



**Office of Children
and Family Services**

Annual Report

2014



*“...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's oversight and operational responsibilities include: foster care, adoption, child protective services, preventive services for children and families, child 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, child care services, homemaker services, and other OCFS 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 child care for children; denials of applications to adopt children and for adoption subsidies; decisions of the New York State Commission for the Blind (NYSCB) 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 promote the accuracy of local departments of social services (LDSS) and state decisions. It is important to note in the tables below that many scheduled hearings are resolved short of a full hearing. Therefore, the total number of hearings held is often significantly lower than the number of hearings held.

Time Period 1/1/2014 – 12/31/2014

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

Hearings Requested	Hearings Scheduled	Hearings Held	Hearing Decisions Issued
2,540	4,387	982	934

Foster Care Payments - Hearings held pursuant to Section 22 of the SSL and Part 358 of the Social Services regulations to challenge determinations by LDSSs 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
857	1,084	564	552

Homemaker Services - Hearings held pursuant to Section 22 of the SSL and Part 358 of the Social Services regulations to challenge determinations by LDSSs 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
24	37	11	11

Protective/Preventive Services - Hearings held pursuant to Section 22 of the SSL and Part 358 of the Social Services regulations to challenge determinations by LDSSs 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
331	443	77	67

Transitional Child Care - Hearings held pursuant to Section 22 of the SSL and Part 358 of the Social Services regulations to challenge determinations by LDSSs 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
335	365	86	85

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
3,104	2,593	938	2,942

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
1,021	1,008	210	848

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
60	60	35	46

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
44	44	28	43

Child 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 child care program; denial of an application for renewal of licensure or registration of a child care program; suspension, revocation or limitation of a license or registration to operate a child care program; or imposition of a fine for violation of statutes or regulations concerning operation of a child care program.

Hearings Requested	Hearings Scheduled	Hearings Held	Hearing Decisions Issued
183	183	49	151

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
1	1	1	1

NYSCB - Hearings held pursuant to federal law or Section 8714-a of the Unconsolidated Laws to challenge determinations by NYSCB: 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
4	4	0	2

Kinship Guardianship Assistance – Hearings held pursuant to Section 458-f of the SSL in which a prospective kinship guardian(s) or kinship guardian(s) challenges: 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
1	1	1	1

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 2014.

Total Number of Cases Appealed	26
Number of Favorable Decisions	8
Number of Unfavorable Decisions	3
Number Pursued Not Pending	9
Number Pursued Pending	17

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 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 13-14:

Consumers served: 4,777
Consumers placed in employment: 471

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 13-14:

Older individuals served: 3,802

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 13-14:

Children served: 1,758

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 recreational programs that they might not otherwise be able to attend without the support of NYSCB. 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

SFY 13-14:

75 Vendors employed with an average income of \$43,266

The Business Enterprise Program (BEP) offers opportunities throughout the state for individuals who are blind to gain the training and skills necessary to independently manage 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 specialist and a support staff person. 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 SSL Article 7, Title 4, Section 463 and 463a (1978), the intent of this legislation is to “improve the ability of such 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” (Section 463-a(2)(b) of the SSL). 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 and developmental disabilities 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 or licensed by the department of social services, group homes operated by, contracted for or licensed by the division for youth and half-way houses operated or 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	92	2,138
Office of Children and Family Services	173	1,228
Office of Temporary and Disability Assistance	0	0
Office of Mental Health	461	9,308
Office for People with Dev. Disabilities	5,195	41,239
State Education Department	188	17,213
Total	6,374	96,003

The Registry

The CFR currently lists 6,374 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 run and distributed monthly. There are 151 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 boards
- 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 (DCCS), licenses, registers, inspects, supervises, and enforces regulations for child care programs and provides training and technical assistance to child care providers through a contract managed by the Bureau of Training and Development. DCCS is also responsible for the development, implementation, and monitoring of the following contracts: Child Care Resource and Referral Agencies, Legally Exempt Enrollment Agencies, and Advantage After School Programs. Additionally, DCCS has oversight responsibilities for the provision of child care subsidies funded under the New York State Child Care and Development Block Grant (CCDBG) for more than 217,000 children annually and the enrollment and monitoring of more than 50,000 legally exempt child care providers annually. DCCS investigates citizen and legislative complaints with respect to the provision of local services, child care inspections, LDSSs, and community-based organizations to improve the delivery of service and care. DCCS also works to develop new programs and methods of service provision for children, youth, and child care providers that promote positive child development and improve the quality of child care services.

Child Care Program Revised Regulations

After a rigorous review of the regulations for all child care modalities and research on emergency preparedness, injuries related to supervision, national health and safety performance standards, and guidelines for early care and education programs, DCCS proposed numerous changes to Title 18 of the New York State Codes, Rules and Regulations. The goals were to strengthen health and safety standards, update the regulations based on recent changes to Social Services Law and the New York State Building Code, and make the regulations easier to understand. Family-based child care regulations were adopted on October 28, 2013, and became effective May 1, 2014. Day care center, school-age child care, and small day care center regulations were adopted on November 19, 2014, and became effective June 1, 2015.

Number of Regulated Child Care Providers in New York State:

(includes New York City Day Care Centers, although OCFS does not regulate these)

- 4,282 day care centers with a capacity for 299,670 children
- 5,340 family day care homes with a capacity for 40,959 children
- 8,419 group family day care homes with a capacity for 127,327 children
- 2,769 school-age child care programs with a capacity for 289,441 children

Total: 20,810 regulated providers with a capacity for 757,397 children

	Region	Center-Based		Home-Based		Total
		Day Care	School Age	Family	Group Family	
Number of Providers	New York City	2,283	1,496	2,287	5,458	11,524
	Rest Of State	1,999	1,273	3,053	2,961	9,286
	Total	4,282	2,769	5,340	8,419	20,810
Maximum Capacity	New York City	136,474	191,222	16,821	81,665	426,182
	Rest Of State	163,196	98,219	24,138	45,662	331,215
	Total	299,670	289,441	40,959	127,327	757,397

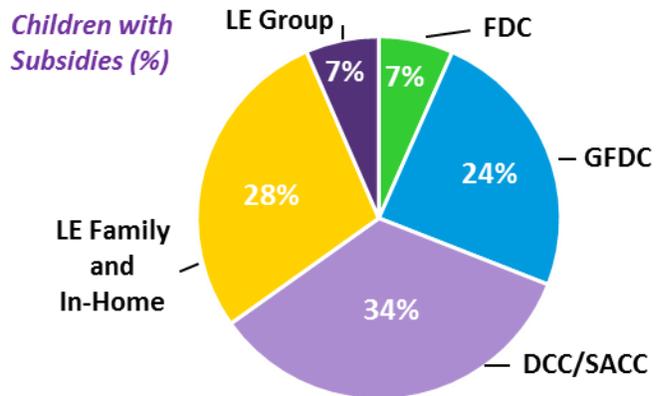
Child Care Definitions:

- Day Care Centers (DCC) - 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 (FDC) - 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 (GFDC) - 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 (SACC) - 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 DCSS. Approximately 217,000 children in 130,000 families received child care subsidies in Federal Fiscal Year (FFY) 2014. Of these:

- 34 percent were cared for in DCCs or SACCs;
- 31 percent were cared for in FDCs or GFDCs;
- 28 percent were cared for in legally exempt (LE), almost exclusively home-based, settings.



Number of providers caring for one or more children with child care subsidies in FFY 2014:

	Licensed or Registered			Legally Exempt (LE) Enrolled			Total
	DCC/SACC	FDC	GFDC	LE Family	LE In-Home	LE Group	
New York City	2,615	2,227	7,727	12,208	17,689	277	42,743
Rest Of State	2,654	2,312	2,941	9,643	4,205	253	22,008
Total	5,269	4,539	10,668	21,851	21,894	530	64,751

Funding for Child Care Subsidies

- In SFY 2014-15, OCFS allocated \$794 million to LDSSs through the CCDBG program.
- Additional child care subsidy funds for income-eligible families in SFY 2014-15 were made available through Memoranda of Understanding with SUNY (\$2.213 million), CUNY (\$2.161 million), and the New York State Department of Agriculture and Markets (\$2.504 million).
- Facilitated enrollment projects funded in SFY 2014-15 for child care subsidies to families eligible up to 275 percent of poverty totaled \$7.265 million.

Child Care Resource and Referral Agencies

OCFS provides funding and supervision to support and enhance the child care services delivered by Child Care Resource and Referral (CCR&R) agencies for children and families throughout New York State as specified in Article 6, Title 5-B, Sections 410-p through 410-t, of the Social Services Law. 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.

- In FFY 2014, OCFS entered into contracts worth \$17.7 million with 31 CCR&Rs.
- Seven Infant/Toddler lead agencies received a total of \$1.1 million in FFY 2014.

Advantage After School Program

- In SFY 2014-15, \$17.7 million in funds supported 147 Advantage After School Program sites (through 111 contracts) that served approximately 15,000 children and youth.

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 and preventive services; foster care and adoption; adult protective services; residential and non-residential services for victims of domestic violence; Native American services; 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 LDSSs, the St. Regis Mohawk Tribe, and 80 voluntary agency providers.

Specific responsibilities include, in part:

- Oversight of LDSSs' child protective, foster care, adoption and preventive services programs that serve children and families.
- Operation of the Statewide Central Register of Child Abuse and Maltreatment (SCR) 24 hours a day, seven days a week.
- Clearance of individuals against the child abuse and maltreatment database.
- Operation of the New York State Adoption Service.
- Oversight of the Adult Protective Services program.
- Certifying, licensing, inspecting, and enforcing regulations for residential facilities and certain non-residential programs. These include foster care agencies, family-type homes for adults, domestic violence shelters, and runaway and homeless youth programs.
- Investigation of complaints of significant incidents within licensed residential facilities for children and family-type homes for adults.
- Investigation of citizen and legislative complaints with respect to the provision of local services.
- Development and implementation of new programs/services and 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 LDSSs 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 LDSSs and follow up on complaints and inquiries by families.

Bureau of Permanency Services

The Bureau of Permanency Services includes the New York State Adoption Service (NYSAS) and oversees statewide permanency services including the Kinship Guardianship Assistance Program (KinGAP), kinship, adoption and post-adoption programs. 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, the Bureau of Permanency Services provides services to LDSSs, voluntary authorized agencies, and closely collaborates with OCFS regional offices, particularly regional adoption specialists in the provision of adoption and other permanency related services. Additionally, the bureau 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 Photolistings:** Administers the process for the photolisting in the *New York State Adoption Album* of foster children freed for adoption.

- **Family Adoption Registry and Family Photolisting:** Administers the process for registering families interested in adopting foster children in the New York State Family Adoption Registry and the photolisting of families on the state's internal *New York State Adoption Album*.
- **Adoption Subsidy:** Reviews adoption subsidy requests for maintenance and medical coverage based on the special needs of children available for adoption.
- **Interstate Compact on the Placement of Children (ICPC):** 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 ICPC.
- **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 of 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 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.
- **Post-Adoption Services:** Provides oversight and technical assistance to post-adoption programs funded by OCFS.
- **Kinship Care Services:** Provides oversight and technical assistance to kinship programs funded by OCFS.
- **Kinship Guardianship Assistance Program (KinGAP):** Provides technical assistance to LDSSs on the KinGAP program.
- **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 its website and increase efforts to prevent jurisdictional barriers to placement of children in need of adoptive families.

Bureau of Adult Services

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

Adult Protective Services:

Adult Protective Services (APS) are available to anyone age 18 or older who has a mental or physical impairment; is at risk of abuse, neglect, or financial exploitation; and has no one else available to assist responsibly. APS clients include the vulnerable elderly, the mentally ill, the developmentally disabled, and the abused and exploited. APS investigates referrals of suspected physical, sexual or emotional abuse, financial exploitation, active and passive neglect, and self-neglect.

Approximately 60 percent of APS cases involve persons age 60 and older, and more than 70 percent of all APS risks reported are for "self-neglect."

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 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 that require continuous skilled monitoring.

FTHA are licensed by OCFS and supervised by LDSSs. OCFS' Bureau of Adult Services oversees the LDSSs, 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 that support local and state child welfare priorities as described below:

Healthy Families New York (HFNY) Home Visiting Program

- HFNY is an evidence-based child abuse and maltreatment 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 Healthy Families America, an initiative of Prevent Child Abuse America.
- Nine of the 37 programs are also supported with federal Maternal, Infant and Early Childhood Home Visiting (MIECHV) funds; OCFS works closely with the New York 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 evaluation support.

Services for Victims of Domestic Violence (DV)

- OCFS regulates 162 residential and 87 non-residential programs for victims of domestic violence and administers federal Family Violence Prevention and Services Act (FVPSA) and Temporary Assistance for Needy Families (TANF) funds to all approved programs.
- There are 17 Child Protective Services/Domestic Violence (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.
- All licensed and approved DV programs are required to enter necessary data into the DV information system, which provides data for state and federally legislated annual reports.
- OCFS provides extensive guidance documents and training for child welfare workers regarding the issues and dynamics of DV.

William B. Hoyt Memorial Children and Family Trust Fund

- Trust Fund programming is legislatively mandated (481 et seq. of the SSL). 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 LDSSs.
- Seven 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. Six domestic violence and elder abuse prevention programs also provide 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.

Public Private Partnership

- The Public Private Partnership initiative is designed to increase services for at-risk children and youth to prevent involvement with the child welfare or juvenile justice systems and/or expedite their return home.
- A total of \$3.4 million is included in the 2015-2016 State Budget for this initiative, which supports 18 programs.
- Communities are required to invest a 35 percent private match to support state funds for this initiative.

Kinship

- Supports nine programs, providing support services for kinship caregivers and children, directly or through referral, and four 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: "*Having a Voice and a Choice*," "*Know Your Options: Relatives Caring for Children*," a booklet for families explaining the legal options for relatives considering caring for relative children, a video "Addressing the Challenges in Supporting Kinship Caregivers," and KinGAP materials.

Multi-Disciplinary Teams/Child Advocacy Centers

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

The Bureau of Practice Improvement

The bureau is responsible for monitoring LDSSs to determine compliance with the delivery of child welfare services in accordance with state and federal laws and regulations and to provide technical assistance regarding best practices. The bureau is also responsible for assessing training needs that emerge from this monitoring and for developing training support in response to emerging needs. Bureau staff collaborate with inter- and intra-agency staff to develop strategies to improve performance of LDSSs to achieve improved outcomes for families.

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 18,488 at the end of 2014, a significant reversal of trends in the 1980s and early 1990s.

Placements

Foster youth are in the legal custody of LDSS commissioners but physically placed in foster homes or residential settings. Family or relative foster boarding homes account for 81.2 percent of foster placements, with 16.4 percent in residential facilities. 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 Waiver Demonstration for Foster Care

OCFS submitted an application for the Title IV-E waiver demonstration project, which was approved by the federal Office of the Administration for Children and Families on September 30, 2013. The state will operate a demonstration project, which is being implemented in New York City with the Administration for Children’s 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 ACS. Eligible children also include those newly admitted into family foster care who are not in specialized settings, such as residential and specialized foster boarding home settings 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 implemented. OCFS will continue to encourage upstate districts to explore the feasibility of their joining the waiver.

General Demographics for Children in Foster Care

<u>Race/Ethnicity</u>	<u>Gender</u>	<u>Age</u>
46 percent African American	52 percent male	35 percent age 0-5
25 percent of Hispanic origin	48 percent female	30 percent age 6-13
22 percent Caucasian		24 percent age 14-17
11 percent Other/Unknown		11 percent age 18 & over

Source: 2014 Monitoring and Analysis Profiles

Statewide: 2014 Foster Care Admissions and In Care by Age Group				
Age	Admissions			In Care 12/31/14
	Re-entered Care	First Admissions	Total Admissions	
Under 1 year	64	1,579	1,643	940
1 to 5 years	442	2,040	2,482	5,560
6 to 9 years	323	965	1,288	3,005
10 to 13 years	357	1,029	1,386	2,569
14 to 17 years	744	1,878	2,622	4,401
18+ years	89	6	95	2013
All ages	2,019	7,497	9,516	18,488

Source: 2014 Monitoring and Analysis Profiles

Foster Care Admissions and Exits

Statewide: 2014 Exit Counts by Exit Type and Exit Age									
Age at Exit	Reunification	Relative	KinGAP	Adoption	Reach Majority *	Permanency Resource	Runaway	Other	All Exits
Under 1 year	245	179	1	23	0	20	0	6	474
1 to 5 years	1,194	477	85	927	2	34	4	23	2,746
6 to 9 years	739	219	90	500	0	24	0	5	1,577
10 to 13 years	650	120	77	336	1	17	0	14	1,215
14 to 17 years	1,717	230	62	175	83	45	25	179	2,516
18+ years	212	39	16	40	1,147	16	31	52	1,553
All ages	4,757	1,264	331	2,001	1,233	156	60	279	10,081

Source: 2014 Monitoring and Analysis Profiles
* Includes "Attained Adulthood" and "Released to Responsibility"

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 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. More information on OCFS runaway and homeless programs is contained in the Runaway and Homeless Youth Annual Report available on the OCFS website at <http://ocfs.ny.gov/main/reports/2013-RHYA-Annual-Report.pdf>.

Statewide Central Register of Child Abuse and Maltreatment

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 LDSS to conduct the investigation and make a finding.

Calls are answered by a staff of 170 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 31 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 maltreated, a report is taken and sent to the CPS unit in the LDSS where the child is living.
- LDSSs 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 LDSS 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 law enforcement by the SCR.

During 2014, the SCR hotline received 294,356 calls, which resulted in 156,515 reports being electronically transmitted to LDSSs for further action. The SCR handled 262,000 Database Check Clearance requests, 8,000 Administrative Review requests, and received 12,000 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 of youth placed in OCFS custody by the courts, from intake through aftercare. 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 2014, the DJJOY residential care system consisted of 11 facilities and one reception center for both boys and girls. Currently, 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 issues; 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 moved up 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 that 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) and three Satellite Offices. 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.

Detention Services

DJJOY is also responsible for certifying 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 and supervision to youth ages seven through 21 during the court process, including pre-adjudication and disposition by family and/or criminal courts. Detention serves youth facing a petition in family court on a delinquency or Person In Need of Supervision (PINS) matter, or in the criminal or supreme courts on a criminal matter. For a delinquency or criminal matter, youth must have been under the age of 16 when they allegedly committed their act or crime; youth with a PINS matter may be up to the age of 18 and only held in non-secure detention.

OCFS is working with sister agencies, LDSSs and key stakeholders to apply Annie E. Casey's evidence-based model for detention reform - the Juvenile Detention Alternative Initiative (JDAI). JDAI is being applied statewide through the newly formed Partnership for Youth Justice to institutionalize the historic changes in detention utilization across the state and to continue to improve the system for court-involved youth.

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, which is 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 CTH initiative is a critical piece of 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 of CTH focused on those youth designated as needing non-secure placement (NSP). The New York City Administration for Children's Services (ACS) was charged with creating a system of residential and community-based care within the five boroughs. In 2013, OCFS completed the transfer of youth from state custody into ACS custody. In total, there were 238 youth transferred to New York City's custody from OCFS facilities, voluntary agencies, or who were in the community receiving aftercare services.

Youth are currently provided residential services in one of 31 contracted residential programs or in a specialized foster boarding home. Pregnant/parenting girls may be placed in a pregnant/parenting program and provided with enhanced supervision by ACS.

The NSP continuum includes programs in the five boroughs of New York and Westchester County with a current capacity of 244 beds and aftercare services for community monitoring and follow-up.

- Phase Two of CTH focuses on the creation of a system of residential and community-based care for youth who require a higher level of care, limited secure placement (LSP). LSP services will be implemented according to statute upon final approval of the ACS Limited Secure Plan.

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' 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.

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 (OTO) helps protect those rights.

Of the 6,522 new cases that OTO had in 2014, 1,801 of these were attributable to interactions with Close to Home (CTH) youth. For both CTH and OCFS-placed youth, 3,804 cases were initiated by the ombudsmen by engaging in proactive outreach via visits and telephone calls to facilities and youth; 2,256 were initiated by residents; and the remainder of cases were initiated by family members, staff, law guardians, and others. More than 200 of these involved voluntary agencies serving juvenile delinquents placed with OCFS or LDSSs.

OTO received 1,291 hotline calls after hours and on weekends. It identified 8,925 separate issues or actions for the 6,522 contacts it had. Some of the general issues handled included those related to quality of life (1,568); programs, policies and placement concerns (765); release concerns (573); law-related issues (566) access to attorney or ombudsman (179); problems with staff (573); health care concerns (339); disciplinary procedures (285) education and vocational training (181); family contact or support (157); and other (3,739). OTO referred 149 cases to the New York State Justice Center for the Protection of People with Special Needs, one case involving an allegation of abuse or maltreatment to the Statewide Central Register, and two cases to OCFS's Special Investigation Unit.

OTO staff actively work with OCFS leadership to develop new protocols and review procedures affecting the rights of residents in the custody of OCFS. Its ongoing assessment of processes and programs, in response to the calls OTO receives from residents, staff, parents, and attorneys as well as visual observations during facility visits, has resulted in OTO playing a critical role in the development of new policies and modification of existing ones.

2014 Summary	
Cases Opened	6,522
Actions or Specific Issues	8,925
Investigations	220
Referrals to Justice Center	149
Referrals to SCR	1
Cases Closed	4,238
OCFS Facility Visits	199
CTH Facility Visits	324
Hotline calls received after business hours	1,291
External Contacts*	44

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



Office of Children and Family Services

**Capital View Office Park
52 Washington Street
Rensselaer, New York 12144**

Visit our website at:

<http://ocfs.ny.gov>

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

1-800-345-KIDS (5437)

To report child abuse and neglect, call:

1-800-342-3720

For information on the Abandoned Infant Protection Act, call:

1-866-505-SAFE (7233)

For information about services for the blind, call:

1-866-871-3000

1-866-871-600 TDD

For Adult Protective Services, call:

1-844-697-3505

For the Child Care Complaint Line, call:

1-800-732-5207 or 1-212-646-632-6101 in New York City

For the Domestic Violence Hotline, call:

1-800-942-6906

"...promoting the safety, permanency and well-being of our children, families, and communities. ..."