

ASSEMBLY, No. 5419

STATE OF NEW JERSEY 219th LEGISLATURE

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SYNOPSIS

Requires DCF and DOE to establish policies and procedures relating to child abuse and neglect and child abuse prevention during certain public health emergencies.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 3/1/2021)

1 **AN ACT** concerning child abuse and neglect and supplementing
2 Title 9 of the Revised Statutes and Title 18A of the New Jersey
3 Statutes.

4
5 **BE IT ENACTED** *by the Senate and General Assembly of the State*
6 *of New Jersey:*

7
8 1. a. The Department of Children and Families shall establish
9 policies and procedures to detect and investigate incidents of child
10 abuse and neglect and to promote child abuse prevention techniques
11 that shall be employed for the duration of:

12 (1) the public health emergency declared pursuant to P.L.2005,
13 c.222 (C.26:13-1 et seq.) in response to the coronavirus disease
14 2019 (COVID-19);

15 (2) and each subsequent public health emergencies that
16 necessitates the use of social distancing and other restrictions on
17 person-to person contact.

18 b. The policies and procedures established pursuant to
19 subsection a. of this section shall include, but not be limited to
20 policies and procedures:

21 (1) publicizing the department's State Central Registry, the toll
22 free hotline number used in reporting child abuse and neglect, as
23 well as the provision of instructions for calling 911 for
24 emergencies, and directions to assist the public in accessing the
25 department's website or social media platforms to obtain more
26 information on the reporting child abuse and neglect;

27 (2) allowing a child protective investigator assigned to
28 investigate an incident of child abuse and neglect to perform some
29 of their responsibilities, or a permanency worker assigned to a child
30 under the department's care, custody, and supervision to provide
31 case management services, if appropriate, remotely by telephone,
32 computer, or other means of live audio or video communication;

33 (3) allowing the family of a child under the department's care,
34 custody, and supervision to access services, as appropriate,
35 remotely by telephone, computer, or other means of live audio or
36 video communication;

37 (4) providing for the preparation and dissemination of literature
38 and other resource materials by the department, utilizing both
39 electronic and print media, which:

40 (i) inform parents of factors that contribute to incidents of child
41 abuse and neglect and the legal ramifications of abusing or
42 neglecting a child;

43 (ii) outlines the services provided by the State which help in
44 preventing child abuse and neglect;

45 (iii) provide tips on child safety; and

46 (iv) reinforce positive parenting skills; and

1 (5) providing for the regular review and analysis, by the
2 department, of the State's child abuse reporting requirements
3 pursuant to section 3 of P.L.1971, c.437 (C.9:6-8.10) as may be
4 necessary in order for the department to develop and implement
5 strategies to better detect and investigate incidents of child abuse
6 and neglect during public health emergencies that require social
7 distancing or other restrictions on person-to person contact.

8 c. The Department of Children and Families, in consultation
9 with the Department of Education, shall establish a public
10 awareness campaign to inform the general public about:

11 (1) protecting children from child abuse and neglect during the
12 COVID-19 pandemic and subsequent public health emergencies
13 that require social distancing, remote learning, and other restrictions
14 on person-to-person contact.; and

15 (2) the policies and procedures established pursuant to the
16 provisions of sections 1 and 2 of the P.L. ,c. (C.) (pending
17 before the Legislature as this bill).

18 d. The department shall prepare a fact sheet on the information
19 provided through the public awareness campaign established
20 pursuant to subsection c. of this section. The department shall
21 make the fact sheet available to the public by electronic or other
22 means of distribution, and shall post the fact sheet on its Internet
23 website and the Internet websites of the Departments of Education,
24 Health, and Human Services.

25 e. The department shall collect and analyze data on all records
26 of child abuse reports made during the COVID-19 pandemic,
27 including, but not limited to:

28 (1) reports made pursuant to section 3 of P.L.1971, c.437
29 (C.9:6-8.10;

30 (2) reports received pursuant to section 20 of P.L.1974, c.119
31 (C.9:6-8.40); and

32 (3) all reports of findings forwarded to the child abuse registry
33 pursuant to section 4 of P.L.1971, c.437 (C.9:6-8.11).

34 f. Not more than one year after the effective date of
35 P.L. , c. , (C.) (pending before the Legislature as this bill), the
36 Commissioner of Children and Families shall issue a report the
37 Governor and, pursuant to section 2 of P.L.1991, c.164 (C.52:14-
38 19.1), to the Legislature. The report shall contain a summary of the
39 data compiled by the department in accordance with subsection e.
40 of this section and shall include comparative information about
41 child abuse reports made during the COVID-19 pandemic and child
42 abuse reports made prior to the pandemic.

43 The report shall also include any recommendations for
44 legislation or regulatory changes in the reporting of cases of child
45 abuse and neglect during a public health emergency requiring social
46 distancing or other restrictions on person to person contact as the
47 commissioner deems appropriate.

2. a. The Department of Education shall require every school district in the State, in consultation with the Department of Children and Families, to develop and implement a training program for school employees on the detection and prevention of child abuse during a public health emergency that requires remote learning, social distancing, or other restrictions on person-to person contact. The training program shall:

(1) be conducted by a State agency or private entity with expertise in the detection of child abuse and neglect and child abuse prevention techniques, in consultation with a child abuse prevention organization; and

(2) include, but not be limited to, information on the signs of child abuse and neglect, how to assess the safety of a child, and in what ways the signs can be detected and a child safety assessment can be conducted in person and virtually;

b. The Department of Education, in consultation with the Department of Children and Families, shall require every school district in the State, during a public health emergency that requires remote learning, social distancing, or other restrictions on person-to-person contact, to:

(1) allow students and their families to remotely access, by telephone, computer, or other means of live audio or video communication, information about the Department of Children and Families' Family Helpline and other telephone hotlines that offer peer support, clinical, or counseling services to children who are at risk of child abuse or neglect and their families; and

(2) provide a behavioral health assessment, remotely by telephone, computer, or other means of live audio or video communication, to every student who is deemed at-risk of child abuse or neglect as determined by a school psychologist, school counselor, or school social worker.

3. This act shall take effect immediately.

STATEMENT

This bill requires the Department of Children and Families (DCF) to establish policies and procedures to detect and investigate incidents of child abuse and neglect and to promote child abuse prevention techniques that is to be employed for the duration of the public health emergency declared pursuant to P.L.2005, c.222 (C.26:13-1 et seq.) in response to the coronavirus disease 2019 (COVID-19) and each subsequent public health emergencies that necessitates the use of social distancing and other restrictions on person-to person contact..

1 The policies and procedures are to include, but not be limited to:
2 (1) publicizing the department's State Central Registry, as well as
3 providing instructions for calling 911 for emergencies, and
4 directions to assist the public in accessing the department's website
5 or social media platforms to obtain more information on the
6 reporting child abuse and neglect; (2) allowing a child protective
7 investigator assigned to investigate an incident of child abuse and
8 neglect to perform some of their responsibilities, or a permanency
9 worker assigned to a child under the department's care, custody,
10 and supervision to provide case management services, if
11 appropriate, remotely by telephone, computer, or other means of
12 live audio or video communication; (3) allowing the family of a
13 child under the department's care, custody, and supervision to
14 access services, as appropriate, remotely by telephone, computer, or
15 other means of live audio or video communication; (4) providing
16 for the preparation and dissemination of literature and other
17 resource materials prepared by the department which : inform
18 parents of factors that contribute to incidents of child abuse and
19 neglect and the legal ramifications of abusing or neglecting a child;
20 highlight the services provided by the State which help in
21 preventing child abuse and neglect; provide tips on child safety; and
22 reinforce positive parenting skills; and (5) providing for the regular
23 review and analysis, by the department, of the State's child abuse
24 reporting requirements as may be necessary in order for the
25 department to develop and implement strategies to better detect and
26 investigate incidents of child abuse and neglect during public health
27 emergencies that require social distancing or other restrictions on
28 person-to person contact.

29 Under the provisions of the bill, the DCF, in consultation with
30 the Department of Education (DOE), is required to establish a
31 public awareness campaign to inform the general public about:
32 protecting children from child abuse and neglect during the
33 COVID-19 pandemic and subsequent public health emergencies
34 that require social distancing, remote learning, or other restrictions
35 on person-to-person contact; and the policies and procedures
36 established in the bill.

37 The bill also requires the DCF to prepare a fact sheet on the
38 information provided through the public awareness campaign, to
39 make the fact sheet available to the public by electronic or other
40 means of distribution, and to post the fact sheet on its Internet
41 website and the Internet websites of the DOE and the Departments
42 of Health, and Human Services.

43 The DCF is to collect and analyze data on all records of child
44 abuse reports made during the COVID-19 pandemic, including, but
45 not limited to: reports made pursuant to section 3 of P.L.1971,
46 c.437 (C.9:6-8.10; reports received pursuant to section 20 of
47 P.L.1974, c.119 (C.9:6-8.40); and all reports of findings forwarded

1 to the child abuse registry pursuant to section 4 of P.L.1971, c.437
2 (C.9:6-8.11).

3 The Commissioner of Children and Families is to issue a report
4 no more than one year after the effective date of the bill to the
5 Governor and, pursuant to section 2 of P.L.1991, c.164 (C.52:14-
6 19.1), to the Legislature. The report is to contain: a summary of the
7 data on child abuse reports compiled by the DCF; comparative
8 information about child abuse reports made during the COVID-19
9 pandemic and child abuse reports made prior to the pandemic; and
10 any recommendations for legislation or regulatory changes in the
11 reporting of cases of child abuse and neglect during a public health
12 emergency that requires social distancing or other restrictions on
13 person to person contact.

14 The bill also stipulates that the DOE require every school district
15 in the State, in consultation with the DCF, to develop and
16 implement a training program for school employees on the
17 detection and prevention of child abuse during a public health
18 emergency that requires remote learning, social distancing, or other
19 restrictions on person-to person contact. The training program is to:
20 (1) include information on the signs of child abuse and neglect, how
21 to assess the safety of a child, and in what ways the signs can be
22 detected and a child safety assessment can be conducted in person
23 and virtually.

24 The DOE, in consultation with the DCF, is also to require every
25 school district in the State, during a public health emergency that
26 requires remote learning, social distancing, or other restrictions on
27 person-to-person contact, to: (1) allow students and their families to
28 remotely access, by telephone, computer, or other means of live audio
29 or video communication, information about the Department of
30 Children and Families' Family Helpline and other telephone hotlines
31 that offer peer support, clinical, or counseling services to children who
32 are at risk of child abuse or neglect and their families; and (2) provide
33 a behavioral health assessment, remotely by telephone, computer, or
34 other means of live audio or video communication, to every student
35 who is deemed at-risk of child abuse or neglect as determined by a
36 school psychologist, school counselor, or school social worker.