STATE OF NEW YORK

5765

2025-2026 Regular Sessions

IN SENATE

February 28, 2025

Introduced by Sen. SKOUFIS -- read twice and ordered printed, and when printed to be committed to the Committee on Children and Families

AN ACT to amend the education law, in relation to requiring immediate notification of a child's parent or guardian when an allegation of child abuse in an educational setting has been made regarding such child

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

Section 1. Subdivisions 1 and 3 of section 1128 of the education law, as added by chapter 180 of the laws of 2000, are amended to read as follows:

1. Where the subject child has made the allegation: (a) [~~promptly~~] **immediately** notify the parent **or guardian** of such child that an allegation of child abuse in an educational setting has been made regarding such child and promptly provide the parent **or guardian** with a written statement prepared pursuant to regulations of the commissioner setting forth parental rights, responsibilities and procedures under this article; (b) where a school administrator receives a written report, promptly provide a copy of such report to the superintendent; and (c) promptly forward such report to appropriate law enforcement authorities. In no event shall reporting to law enforcement be delayed by reason of an inability to contact the superintendent.

3. Where a person other than the subject child or the parent **or guardian** of a subject child has made the allegation: (a) [~~promptly~~] **immediately** notify the parent **or guardian** of the subject child that an allegation of child abuse in an educational setting has been made regarding [~~his or her~~] **their** child and promptly provide the parent **or guardian** with a written statement prepared pursuant to regulations of the commissioner setting forth parental rights, responsibilities and procedures under this article; (b) ascertain from the person making such report the source and basis for such allegation; (c) where a school administrator

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

LBD10116-01-5

receives a written report, promptly provide a copy of such report to the superintendent; and (d) promptly forward such report to appropriate law enforcement authorities. In no event shall reporting to law enforcement be delayed by reason of an inability to contact the superintendent.

§ 2. This act shall take effect on the thirtieth day after it shall have become a law.