STATE OF NEW YORK

3190

2025-2026 Regular Sessions

IN ASSEMBLY

January 23, 2025

Introduced by M. of A. ROSENTHAL, PAULIN, MILLER -- Multi-Sponsored by -- M. of A. COOK -- read once and referred to the Committee on Children and Families

AN ACT to amend the social services law, in relation to requiring licensed day care facilities to contact a child's parent or guardian if they are absent

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. The social services law is amended by adding a new section 390-aa to read as follows:

§ 390-aa. Child absence confirmation. 1. For purposes of this section, the following terms shall have the following meanings:

(a) "Absent" or "absence" shall mean any child who is expected to be present for day care services who has not arrived at the scheduled drop-off time.

(b) "Child day care provider" shall have the same meaning as defined in paragraph (b) of subdivision one of section three hundred ninety of this title.

(c) "Group family day care home" shall have the same meaning as defined in paragraph (d) of subdivision one of section three hundred ninety of this title.

(d) "Family day care home" shall have the same meaning as defined in paragraph (e) of subdivision one of section three hundred ninety of this title.

(e) "School age child care" shall have the same meaning as defined in paragraph (f) of subdivision one of section three hundred ninety of this title.

2. (a) All child day care providers, school age child care programs, group family day care homes and family day care homes within the state shall be required to contact a child's parent or guardian in the event such child is absent on a given day, when prior notice of such child's

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

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absence has not been provided, to confirm such child's absence is expected and the parent or guardian is aware of such absence.

(b) Such day care providers, programs or homes shall contact such parent or guardian by phone within thirty minutes after recording that a child is absent on such day.

§ 2. This act shall take effect immediately.