



## **Preventing Educational Neglect and Supporting Families for Attendance Improvement**

### **Joint guidance from NYC Public Schools and NYC Administration for Children's Services (ACS)**

**March 2025**

This document provides updated guidance on when a report to the Statewide Central Register of Child Abuse and Maltreatment (SCR) for educational neglect is/is not warranted. It reflects changes to law that supersede Chancellor's Regulation A-750 and Chancellor's Regulation A-210 that were last updated 2017.

#### **Supporting families for good attendance**

New York City is committed to supporting families to enable students' consistent attendance at school. Resources are available to help families address common barriers to attendance, including transportation problems, health issues, working students, family conflict, mental health concerns, academic delays, [feeling bullied](#) or generally not feeling safe at school, and more. Resources and guidance on how schools and families can support good attendance may be found [here](#). NYCPS attendance policies may be found here: [Attendance Policies](#).

New York City has many free, in-home, community-based support services that provide concrete supports, parenting support, mental health services, substance misuse treatment, family therapy, case management, service referrals and more. School staff may call the Support Line at 212-676-7667 or email [connect@acs.nyc.gov](mailto:connect@acs.nyc.gov) to learn about and connect consenting families to these resources or ask the school's Designated Liaison for Child Abuse Prevention and Child Abuse Prevention Team for assistance in doing so. Families may also reach out to the Support Line directly.

Additional resources may be found at the [Mayor's Office of Immigrant Affairs](#), [MyCity services and benefits](#), and [NYC HOPE](#).

#### **Obligations of Mandated Reporters**

As a mandated reporter, you are required by law to call the State Central Register of Child Abuse and Maltreatment (SCR) when, in your professional role, you develop a reasonable cause to suspect a child is being maltreated or abused by a parent or person legally responsible for the child.

The SCR hotline for mandated reporters is: 1-800-635-1522.

New York State mandated reporter training and resources may be found here:

<http://nysmandatedreporter.org>.

Abuse includes non-accidental serious physical injury, risk of such injury, or sex abuse.

Maltreatment involves failure to provide the minimum degree of care and that failure results in impairment or imminent danger of impairment to the child's physical, mental or emotional condition.

The determination of whether a minimum degree of care was taken (in providing food, clothing, medical care, etc.) hinges upon whether the parent was financially able to do so or was offered financial or other means to do so. Poverty, in and of itself, is not child maltreatment or abuse.

### **When is an SCR report for educational neglect warranted?**

Parents and other people legally responsible for children must ensure that children in their care are actively enrolled in and attending school. Parents may choose a public school, a faith-based school, other private school or enroll their child in home schooling. Actively enrolled in school does not mean a child has to be earning high grades, participating in activities or have impeccable attendance.

Poor school attendance, in and of itself, does not equate to a reasonable cause to suspect maltreatment. It is important to note that a report of suspected educational neglect is not a remedy for excessive absences.

The minimum degree of care regarding attendance is measured by looking at the conduct of the parent or other person legally responsible after considering any efforts made by the school.

A report of suspected educational neglect should be called in to the SCR only if the child has been impaired or is at imminent risk of impairment due to the absenteeism. School personnel should first work with the student, family and community agencies to identify needs and resources available to meet those needs. As it relates to excessive absences, a call to the SCR is an option of last resort. All the following elements must be present to warrant a call to the SCR for educational neglect:

1. Child must be of compulsory school age and currently living in New York State
2. Child must be excessively absent without valid reason or excuse
3. The child's education must be impaired due to the excessive absenteeism (or the child has an individualized education plan (IEP) and has missed necessary services due to excessive absenteeism)
4. The parent or person legally responsible (PLR) has been made aware of the excessive absenteeism and impairment by means beyond simply sending a note home or leaving a voicemail message
5. School officials have made efforts to engage the child and parent or PLR and
6. No parent or PLR has taken any action in an attempt to rectify the situation

Communications with parents should be in the language preferred by the parent to the extent feasible. Examples of efforts include:

- Letters (certified and regular mail) and phone calls from the school to the parent/guardian (text messages and email may be utilized if preferred by parents)
- School conferences regarding attendance and/or performance (virtual or in person)
- Attempts to change busing or locate alternative transportation
- Home visits by school staff and/or attendance teachers
- Exploration of alternative school placements, guidance transfers, or safety transfers
- Coordination with shelter staff or Community Based Organization (if applicable)
- Seeking assistance of other family members
- Referrals to ACS-funded prevention services or other NYC supports, available by calling the Support Line at 212-676-7667 or [connect@acs.nyc.gov](mailto:connect@acs.nyc.gov)

If a child has been absent from school and the parent is not responding to the school's attempts to discuss the child's lack of attendance, school personnel should assess whether other efforts can be made by the school to engage the family in the primary language of the parent or PLR before calling in an SCR report, including connecting the family to community resources.

All efforts and interventions should be documented in ILOG. School personnel **should not** enter sensitive information in ILOG, e.g. detailed information related to a student's or parent's health, mental health, immigration status, or incarceration status.

### **Why is a report of suspected educational neglect to be made only as an option of last resort?**

The New York State definition of educational neglect was changed in 2019 to require schools to take steps with the parent to address and improve attendance and education issues before a call can be made to SCR (Family Ct Act §1012[f][i][A]).

This represents a change from historical messaging that mandated reporters were encouraged to call the SCR when there was a concern for a child or family.

The child protective system plays a vital role in ensuring the safety of children alleged to be hurt at home. At the same time, there has been a recognition that this system can be stressful and traumatic for families and children. Fear of child welfare involvement can discourage help-seeking, which can increase risk. Where there is no suspected abuse or maltreatment, schools can better serve struggling families with direct assistance, without a child protection response. This is particularly relevant when talking about school attendance; additional steps to understand and address the attendance issue can better support the student. Indeed, a family in need of help or in crisis may not meet the criteria required to call the SCR. New York State's Mandated Reporter training, updated in 2023, emphasizes that "you can support a family without having to report a family." Schools can often successfully connect and refer families to culturally responsive, competent, and community-based resources and referral options in times of need and/or crisis.

If a school requires assistance to determine appropriate next steps or implement supports, they should contact the Student Services Manager in their District Office or the Citywide Director for Child Abuse Prevention in the Office of Safety and Youth Development (OSYD).

**Knowing the reason for absence will help identify an appropriate intervention or support**

**Excessive/chronic absenteeism** is a term that takes into account both excused and unexcused absences, as it is the missed instructional time that impacts student achievement. There is no legal definition for excessive absenteeism and there can often be various reasons for the absence. Often absences are tied to health problems, such as asthma, diabetes, dental or mental health issues. Other barriers, including lack of a nearby school bus, a safe route to school, childcare, or food insecurity, may make it difficult to go to school every day.

Schools should collaborate with families and local resources through the Support Line and exhaust all other possible strategies and supports to help families resolve any barriers to school attendance before making an educational neglect allegation.

**Skipping school** occurs when a student decides to miss school to attend or participate in activities considered more enjoyable. Parents are often unaware of the absence. Sometimes parents are aware, but they feel helpless when their child refuses to go to school or listen to them. Families of teens who are exhibiting challenging behaviors, including skipping school, may reach out to the Family Assessment Program (FAP) at [fapinquiry@acs.nyc.gov](mailto:fapinquiry@acs.nyc.gov) or the Support Line. FAP will conduct a thorough assessment and connect the family to the right home-based service to address the behavior challenges and the family dynamics that may be contributing to them.

**School avoidance** (sometimes called school refusal or school phobia) is a term used when a student resists or refuses to attend school. Students experiencing emotional distress or anxiety may refuse to attend school or have difficulty remaining in school the entire day. Some students may complain of not feeling well, with vague, unexplainable symptoms. Many times, the symptoms only occur on school days and are not present on the weekends. When the student sees a physician, no physical illnesses are detected or diagnosed.

Be mindful that the parent may not know how to help their child overcome school avoidant behaviors. When students experience school avoidance, it typically takes time to alleviate. Students may need to learn skills to assist them to manage their anxiety.

Children who suffer from school avoidance should seek clinical support to overcome this barrier. There are many reasons why a student may refuse to attend school, and schools can help discern those reasons, and help connect students to care where needed. The school may assist with referrals to support the student through a family or community health provider or seek assistance via the Support Line.