct an annual random audit of 100 notices of an anticipated change in a foster care placement of a child as 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 number of such notices provided to the court and the attorneys for the parties, including the attorney for the child, as required by law and the number of such notices that were not provided as required by law;
  2. The amount of time that elapsed between a change in a foster care placement and the provision of each such notice to the court and to the attorney for the parties, including the attorney for the child;
  3. Whether each such notice included the information required by law; and
  4. To the extent required information was not included in such notice, a summary of such information.
- b. No later than June 30, 2026, and annually 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 year with the results of the audit required by subdivision a. Such report shall be based on the audit findings and include the following:

1. The number of instances in which a placement change notice was required but such notice was not provided;

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

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

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

5. The number of notices provided that did not include all required information, disaggregated by the category of information that was missing; such categories shall include, but not be limited to, the information relating to the date of the placement change; the foster care agency; the foster care agency contact information; and the ACS attorney contact information.

c. No report required by subdivision a of this section shall contain personally identifiable information. If a category contains between 1 and 5 children, or contains a number that would allow another category that contains between 1 and 5 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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