

[First Reprint]

SENATE, No. 3723

STATE OF NEW JERSEY
219th LEGISLATURE

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Sponsored by:

Senator M. TERESA RUIZ

District 29 (Essex)

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 reported by the Senate Health, Human Services and Senior Citizens Committee on December 6, 2021, with amendments.



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 ¹[':

12 (1) the] each¹ public health emergency declared pursuant to
 13 P.L.2005, c.222 (C.26:13-1 et seq.) ¹['in response to the coronavirus
 14 disease 2019 (COVID-19);

15 (2) and each subsequent public health emergencies]¹ that
 16 necessitates the use of social distancing and other restrictions on
 17 ¹['person-to person'] person-to-person¹ contact.

18 b. The policies and procedures established pursuant to subsection
 19 a. of this section shall include, but ¹shall¹ not be limited to ¹,¹ policies
 20 and procedures:

21 (1) publicizing the ¹['department's'] Department of Children and
 22 Family's¹ State Central Registry, the toll free hotline number used in
 23 reporting child abuse and neglect, as well as the provision of
 24 instructions for calling 911 for emergencies, and directions to assist
 25 the public in accessing the department's website ¹['or'] and¹ social
 26 media platforms to obtain more information on ¹['the']¹ reporting child
 27 abuse and neglect;

28 (2) allowing a child protective investigator assigned to investigate
 29 an incident of child abuse and neglect to perform some of ¹['their'] the
 30 investigator's¹ responsibilities ¹['], or a permanency worker assigned to
 31 a child under the department's care, custody, and supervision to
 32 provide case management services]¹ , if appropriate, remotely by
 33 telephone, computer, or other means of live audio or video
 34 communication;

35 (3) ¹allowing a permanency worker assigned to a child under the
 36 department's care, custody, and supervision to provide case
 37 management services, if appropriate, remotely by telephone, computer,
 38 or other means of live audio or video communication;

39 (4)¹ allowing the family of a child under the department's care,
 40 custody, and supervision to access services ¹['], as appropriate,]¹
 41 remotely by telephone, computer, or other means of live audio or
 42 video communication ¹, as may be appropriate¹ ;

43 ¹['(4)'] (5)¹ providing for the preparation and dissemination of
 44 literature and other resource materials by the department, utilizing both
 45 electronic and print media, which:

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is
 not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Senate SHH committee amendments adopted December 6, 2021.

1 ¹[(i)] (a)¹ inform parents of factors that contribute to incidents of
2 child abuse and neglect and the legal ramifications of abusing or
3 neglecting a child;

4 ¹[(ii) outlines] (b) outline¹ the services provided by the State
5 which help in preventing child abuse and neglect;

6 ¹[(iii)] (c)¹ provide tips on child safety; and

7 ¹[(iv)] (d)¹ reinforce positive parenting skills; and

8 ¹[(5)] (6)¹ providing for the regular review and analysis, by the
9 department, of the State's child abuse reporting requirements pursuant
10 to section 3 of P.L.1971, c.437 (C.9:6-8.10) as may be necessary in
11 order for the department to develop and implement strategies to better
12 detect and investigate incidents of child abuse and neglect during
13 public health emergencies that require social distancing or other
14 restrictions on person-to person contact.

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

18 (1) protecting children from child abuse and neglect during ¹[the
19 COVID-19 pandemic and subsequent]¹ public health emergencies that
20 require social distancing, remote learning, and other restrictions on
21 person-to-person contact ¹[.]¹; and

22 (2) the policies and procedures established pursuant to the
23 provisions of ¹[sections 1 and] this section and section¹ 2 of ¹[the]¹
24 P.L. , c. (C.) (pending before the Legislature as this bill).

25 d. The ¹[department] Department of Children and Families¹ shall
26 prepare a fact sheet on the information provided through the public
27 awareness campaign established pursuant to subsection c. of this
28 section. The department shall make the fact sheet available to the
29 public by electronic or other means of distribution, and shall post the
30 fact sheet on its Internet website and the Internet websites of the
31 Departments of Education, Health, and Human Services.

32 ¹[e. The department shall collect and analyze data on all
33 records of child abuse reports made during the COVID-19 pandemic,
34 including, but not limited to:

35 (1) reports made pursuant to section 3 of P.L.1971, c.437 (C.9:6-
36 8.10;

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

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

41 f. Not more than one year after the effective date of P.L. , c. ,
42 (C.) (pending before the Legislature as this bill), the Commissioner
43 of Children and Families shall issue a report the Governor and,
44 pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1), to the
45 Legislature. The report shall contain a summary of the data compiled
46 by the department in accordance with subsection e. of this section and
47 shall include comparative information about child abuse reports made

1 during the COVID-19 pandemic and child abuse reports made prior to
2 the pandemic.

3 The report shall also include any recommendations for legislation
4 or regulatory changes in the reporting of cases of child abuse and
5 neglect during a public health emergency requiring social distancing or
6 other restrictions on person to person contact as the commissioner
7 deems appropriate.】¹

8
9 ¹2. a. The Department of Children and Families shall collect
10 and analyze data on all records of child abuse reports made during
11 the public health emergency declared in response to the coronavirus
12 disease 2019 (COVID-19) pandemic, including, but not limited to:

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

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

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

19 b. No later than one year after the effective date of P.L. , c. ,
20 (C.) (pending before the Legislature as this bill), the
21 Commissioner of Children and Families shall issue a report to the
22 Governor and, pursuant to section 2 of P.L.1991, c.164 (C.52:14-
23 19.1), to the Legislature, which report shall: (1) contain a summary
24 of the data compiled by the department pursuant to subsection a. of
25 this section; and (2) include comparative information about child
26 abuse reports made during the COVID-19 pandemic and child abuse
27 reports made prior to the pandemic. The report shall also include
28 any recommendations for legislation or regulatory changes in the
29 reporting of cases of child abuse and neglect during a public health
30 emergency requiring social distancing or other restrictions on
31 person-to-person contact as the commissioner deems appropriate.¹

32
33 ¹[2.] 3.¹ a. The Department of Education ¹[shall require every
34 school district in the State, in consultation with] and the¹ the
35 Department of Children and Families ¹[, to] shall¹ develop ¹[and
36 implement a] an online¹ training program for school employees on
37 the detection and prevention of child abuse ¹, inclusive of how to do
38 so¹ during a public health emergency that requires remote learning,
39 social distancing, or other restrictions on ¹[person-to person]
40 person-to-person¹ contact. ¹The online training program shall be
41 made available to all school districts in the State, free of charge, to
42 assist districts in meeting all requirements established under State
43 law to train school employees on the identification, detection,
44 reporting, and response to issues of child abuse.¹ The training
45 program shall:

(1) be ¹~~['~~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~~']~~ developed by the Department of Education and the Department of Children and Families, in consultation with education and private entities with expertise in the detection of child abuse and neglect as well as child abuse and neglect prevention techniques¹ ; 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 ¹~~[';']~~.

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.

¹~~['3.']~~ 4.¹ This act shall take effect immediately.