



NEW YORK STATE
OFFICE OF
CHILDREN & FAMILY
SERVICES

Annual Report 2013



*“...promoting the safety, permanency and well-being of our children,
families, and communities. ...”*

Andrew M. Cuomo,
Governor

Sheila J. Poole,
Acting OCFS Commissioner

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Introduction

The New York State Office of Children and Family Services (OCFS) oversees a continuum of services for children, families, and communities and promotes the safety, permanency and well-being of children and families. The agency continually seeks to improve and integrate efforts to address the needs and build on the strengths of the state's children, youth, and other vulnerable populations. It works to establish a more responsive, seamless service delivery system that is family-centered, outcome-based, and locally responsive.

OCFS oversight and operational responsibilities include: foster care, adoption, child protective services, preventive services for children and families, child day care, resource and referral programs, child care subsidies, rehabilitation services for the blind, and protective programs for vulnerable adults. In addition, the agency coordinates state government response to the needs of Native Americans on reservations and in communities; and administers specialized programs for juvenile delinquents remanded to the care of OCFS by the family courts and juvenile offenders committed by the criminal courts.

The reports compiled herein, required under state Social Services Law, help provide a snapshot of how the system is performing in key areas.

Administrative Hearings

Pursuant to the Social Services Law (SSL), applicants for or recipients of foster care services, day care services, homemaker services, and other child care services may appeal decisions of social services officials to OCFS. Local social services officials must determine eligibility for and the level of payment provided for such services, and must advise individuals of their opportunity to challenge a local determination by a hearing.

Hearings under the SSL before OCFS are also available to residents of this state to challenge a variety of other governmental determinations. Such determinations include, among others, decisions to remove publicly funded foster children from foster homes; the listing of a person in the Statewide Central Register of Child Abuse and Maltreatment (SCR) as a perpetrator of child abuse or maltreatment; the proposed disclosure of the existence of such listing to an inquiring provider or licensing agency; the decision to deny, revoke, suspend or otherwise limit the license or registration to provide day care for children; denials of applications to adopt children and for adoption subsidies; decisions of the State Commission for the Blind to deny or limit services or participation to its consumers; and decisions to deny, suspend, revoke or otherwise limit an operating certificate to provide care for aged and infirm adults in family settings.

Administrative hearings help to protect children, preserve families and to promote the accuracy of local social services district and state decisions.

Time Period 1/1/2013 – 12/31/2013

Day Care - Hearings held pursuant to Section 22 of the SSL and Parts 358 and 415 of the Social Services regulations to challenge determinations by social services districts to deny, reduce or terminate day care subsidy payments, or to challenge the adequacy of such payments.

Hearings Requested	Hearings Scheduled	Hearings Held	Hearing Decisions Issued
3,234	3,874	1,093	854

Foster Care Payments - Hearings held pursuant to Section 22 of the SSL and Part 358 of the Social Services regulations to challenge determinations by social services districts to deny requests by foster parents for foster boarding home payments at a rate higher than the rate being received by the foster parents; to deny voluntary foster care placement services for natural parents; or to challenge the adequacy of such payments or services.

Hearings Requested	Hearings Scheduled	Hearings Held	Hearing Decisions Issued
1,024	1,768	1,000	768

Homemaker Services - Hearings held pursuant to Section 22 of the SSL and Part 358 of the Social Services regulations to challenge determinations by social services districts to deny, reduce or terminate homemaker services for adults and children, or to challenge the adequacy of services authorized.

Hearings Requested	Hearings Scheduled	Hearings Held	Hearing Decisions Issued
37	75	31	27

Protective/Preventive Services - Hearings held pursuant to Section 22 of the SSL and Part 358 of the Social Services regulations to challenge determinations by social services districts to deny, reduce or terminate adult or child protective or preventive services, or to challenge the adequacy of services authorized.

Hearings Requested	Hearings Scheduled	Hearings Held	Hearing Decisions Issued
324	475	81	77

Transitional Child Care - Hearings held pursuant to Section 22 of the SSL and Part 358 of the Social Services regulations to challenge determinations by social services districts to deny, reduce or terminate transitional child care payments, or to challenge the adequacy of such payments.

Hearings Requested	Hearings Scheduled	Hearings Held	Hearing Decisions Issued
280	376	58	71

Child Abuse and Maltreatment Expungement/Amendment Hearings - Hearings held pursuant to Section 422(8) of the SSL in which indicated subjects of reports of child abuse and maltreatment seek to overturn determinations to indicate reports.

Hearings Requested	Hearings Scheduled	Hearings Held	Hearing Decisions Issued
3,154	3,138	983	3,354

Child Care Applications - Hearings held pursuant to Section 424-a(2) of the SSL in which applicants for employment, licensure or approval in a child care field seek to overturn determinations to indicate child abuse and maltreatment reports.

Hearings Requested	Hearings Scheduled	Hearings Held	Hearing Decisions Issued
587	582	148	603

Foster Care Removal - Hearings held pursuant to Section 400 of the SSL in which foster parents challenge determinations by authorized agencies to remove children in foster care from the homes of the foster parents.

Hearings Requested	Hearings Scheduled	Hearings Held	Hearing Decisions Issued
49	49	24	45

Adoption Eligibility - Hearings held pursuant to Section 372-e of the SSL to contest denials by an authorized agency of applications of persons seeking to become adoptive parents.

Hearings Requested	Hearings Scheduled	Hearings Held	Hearing Decisions Issued
1	1	0	1

Adoption Subsidy - Hearings held pursuant to Section 455 of the SSL in which adoptive parents challenge: the determination to deny an adoption subsidy; the determination to discontinue an adoption subsidy; or the amount of adoption subsidy payments being provided to the parents.

Hearings Requested	Hearings Scheduled	Hearings Held	Hearing Decisions Issued
63	63	35	56

Day Care Licensing - Hearings held pursuant to Section 390(10) and (11) of the SSL to contest: denial of an application for licensure or registration of a day care program; denial of an application for renewal of licensure or registration of a day care program; suspension, revocation or limitation of a license or registration to operate a day care program; or imposition of a fine for violation of statutes or regulations concerning operation of a day care program.

Hearings Requested	Hearings Scheduled	Hearings Held	Hearing Decisions Issued
194	194	73	157

Family Type Homes - Hearings held pursuant to Section 460-d(4), (7) and (9) of the SSL to contest: denial of an application for licensure of a family type home for adults; denial of an application for renewal of licensure of a family type home for adults; revocation, suspension or limitation of the license of a family type home for adults; or imposition of a fine for violation of statutes or regulations concerning operation of a family type home for adults.

Hearings Requested	Hearings Scheduled	Hearings Held	Hearing Decisions Issued
2	2	1	1

NYSCB - Hearings held pursuant to Federal law or Section 8714-a of the Unconsolidated Laws to challenge determinations by the Commission for the Blind: to deny, terminate or change services or equipment provided to blind; or related to the operation of the Business Enterprise Program for the blind.

Hearings Requested	Hearings Scheduled	Hearings Held	Hearing Decisions Issued
3	3	1	3

Kinship Guardianship Assistance – Hearings held pursuant to Section 458-f of the SSL in which prospective kinship guardian(s) or kinship guardian(s) challenge: the determination to deny an application for kinship guardianship assistance payments; the determination to discontinue kinship guardianship assistance payments; or the amount of kinship guardianship assistance payments being provided to the kinship guardian(s).

Hearings Requested	Hearings Scheduled	Hearings Held	Hearing Decisions Issued
0	0	0	0

Court Challenges to OCFS Administrative Hearings – pending

If an individual has appealed a determination and is dissatisfied with the decision of an administrative law judge, the individual may challenge the decision in a court proceeding. The following represents the activity for such challenges for 2013.

Total Number of Cases Appealed	17
Number of Favorable Decisions	5
Number of Unfavorable Decisions	1
Number Pursued Not Pending	4
Number Pursued Pending	7

New York State Commission for the Blind

The mission of the New York State Commission for the Blind (NYSCB) is to enhance employability, to maximize independence, and to assist in the development of the capacities and strengths of people who are legally blind.

NYSCB values the worth, dignity, and rights of people who are blind. It seeks to encourage, empower, and enable individuals to live independently, pursue meaningful employment, and enjoy full inclusion and integration into the cultural, economic, educational, political, and social mainstream of society. The active participation of consumers in their own rehabilitation programs, including the ability to make meaningful and informed choices regarding their vocational goals and the rehabilitation services they receive, is a fundamental principle of all NYSCB programs, projects, and policies.

NYSCB is committed to working closely with children and their families to enable each child to achieve the maximum possible independence in working, living, and participating as an adult. NYSCB seeks to incorporate an interactive teamwork approach to providing vocational rehabilitation services that meets the needs of consumers.

The strong NYSCB team comprised of staff, many of whom are legally blind, community-based service providers, and current and potential employers, share in the rewards of consumer employment and satisfaction. NYSCB carries out this mission through four major program areas: (1) vocational rehabilitation services, (2) services for older individuals, (3) services for children and (4) the business enterprise program.

Vocational Rehabilitation Program

SFY 12-13:

Consumers served: 4,818
Consumers placed in employment: 509

The Vocational Rehabilitation (VR) Program offers guidance and counseling to assist legally blind consumers to find or retain employment. Vocational Rehabilitation Counselors (VRCs) work with the consumer to develop an Individualized Plan for Employment (IPE). The IPE acts as a road map to guide the consumer toward his/her employment goals. Goals vary, and include preparing for and finding a job, continuing at a current workplace, or maintaining a household independently. In addition to counseling and guidance, services offered through the VR Program may include access to the following:

- Assessments to determine service needs
- Deaf-blind services
- Maintenance, transportation, interpreter services and reader services
- Vocational assessment
- Vocational training
- Job training
- Mobility training (which enables consumers to travel safely and efficiently)
- Instruction in activities of daily life
- Low vision exams and devices
- Braille instruction
- Assistive technology
- Job retention services for workers experiencing vision loss
- Homemaker training

Services for Older Blind Individuals

SFY 12-13:

Older individuals served: 3,884

The goal of this program is to make a comprehensive package of rehabilitation services available to older individuals who are legally blind and are not seeking paid employment. This program includes the evaluation of an individual's service needs within the framework of personal goals, abilities, and resources, and the provision of appropriate types and amounts of services to promote individual achievement of rehabilitation goals. It is NYSCB's intent that individuals identified and served will achieve the highest level of confidence, self-sufficiency and independence allowed by each individual's life circumstances and interests, in accordance with their established goals and NYSCB policy. Each person's accomplishments are measured by whether or not the consumer has achieved the goals identified in his/her Individualized Service Plan (ISP) or Individualized Plan for Employment (IPE).

Children's Program

SFY 12-13:

Children served: 1,738

NYSCB provides rehabilitation services to children who are legally blind and reside in New York State. Working with the family, a Children's Consultant develops a plan tailored to the child's needs. The plan may include services provided in the home, the community or private rehabilitation agencies. Services provided through the Children's Program include:

- Counseling and guidance to the family
- Advocacy
- Educational consultation
- Vocational coordination
- Low vision services
- Rehabilitation teaching
- Orientation and mobility
- Social casework

Services are provided outside of school, either after school, on weekends, or during school vacations. NYSCB also provides some legally blind children with the opportunity to attend summer camps and year-round recreation programs that they might not otherwise be able to attend without the support of the Commission. The goal of the recreation programs is to provide legally blind children with opportunities that encourage independence and increase self-confidence.

The Business Enterprise Program (BEP)

SFY 12-13:

80 Vendors employed with an average income of \$40,427

The Business Enterprise Program (BEP) offers opportunities throughout the state for individuals who are blind to gain the training and skills necessary to manage independently one of several vending facilities located in federal and state office buildings. After completing an intensive training program, BEP managers become proficient in all aspects of retail management including purchasing products, controlling inventory, marketing products, maintaining good customer relations, and keeping accurate records.

NYSCB's BEP has three regional offices – New York City, Rensselaer and Buffalo – that provide coverage for all the counties in the state. Each regional office is staffed by a District Supervisor, Business/Food Service Specialists and a support staff person staff. The Business/Food Service Specialists work directly with the licensed program members to assist them in operating their own businesses.

Community Facility Registry

The Community Facility Registry (CFR) is a legislatively mandated listing of all community residences for the disabled in New York State. Established pursuant to Social Services Law (SSL), Article 7, Title 4, Section 463 (1978), the intent of this legislation is to “improve the ability of state agencies responsible for the planning, administration, licensing, regulation, and operation of such community residences to effectively identify existing and future needs for persons and services in different areas and coordinate their planning efforts to meet such needs.” Additionally, the Office for People with Developmental Disabilities (OPWDD) and the Office of Mental Health (OMH) are required by Mental Hygiene Law Section 41.34 to submit a copy of the most recent CFR to municipalities when siting new facilities.

Definition

SSL 463 defines a community residential facility as “any facility operated or subject to licensure by the state which provides a supervised residence for mentally, emotionally, physically or socially disabled persons or for persons in need of supervision or juvenile delinquents. This term includes, but is not limited to, community residences for the mentally disabled operated or licensed by the offices of mental health or mental retardation or by the divisions of the office of alcoholism and substance abuse, agency operated boarding homes, group homes or private proprietary homes for adults operated and licensed by the division of substance abuse services.” (Please note that the statute has not been updated to reflect the current names of some of the state agencies mentioned.)

Facility and Capacity Count by Agency

Agency	Number of Facilities	Capacity
Department of Health	265	24,877
Office of Alcohol and Substance Abuse Services	94	2,170
Office of Children and Family Services	194	1,368
Office of Temporary and Disability Assistance	0	0
Office of Mental Health	458	9,143
Office for People with Dev. Disabilities	5,153	41,029
State Education Department	188	17,213
Total	6,352	95,800

The Registry

The CFR currently lists 6,352 residential facilities. The data are organized by county and municipality. Each facility record contains: facility name and address; sponsor; licensing agency; facility type; age, gender and disability of persons served; services available; capacity; school and legislative districts; and health services area. Foster homes and other family-type residences are not included. The number of facilities and capacity are listed above by state agency.

Reports Distribution and Utilization

The CFR is managed by OCFS. The system-generated reports in a standard format (CFR-030) are routinely run and distributed monthly. There are 148 regular recipients of the report or extracts of the report. Recipients can choose how frequently they receive the CFR report (from monthly to annually) and which counties will be included in their report. Individuals receiving CFR reports are associated with the following organizations:

- 27 agencies serving the disabled
- 19 other agencies (including voluntary agencies)
- 16 New York City planning or community board
- 18 New York State agencies
- 14 developmental disability services organizations
- 12 local government/municipalities
- 2 medical
- 3 other (i.e. individual business)

The CFR is primarily used in accordance with Mental Hygiene Law, which mandates that a copy be distributed to municipalities when OMH or OWPDD is siting a new facility for the disabled.

DIVISION OF CHILD CARE SERVICES

OCFS, through the Division of Child Care Services, licenses, registers, inspects, supervises, and enforces regulations for child day care programs; develops, implements, and monitors programs and contracts in the child day care and after school program areas; investigates citizen and legislative complaints with respect to the provision of local services; provides training and technical assistance to child day care providers, child day care inspectors, local social services districts, and community-based organizations to improve the delivery of service and care; and develops new programs or methods of service provision for children and youth and child day care providers that promote positive child development and improve the quality of child day care services.

New York State Child Care Center Regulations Ranked #1 in the Nation

On April 11, 2013, Child Care Aware of America released, *We Can Do Better: 2013 Update*, the fourth in a series of reports first issued in 2007 that scores and ranks the states (including the District of Columbia) and the Department of Defense (DoD) on their child care center program requirements and oversight. New York State rated first among all the states and the District of Columbia on its child care center-based regulations.

OCFS Receives Award for Child Care Subsidy Program Integrity Initiative

The State Academy for Public Administration gave a 2013 Public Service Award of Merit Excellence Award to the OCFS Child Care Subsidy Program Integrity Team. Highlights of the Child Care Subsidy Program Integrity Initiative include:

- Revising the child care subsidy regulations to include provisions related to fraud, waste and abuse;
- Deploying the automated child care time and attendance system in all of the districts outside the City of New York, including a biometric pilot;
- Allocating funds to social services districts through a competitive bid to provide resources for conducting investigations when fraud is suspected; and
- Leading a procurement process to contract with an information technology vendor to develop a technical solution aimed at detecting potential fraud using data mining and predictive analytics.

Number of Regulated Child Care Providers in New York State (includes New York City Day Care Centers, although OCFS does not regulate these):

- 4,193 day care centers with a capacity for 289,663 children
- 6,017 family day care homes with a capacity for 45,831 children
- 8,422 group family day care homes with a capacity for 126,791 children
- 2,549 school-age child care programs with a capacity for 246,213 children

Total: 21,181 regulated providers with a capacity for 708,498 children

Child Care Definitions:

- Day Care Centers - Provide care to an enrolled group of seven or more children at a facility other than a personal residence for three or more hours a day on a regular basis. Maximum capacity is driven by square footage allowance.
- Family Day Care Homes - Provide care to more than two non-relative children in a residence for three or more hours a day on a regular basis. Maximum capacity is eight children generally with one caregiver.
- Group Family Day Care Homes - Provide care to more than two non-relative children in a residence for three or more hours a day on a regular basis. Maximum capacity is 16 children, generally with two caregivers.
- School-Age Child Care - Provides child care to an enrolled group of seven or more children in a non-residence facility outside normal school hours. Maximum capacity is driven by square footage allowance.

Subsidized Child Care in New York State

The New York State Child Care Subsidy Program is administered by social services districts and overseen by OCFS. Approximately 223,000 children received child care subsidies in Federal Fiscal Year (FFY) 2013. Of these:

- 34 percent were cared for in licensed day care centers or registered school-age child care programs;
- 31 percent were cared for in regulated family child care homes, including group family child care; and,
- 35 percent were cared for in legally-exempt, almost exclusively home-based setting. There were 39,178 legally-exempt providers who served 77,609 subsidized children.

Provider Numbers by Modality and Region

	Day Care Centers	Family Day Care	Group Family Day Care	School Age Child Care	Total
New York City	2,199	2,657	5,398	1,255	11,509
Rest Of State	1,994	3,360	3,024	1,294	9,672
Total	4,193	6,017	8,422	2,549	21,181

Capacity by Modality and Region

	Day Care Centers	Family Day Care	Group Family Day Care	School Age Child Care	Total
New York City	127,644	19,310	80,339	149,203	376,496
Rest Of State	162,019	26,521	46,452	97,010	332,002
Total	289,663	45,831	126,791	246,213	708,498

Funding for Child Care Subsidies

- In SFY 2013-14, OCFS allocated more than \$738 million to local districts for the New York State Child Care Block Grant Subsidy Program.
- Additional child care subsidy projects for income-eligible families in SFY 2013-14 included Memoranda of Understandings (MOUs) with SUNY (\$2.213 million), CUNY (\$2.161 million) and NYS Ag & Markets (\$2.504 million).
- Facilitated Enrollment projects funded in SFY 2013-14 for child care subsidies to families eligible up to 275 percent of poverty totaled \$1.265 million.

Child Care Resource and Referral Agencies (CCR&Rs)

OCFS provides funding and supervision to support and enhance the child care services delivered by CCR&R agencies for children and families throughout New York State as specified in Article 6, Title 5-B, Sections 410-p through 410-r, of the SSL. CCR&R agencies provide multiple services to the child care community. CCR&Rs collect and maintain up-to-date information about all types of legal child care programs in their areas. Counselors can provide parents with information about various types of programs, costs, financial assistance and guidelines for selecting child care.

- Currently 32 CCR&Rs for FFY 2014 receive \$19.9 million (includes New York City one lead with four subcontractors).
- Seven Infant/Toddler lead agencies for FFY 2014 receive \$1.1 million.

Advantage After School Program

- Approximately 15,000 children and youth are served with a \$17.7 million appropriation (SFY 2013-14) equaling 122 contracts with 161 program sites.

Division of Child Welfare and Community Services

New York State is among 13 states that have a child welfare system that is state-supervised and locally administered. Within OCFS, the Division of Child Welfare and Community Services (CWCS) is responsible for statewide program monitoring and oversight for services on behalf of families, children, youth, and at-risk adults. The primary program areas it oversees are: child protective services; preventive services; foster care and adoption; adult protective services; residential and non-residential services for victims of domestic violence; Indian Affairs; youth development activities; kinship care and Healthy Families New York.

Established under state and federal laws and regulations within each of the program areas, the division's mandate includes supervision, monitoring, and providing technical assistance in the implementation of program activities to 58 local social services districts, the St. Regis Mohawk Tribe, and 83 voluntary agency providers.

Specific responsibilities include, in part:

- Oversight of local districts' child protective, foster care and preventive services programs that serve children and families.
- Operation of the Statewide Central Register of Child Abuse and Maltreatment (SCR), 24 hours, seven days a week.
- Clearance of individuals against the child abuse and maltreatment database.
- Operation of the New York State Adoption Service.
- Certifying, licensing, inspecting, and enforcing regulations for residential facilities and non-residential programs. These include foster care agencies, domestic violence shelters and runaway and homeless youth programs.
- Investigation of complaints of significant incidents within licensed residential agencies.
- Investigation of citizen and legislative complaints with respect to the provision of local services.
- Development and implementation of new programs/services or methods of service delivery for adults, children, youth and families that address social and demographic trends, and promote positive human development.
- Provision of training and technical assistance to local districts and voluntary agencies to improve the delivery of services and care.

The division maintains six regional offices to provide direct oversight, monitoring, and technical assistance to the counties and agencies within the state. These offices support child welfare practice initiatives, review and report on child fatalities investigated by the local districts, and follow up on complaints and inquiries by families.

Bureau of Adoption Services

New York State Adoption Services (NYSAS) is the state entity responsible for the coordination and delivery of federal and state mandated adoption services to New York State children in need of adoptive families. In compliance with these mandates, NYSAS provides services to local social services districts, voluntary authorized agencies, and closely collaborates with OCFS regional offices particularly regional adoption specialists in the provision of adoption and other permanency related services. NYSAS also has responsibility for the operation of the Interstate Compact on the Placement of Children (ICPC) and the Interstate Compact on Adoption Medical Assistance (ICAMA). NYSAS is involved in policy formulation, program development and training activities related to the recruitment and retention of resource families critical to successful permanency outcomes for *NYS Waiting Children*. The bureau is responsible for:

- **Child Photolisting:** Administers the process for the photolisting in the New York State Adoption Album of foster children freed for adoption.
- **Family Adoption Registry & Family Photolisting:** Administers the process for registering families interesting in adopting foster children in the New York State Family Adoption Registry and the photolisting of families on the state's internal Adoption Album.

- **Adoption Subsidy:** Reviews adoption subsidy requests for maintenance and medical coverage based on the special needs of children available for adoption. *Fair Hearings* – provide OCFS’ position on subsidy cases denied by NYSAS.
- **Interstate Compact on the Placement of Children:** Processes requests for the placement of children into and out of New York State in adherence to standards of safety and service needs established by the Compact.
- **Interstate Compact on Adoption and Medical Assistance:** Processes requests for the continuation of Medicaid for children in receipt of adoption assistance that are moving into or out of New York State.
- **Putative Father Registry:** Maintains a registry of putative fathers and children born out-of-wedlock and responds to agency and court inquiries regarding the registration of putative fathers.
- **Parent and Kin Connection Help Line:** Provides information and or referral assistance on adoption, foster care and other support services to parents and professionals.
- **Approval of Adoption Agencies:** Reviews applications and renewals of not-for-profit agencies authorized to place children for adoption with New York State families.
- **Member of National Recruitment Response Team for AdoptUSKids:** Works with the National Resource Center to update the listing of New York State children photolisted on their website and increase efforts to prevent jurisdictional barriers to placement of children in need of adoptive families.
- **Diligent Recruitment Grant:** Supervises a randomized study of innovative efforts to find permanent homes for older foster care youth with special needs who are freed for adoption and who reside in a facility of the New York State Office of Mental Health (OMH), Office of People with Developmental Disabilities (OPWDD), Children and Family Services (OCFS) Juvenile Justice program, or freed children in Residential Treatment Centers (RTC) who have a permanency goal of another planned living arrangement (APLA).

Bureau of Adult Services

The Bureau of Adult Services has responsibility for two programs, Protective Services for Adults (PSA) and Family Type Homes for Adults (FTHA).

Protective Services for Adults:

Protective Services for Adults are available to anyone age 18 or older who has a mental or physical impairment, is at risk of abuse or neglect, and has no one else available to assist responsibly. PSA clients include the elderly, the mentally ill, the developmentally disabled and the abused and exploited. The definition of abuse includes physical, sexual or emotional abuse, financial exploitation, active and passive neglect, and self-neglect.

Approximately 60 percent of PSA cases are age 60 and older, and more than 70 percent of all PSA risks reported are for “self neglect.” Studies also show that on average for every case of abuse or neglect reported to PSA or other authorities, there are 24 other cases that go unreported.

Services provided include investigating and assessing the adult’s needs and risk of harm; coordinating with law enforcement and other agencies; counseling; advocacy and case management; applying for benefits and coordinating the delivery of services; finding alternative living arrangements; financial management services; homemaker and housekeeper chore services; crisis interventions; and long-term legal interventions.

Family Type Homes for Adults (FTHA)

FTHA are a type of adult care facility in which an operator provides personal care and/or supervision services for four or fewer unrelated adults. Residents of FTHA must be ambulatory, not require continual medical or nursing care, and not suffer from unstable medical conditions which require continuous skilled monitoring.

FTHAs are licensed by OCFS and supervised by local social services districts. OCFS’ Bureau of Adult Services oversees the local districts and investigates complaints and conducts enforcement activities. There are currently 424 licensed FTHA operators in New York State with a capacity of 1,371 residents.

Bureau of Program and Community Development

The Bureau oversees approximately 200 community-based organizations and related prevention initiatives which support local and state child welfare priorities as described below:

Healthy Families NY (HFNY) Home Visiting Program

- HFNY is an evidence-based child abuse prevention program offering home visiting services to expectant parents and new families beginning weekly and decreasing over time until the child starts school.
- Proven results include reduction in low birth weight, improvements in school readiness, improved parenting skills, and reduction in child abuse/maltreatment.
- HFNY is accredited by the National Healthy Families America organization.
- Five of the 36 programs are also supported with federal Maternal, Infant and Early Childhood Home Visiting (MIECHV) funds; OCFS works closely with the State Department of Health on implementation of the MIECHV initiative.
- HFNY subcontracts for statewide standardized core training and staff development, a management information system and an evaluation component.

Services for Victims of Domestic Violence (DV)

- OCFS regulates and approves 165 residential and 63 non-residential programs for victims of domestic violence and administers federal Family Violence and Temporary Assistance for Needy Families (TANF) funds to all approved programs.
- There are 11 Child Protective Services (CPS)/DV collaboration projects with an out-stationed DV advocate at the local CPS office.
- The Center for Human Services Research evaluation report of the CPS/DV projects indicates improvements in case practice and increased referrals to DV services.
- DV information system which provides data for state and federally legislated annual reports.
- Extensive guidance documents and training for Child Welfare workers regarding addressing DV.

William B. Hoyt Memorial Children and Family Trust Fund

- Trust Fund programming is legislatively mandated (SSL Section 481-a et. seq). It is aimed at improving the safety and well-being of children and adults at risk of or experiencing child abuse, elder abuse and/or domestic violence. The Trust Fund is guided by an Advisory Board; federal and state annual reports are submitted.
- Funding for Trust Fund programs comes from two sources: the federal Community-Based Child Abuse Prevention (CBCAP) grant under the Child Abuse Prevention and Treatment Act (CAPTA), and state funds allocated in the state budget. Funding prioritizes services based on research or evidence, targeting high need communities, and emphasizing partnerships with community providers, including local departments of social services.
- Fourteen Family Resource Centers (FRCs) and seven evidence-based parenting education programs are the cornerstone of programming aimed at increasing protective factors in families. FRC participants show a statistically significant increase in protective factors for families at greater risk for child abuse and neglect. Five domestic violence and elder abuse prevention programs also provided needed services to children affected by domestic violence and vulnerable adults.
- Trust Fund public education efforts include Safe Babies New York, formerly known as the New York State Shaken Baby Prevention Project. This statewide program has documented a sustained 50 percent decrease in abusive head trauma in the counties where it has been piloted. In 2013, due to the increasing number of child fatalities attributed to unsafe sleeping practices, the program expanded education to all parents of newborns, with information about safe sleeping practices and coping with

crying. Hospitals distribute *A Guide for Parents* to support these strategies for keeping children safe. Trust Fund coordinates distribution of child safety materials including the *ABCs of Safe Sleep* DVD.

- The annual New York State Child Abuse Prevention Conference is co-sponsored by the OCFS/Trust Fund. Federal resources also contribute to the statewide Parent Helpline and other prevention efforts, including an education and training program to prevent child sexual abuse in partnership with Prevent Child Abuse NY.

Kinship

- Supports ten programs providing support services for kinship caregivers and children, directly or through referral, and 15 programs providing support for post-adoption families.
- Kinship families are eligible whether they are in formal or informal relationships.
- Kinship Navigator provides statewide website and helpline.
- Materials available through OCFS website include “*Know Your Options: Relatives Caring for Children*,” a booklet for families explaining the legal options for relatives considering caring for relative children, and Kinship Guardianship Assistance Program (KinGAP) materials.

Multi-Disciplinary Teams/Child Advocacy Centers

- Supports 40 approved Multi-Disciplinary Teams (MDTs) and Child Advocacy Centers (CACs) serving 43 counties. MDTs provide a coordinated response to child sexual and physical abuse that supports a child’s well-being and aids in prosecution.
- The MDTs include, but are not limited to child protective services, law enforcement, medical prosecution, victim advocacy, mental health and other disciplines as necessary.
- The MDT coordinates the handling of cases from the initial report through investigation, treatment of victim(s) and the prosecution of the offender(s). The MDT is able to coordinate prompt treatment referrals, and improve evidence collection necessary to hold offenders accountable for their actions.
- The CAC is a child-friendly facility within the community where children can feel safe and at ease while being interviewed by a member of the MDT. It is the site where on-going case reviews are conducted, and where medical exams and counseling for victims and their non-offending family members may be completed.

Foster Care

New York State continues to be a leader in finding permanent, safe and nurturing homes for our children. The number of children in foster care in New York State has decreased from 53,902 children at the end of 1995 to 19,391 at the end of 2013, a significant reversal of trends in the 1980s and early 1990s.

Placements

Foster youth are in the legal custody of local social service commissioners, but physically placed in foster homes or residential settings. Family or relative foster boarding homes account for 82 percent of foster placements, with 18 percent in residential care. Placements are either by order of a court (involuntary) or because their parents are willing to have them cared for temporarily outside the home (voluntary).

An involuntary placement occurs when a child has been abused or neglected (or may be at risk of abuse or neglect) by his or her parent or someone else in the household, or because a court has determined that the child is a “person in need of supervision” (PINS), a juvenile delinquent (JD) or a destitute child. The court orders the child removed from the home and determines the length of the placement.

A voluntary placement occurs when parents are temporarily unable to care for their child for reasons other than abuse or neglect. For example, the family is experiencing a serious medical, emotional, and/or financial problem. The parents sign a voluntary placement agreement that lists the responsibilities of the parents and the agency during the child’s placement. This is different than a voluntary surrender for adoption, whereby the parents voluntarily and permanently give up all parental rights and transfer “custody and guardianship” to an authorized agency.

Title IV-E Demonstration Waiver for Foster Care

OCFS submitted an application for the Title IV-E Waiver demonstration that was approved by the federal Administration for Children and Youth on September 30, 2013. The state will operate a demonstration which initially will be implemented in New York City, with the Administration for Children Services (ACS). The demonstration's target population will include all Title IV-E eligible and non-eligible children, and youth 0-21 years of age currently in out-of-home placement in regular family foster care or at home receiving post-reunification aftercare services from provider agencies contracted with the New York City ACS. Eligible children also include those newly admitted into family foster care that are not in specialized settings such as residential and specialized foster boarding home setting or specialized medical foster care. Additionally each child will be screened using the Child and Adolescent Needs and Strengths functional assessment with a component assessing for trauma. Evidence based interventions that are trauma informed are being reviewed in order to determine which interventions are best suited to meet the needs of the children and youth coming into or are in foster care currently. OCFS will continue to encourage upstate districts to explore the feasibility of their joining the waiver.

General Demographics for children in foster care

Race/Ethnicity	Gender	Age
48 percent African American	51 percent male	45 percent age 0-5
22 percent Caucasian	49 percent female	30 percent age 6-13
25 percent Hispanic origin		23 percent age 14-17
5 percent Other/Unknown		2 percent age 18 & over

Foster Care Admissions and Exits

Admission By Type			
Age	Re-entered Care	First Admission	All Admissions
Under 1 Year Old	56	1,503	1,559
Ages 1-5	561	1,771	2,332
Ages 6-9	479	860	1,339
Ages 10-13	567	894	1,461
Ages 14-17	1,756	1,961	3,717
Ages 18 and older	703	--	703
All Ages	4,122	6,989	11,111

Exit Counts by Type

Age	Reunification	Relative	KinGAP	Adoption	Reach Majority	Permanency Resource	Runaway	Other	All Exits	In Care as of End of Year
Under 1 Year Old	239	150	0	11	0	9	0	19	428	3,752
Ages 1-5	1,357	389	76	961	0	34	0	100	2,917	4,928
Ages 6-9	811	170	55	509	0	12	0	143	1,700	2,892
Ages 10-13	730	145	69	329	0	23	59	194	1,549	2,986
Ages 14-17	1,797	216	52	184	58	48	811	629	3,795	4,363
Ages 18 and older	139	37	17	42	1,045	16	337	521	2,154	470
All Ages	5,073	1,107	269	2,036	1,103	142	1,207	1,606	12,543	19,391

Native American Services

OCFS is one of three state agencies (including the Department of Education and the Department of Health) charged with specific obligations to New York's Native American population.

Under SSL section 39 , first enacted in 1928, OCFS' Native American Services (formerly known as the Bureau of Indian Affairs) is responsible for responding to the needs of Indian Tribes and Nations and their members both on reservations and in the state's other communities. The federal Indian Child Welfare Act (ICWA) of 1978 resulted in an expansion of the agency's consulting and training role with respect to the delivery of services to Native American children.

Runaway and Homeless Youth Programs

OCFS oversees and funds approved runaway program and transitional independent living support programs under the Runaway and Homeless Youth Act (RHYA). In 2013, 26 counties and New York City provided residential and non-residential services to 14,143 young people with RHYA funding totaling \$2,610,256.

Statewide Central Register of Child Abuse and Maltreatment (SCR)

Mandated reporters and members of the public who suspect that a child is abused or maltreated can call the New York Statewide Central Register of Child Abuse and Maltreatment (SCR) hotline toll-free number 24 hours a day, seven days a week. The number is 1-800-342-3720. The state-operated SCR takes the initial call, determines if there is reasonable cause to suspect abuse or maltreatment and relays the information to the appropriate local social services district to conduct the investigation and make a finding.

Calls are answered by a staff of 150 trained Child Protective Specialists whose minimum qualifications include a bachelor's degree and direct experience in the provision of child protective services (CPS) or child welfare services. Child Protective Specialists receive eight weeks of intensive in-house training, including one week of on-the-job training, before beginning their shift assignment on the hotline. A staff of 29 supervisors supports decision-making and supervisory consultation to callers.

SCR Procedures

- Based on the information provided by a caller, if there is reasonable cause to suspect that a child has been abused or that a child's physical, mental or emotional condition has been impaired or is in imminent danger of becoming impaired, an Intake Report is sent to the Child Protective Services (CPS) unit in the local social service district where the child is living.
- Local social services districts must maintain 24-hour coverage via the use of on-call rosters to respond to cases of imminent danger.
- The parents, as well as anyone else who may have had a role in the suspected abuse or maltreatment, are searched against the SCR database to determine if there is any history of abuse or maltreatment. This information is also provided to the local CPS.
- The local social services district has 60 days to determine if a report is "indicated" or "unfounded" based on a standard of "some credible evidence." Information regarding crimes or immediate threats to a child's health and safety by persons not defined as legally responsible are immediately referred to the appropriate law enforcement agency by the SCR.

During 2013, the SCR hotline received 293,750 calls, which resulted in 157,425 reports being electronically transmitted to counties for further action. Approximately 28 percent of all reports that are investigated are "indicated," meaning that some credible evidence was found that abuse or maltreatment occurred. The SCR handled 229,000 Database Check Clearance requests, 7,300 Administrative Review requests and received 12,500 Requests for Information.

Division of Juvenile Justice and Opportunities for Youth

The Division of Juvenile Justice and Opportunities for Youth (DJJOY) is responsible for supervision and treatment from intake to facility programming and community service provision of youth placed with OCFS by the courts. OCFS serves male and female youth from the ages of 11 up to 21 who are remanded into the care and custody of OCFS as juvenile delinquents (JDs) by the family courts or committed as juvenile offenders (JOs) by the criminal courts. Generally, youth placed with OCFS present serious issues and many have extensive histories of prior placements. They have complex issues, many of which compromise their own personal well-being and public safety. DJJOY supports and monitors facility-based operations and programs, as well as community services and a range of community-based programs.

Residential Care System

In 2013, the DJJOY residential care system consisted of 11 facilities and one reception center for both boys and girls. There are four secure facilities, five limited-secure facilities and two non-secure facilities. All facilities are accredited by the American Correctional Association (ACA). The following services are provided to youth in DJJOY care: discrete units for youth with mental health, substance abuse and sexual offender service needs; individual and group counseling, medical and dental services, education, vocational/employment, recreational and ministerial services.

Reception Center: Prior to being assigned to a residential facility, JDs go to the Reception Center which provides a structured, 14-day program to orient them to facility rules and behavior expectations. They also receive medical, educational, psychological and mental health assessments to determine their service needs and to identify the appropriate facility for placement.

Secure Residential Facilities: The most controlled and restrictive of the residential programs, secure facilities provide intensive programming for youth requiring this type of environment. Secure facilities have virtually all program services provided on the premises. Surrounded by security fencing, facility access is strictly controlled and individual resident rooms are locked at night. The majority of youth in secure facilities are sentenced as JOs or juvenile offender/youthful offenders (JO/YOs) by the criminal courts. Certain youth may be placed in secure facilities as JDs, where the Family Court has authorized secure placement within 60 days of custody admission or when the youth has been transferred from a limited secure facility for violent behavior.

Limited Secure Residential Facilities: This is a restrictive service setting used for certain youth adjudicated as JDs. Limited secure facilities may also be used for JDs previously placed in secure facilities as a first step in their transition back to the community. Most limited secure facilities have virtually all services are provided on the premises.

Non-Secure Residential Facilities: This level of placement is for those youth adjudicated as JDs who require removal from the community but do not require the more restrictive setting or restraining hardware of a limited secure facility. OCFS also contracts with authorized agencies to provide residential care to certain JDs.

Community Services

DJJOY has 12 Community Multi-Services Offices (CMSO), four Satellite Offices and one Evening Reporting Center (ERC) statewide. CMSOs provide support to the family while the youth is in residential placement and when the youth is released to community supervision. A regionally-located Community Service Team (CST) works with the youth and family from "day one" of placement, providing assistance with education, school placement, jobs, mental health and substance abuse counseling and recreational programs. The Evening Reporting Center (ERC) provides afternoon, evening and weekend on-site supervision and services to youth in their home community. Youth must attend school or work as a condition of participation.

Detention Services

DJJOY is also responsible for certificating and monitoring of the detention programs (eight secure and 33 non-secure detention facilities) operated by counties and voluntary agencies throughout the state. These programs provide temporary care to youth ages eight through 18 during the court process including pre-adjudication and disposition by family and/or criminal courts.

Juvenile Justice Reform

Over the past ten years, localities in New York State have taken increasing responsibility for their system-involved youth, and this effort expanded to include residential placement services. Counties statewide are now working to rely less on the state, and to provide effective residential services to low- and moderate-risk delinquent youth closer to their homes and communities. DJJOY continues in its effort to reform its juvenile justice system to serve more complex and difficult youth who have not experienced success in placements prior to coming to OCFS-operated facilities. Specifically, DJJOY is aggressively taking steps to reform services in education and vocation, workforce development, secure placement, transitional services, family engagement, youth development, detention, and the continued roll-out of a comprehensive system of care known as the New York Model. DJJOY has worked to help young people in residential placement to develop competencies and pro-social identities to support positive change and long-term success. As localities statewide utilize new residential programs, and as OCFS' system of residential services becomes more targeted, there is an opportunity and an obligation to the youth, families, and communities to deemphasize correctional hardware and practice. DJJOY provides a range of core mandated and enhanced services to court adjudicated youth and their families delivered by trained professionals in both structured residential facilities and centrally located community sites.

Close to Home Initiative

In 2012, New York State enacted the Close to Home (CTH) legislation authorizing New York City to build a system of care and assume custody for certain New York City youth adjudicated as JDs. The Close to Home initiative represents a transformation of juvenile justice in the State of New York from a centralized State-operated system to a locally controlled and operated system for those youth who can be safely maintained in their communities.

Close to Home is divided into two phases:

- Phase One focused on those youth designated as needing non-secure placement (NSP). The New York City Administration of Children's Services (ACS) was charged with creating a system of residential and community-based care within the five boroughs. The NSP continuum includes over 30 residential programs in the five boroughs of New York and Westchester County with a current capacity of 282 beds, and aftercare services for community monitoring and follow-up.
- Phase Two of CTH is the transfer of custody and care of youth who are in the next level of care, limited secure placement (LSP). Limited Secure Placement services are anticipated to be implemented in 2015. New York City is developing a plan for approval by OCFS.

As required in the legislation, OCFS created a robust oversight and technical assistance office, the Office of Close to Home Oversight and System Improvement (CTHO). This office reports to both the Deputy Commissioners for CWCS and DJJOY, and represents OCFS's commitment to the least restrictive and most child- and family-centered approaches supported by evidence and data. The CTHO provides oversight on a system level, monitoring both ACS and the providers of care for adherence to regulatory requirements, and provision of quality, timely and effective services per the plan and best practices. In addition to monitoring, CTHO provides ACS and the voluntary agencies technical assistance on a wide range of issues. Particular attention in 2013 was paid to the system of care for girls and youth with complex mental health and substance abuse issues; improving intake, assessment and information flow and reducing unauthorized absences.

The Office of the Ombudsman

Through the Division of Juvenile Justice and Opportunities for Youth, OCFS is responsible for the residential care system for court-placed youth. These youth have certain basic rights that they do not lose when they are placed in an OCFS residential facility. The Office of the Ombudsman (OOTO) helps protect those rights.

In 2013, OOTO's role expanded to provide services to youth who were placed under the Close To Home (CTH) initiative. Of the 6,358 new cases that OOTO had, 1,303 of these were attributable to interactions with CTH youth. For both CTH and OCFS placed youth, 3,618 cases were initiated by the ombudsmen by engaging in proactive outreach via visits and telephone calls to facilities and youth; 2,290 were initiated by residents; and the remainder were cases initiated by family members, staff, law guardians and others. More than 200 of these involved voluntary agencies serving juvenile delinquents placed with OCFS or local social services districts.

The office received 1,058 hotline calls after hours and on weekends. OOTO identified 9,098 separate issues or actions for the 6,358 contacts they had. Some of the general categories of issues handled included those related to quality of life (1,570); programs, policies and placement concerns (662); release concerns (660); law-related issues (578) access to attorney or ombudsman (147); problems with staff (586); health care concerns (372); disciplinary procedures (324) education and vocational training (216); family contact or support (197); and other (3,786). OOTO referred 90 cases to the New York State Justice Center for the Protection of People with Special Needs, 61 cases involving an allegation of abuse or maltreatment to the State Central Register, and nine cases to the agency's Special Investigation Unit.

OOTO staff actively works with OCFS leadership to develop new protocols and to look at procedures affecting the rights of residents in the custody of OCFS. Their ongoing review of processes and programs due to the calls they receive from residents, staff, parents and attorneys, and the visual observations they make during facility visits has resulted in OOTO playing a critical role in the development of new policies and modification of existing ones.

2013 Summary	
Cases Opened	6,358
Actions or Specific Issues	9,098
Investigations	769
Referrals to Justice Center	90
Referrals to SCR	61
Cases Closed	5,665
OCFS Facility Visits	191
CTH Visits	190
Hotline calls received after business hours	1,058
External Contacts*	27

** These include contacts made to attorneys, the court and outside educational institutions, for example.*



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Visit our website at:

<http://ocfs.ny.gov>

For child care, foster care and adoption information, call:

1-800-345-KIDS

To report child abuse and neglect, call:

1-800-342-3720

For information on the Abandoned Infant Protection Act, call:

1-866-505-SAFE

For information about services for the blind, call:

1-866-871-3000

1-866-871-600 TDD

For Adult Protective Services, call:

1-800-342-3009

For the Child Care Complaint Line, call:

1-800-732-5207 or 1-212-676-2444 in New York City

For the Domestic Violence Hotline, call:

1-800-942-6906

“...promoting the well-being and safety of our children, families and communities...”

