

Rural Area Flexibility Analysis

- 1) **Types and Estimated Numbers of Rural Areas:** The proposed regulations will affect the 44 local social services districts that are in rural areas.
- 2) **Reporting, Recordkeeping and Other Compliance, and Professional Services:** These proposed regulations implement requirements derived directly from statutory provisions (Chapter 810 of the Laws of 2021, as amended by Chapter 38 of the Laws of 2022).
- 3) **Costs:** While there may be marginal administrative costs related to the implementation of the differential response and the completion of a new section of the child welfare services plan, the local social services districts are already responsible for assisting families in engaging in services and supports and the completion of the child welfare services plan. It is important to note:
 - The total number statewide of intakes for this age group in 2021 was 266
 - Some local districts, including those with rural areas, will realize cost savings where children under 12 years of age who do not fall under the definition of Juvenile Delinquent under section 301.2 of the Family Court Act as of December 29, 2022, are no longer eligible to be placed in a juvenile detention facility, a foster care placement or a New York State Office of Children and Family Services facility due to delinquency charges, and these are more costly than the alternative differential response.
- 4) **Minimizing Adverse Impact:** The requirements under these proposed regulations were necessitated by the Raise the Lower Age of Juvenile Delinquency legislation (Chapter 810 of the Laws of 2021, as amended by Chapter 38 of the Laws of 2022) and were therefore unavoidable. The Office of Children and Family Services (the Office) will support local social services districts, including those in rural areas, in the drafting and any necessary revisions of their differential response plans.
- 5) **Rural Area Participation:** The Office will actively seek input of local social services districts in rural areas for the implementation of the Raise the Lower Age of Juvenile Delinquency legislation.