



**Office of Children
and Family Services**

New York State Child Protective Services Manual

(rev. 12/2017)

January 18, 2018

NYS Child Protective Services Manual (rev. 12/2017)

What is the CPS Manual?

The CPS Manual:

❖ Describes and explains:

- Title 6 (Child Protective Services) of Article 6 of the Social Services Law as well as other Social Services Law affecting the work of CPS
- Article 10 (Child Protective Proceedings) of the Family Court Act, and
- OCFS regulations (18 NYCRR Part 432).



NYS Child Protective Services Manual (rev. 12/2017)

What is the CPS Manual?

The CPS Manual:

- ❖ Provides procedures and guidelines for operationalizing:
 - Laws
 - Regulations
 - Administrative Directives
 - Informational Letters
 - Local Commissioners' Memoranda
 - and other correspondence to LDSSs and other child welfare agencies.



NYS Child Protective Services Manual (rev. 12/2017)

Where can I access the CPS Manual?

The manual is accessible on the OCFS Intranet site:

<http://ocfs.state.nyenet/cps/manual/>

and the OCFS Internet site:

http://ocfs.ny.gov/main/cps/cps_manual.asp

Note: The 2006 Version remains available at the above sites



NYS Child Protective Services Manual (rev. 12/2017)

What is the purpose of a CPS Manual?

1. The CPS Manual provides Child Protective Services staff with a single resource and reference document to guide them in their work that includes information they need about:
 - Requirements of CPS laws, both state and federal
 - Requirements of Regulations implementing CPS laws
 - OCFS policies regarding CPS work
 - Guidelines, procedures, standards, and best practices for CPS work as identified by OCFS
2. The CPS Manual is a principle source for CPS training.

NYS Child Protective Services Manual (rev. 12/2017)

Why has the Manual been revised?

- ❖ The CPS Manual was originally published in 1986 and the format of the Manual was designed before the use of computers, when all written communication was on paper
- ❖ The manual did not receive substantive periodic updates for about ten years

NYS Child Protective Services Manual (rev. 12/2017)

What has changed in the CPS Manual?

To summarize:

- New formatting to make the manual easier to read and navigate
- Improved organization
- Some re-writing, to make the Manual easier to read and understand
- Updated to reflect new or changed laws, regulations, policies, and practices
- Lends itself to a process for periodic updates

NYS Child Protective Services Manual (rev. 12/2017)

New Format-Specific Changes

- Modernized numbering - eliminated use of Roman numerals
- Changed font to comport with NYS branding guidelines
- Added hyperlinks to navigate from one section to another
- Added hyperlinks to OCFS policies

Many of these changes were suggested by current and former CPS workers

NYS Child Protective Services Manual (rev. 12/2017)

The 2006 Version:

CHILD PROTECTIVE SERVICES PROGRAM MANUAL	Chapter	Section	Page	Date
	II		1	December 2006

I

II. BACKGROUND

New York State has a proud history of achievement in its response to the problems of child abuse and neglect. The first child protective agency in the country was the New York Society for the Prevention of Cruelty to Children, incorporated in 1875. In somewhat more recent times, the New York State Legislature enacted legislation in 1964 that required certain individuals to report suspected child abuse cases. In 1966, the New York Statewide Central Register of Child Abuse and Maltreatment (SCR) was established to record and maintain a file on each reported instance of child abuse.

In 1973, New York State's Child Protective Services Act expanded the list of Mandated Reporters (those professionals required to report suspected cases of child abuse or maltreatment) and imposed penalties for failure to report (Section 413 of the SSL). In addition, the statute strengthened the provision of services by establishing a 24-hour statewide reporting hotline and by requiring specialized child protective units in each county to make immediate investigations of reports of alleged child abuse or maltreatment.



NYS Child Protective Services Manual (rev. 12/2017)

The 2017 Version:

New York State Child Protective Services Manual Chapter 1 Section A Page | A-1

Chapter 1: Introduction to Child Protective Services (CPS)

A. Purpose and scope of the CPS Manual

The purpose of the Child Protective Services (CPS) Program Manual is to provide a comprehensive guide that incorporates current law and regulation as well as policies and procedures for CPS.

The CPS manual describes all aspects of CPS cases in New York State, including the state requirements regarding making a report of suspected child abuse or maltreatment, the process of registering such reports, the means of investigating or using an alternative approach to address reports including in and out-of-home settings, the provision of services for reported families, and processes to use when safety concerns necessitate bringing a case to Family Court. In addition, the manual describes the roles of the regional and home offices of the New York State Office of Children and Family Services (OCFS) related to CPS, the process for reviewing the investigations of fatalities of children involved in the child welfare system, and state requirements for maintaining the confidentiality of child protective reports and for protecting the rights of people involved in the child protective system.

This manual is intended for use by staff of local departments of social services (LDSSs) in New York State, especially in their CPS units; and OCFS staff. It is available to the public on the OCFS website at <http://ocfs.ny.gov>.



NYS Child Protective Services Manual (rev. 12/2017)

Improved Organization: Specific Changes

- The order of chapters was changed to reflect the timeline of a CPS case.
- Introduced “Best Practice” tips in separate text boxes so they would stand out
- Expanded introductory chapter provides overarching principles applicable to CPS
- Three new chapters were added, containing new information:
 - Family Assessment Response (FAR)
 - Child Fatality Reviews
 - Glossary of Terms



NYS Child Protective Services Manual (rev. 12/2017)

Improved Organization: Specific Changes (cont'd)

- ❖ Each Chapter has a stand alone table of contents, simplifying navigation.

New York State Child Protective Services Manual

Chapter 2

Chapter 2: Reporters

A. Mandated reporters	A-1
1. Professions classified as mandated reporters	A-1
2. Reporting requirement applicable to social services workers only	A-2
3. Reporting procedures	A-3
a. <i>Oral reports</i>	A-3
b. <i>Written reports</i>	A-3
c. <i>Reports that must be made to the Justice Center</i>	A-4
4. Provision of records by mandated reporters.....	A-4
5. Photographs and x-rays	A-5
6. Reporting procedures for institutions with multiple mandated reporters.....	A-5
7. Mandated reporter access to results of the investigation	A-7
8. Failure to report	A-7
B. Immunity provisions for reporters	B-1
C. OCFS Model Policy on Reporting Educational Neglect	C-1
D. Protective custody	D-1
1. Procedures for removals	D-1
2. Persons in charge of hospitals	D-2
3. Other medical personnel	D-2
4. Immunity pertaining to protective custody	D-2



NYS Child Protective Services Manual (rev. 12/2017)

Improved Organization: Specific Changes (cont'd)

- ❖ The former Chapter 4 (Local District Child Protective Services) has been broken up into the following four chapters:
 - CPS Investigations
 - CPS Investigations in Foster Boarding Homes and Day Care Programs
 - Service Provision and Development of FASPs
 - Family Court Proceedings

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Additions of Laws, Regulations and Policies and Practices

Federal Changes Include:

- Indian Child Welfare Act (ICWA) requirements affecting CPS
- Preventing Sex Trafficking and Strengthening Families Act requirements for CPS – e.g., identifying, documenting, and reporting possible sex trafficking
- New CAPTA requirements – e.g., development of plans of safe care for infants and families/caregivers affected by substance use disorder including positive toxicology newborns
- Implications of the Civil Rights Law for providing language assistance for LEP persons in CPS cases



NYS Child Protective Services Manual (rev. 12/2017)

Additions of Laws, Regulations, Policies, and Practices

State Changes Include:

- Family Assessment Response
- Changes in state law to comply with federal requirements
- Revised OCFS definitions of safety factors in safety assessments
- New requirements and procedures for certain mandated reporters, including social services workers
- Changes in some SCR procedures



NYS Child Protective Services Manual (rev. 12/2017)

Additions of Laws, Regulations, Policies, and Practices (cont'd)

State Changes Include:

- How to address a refusal to provide access to children
- Obtaining and using criminal history records from DCJS
- New requirements regarding child fatality investigations and reviews
- Increased use of MDTs and CACs
- Changes in Family Court laws
- Many, many more



NYS Child Protective Services Manual (rev. 12/2017)

Additions of Laws, Regulations, Policies, and Practices (cont'd)

New Approaches and Subject Areas of Increased Importance Include:

- Human trafficking
- Increased recognition of the role of domestic violence in CPS and how to address it
- Multidisciplinary approach to CPS
- Safe sleep for infants
- Limited English Proficiency



NYS Child Protective Services Manual (rev. 12/2017)

But wait, you ask....

How can the manual be kept up to date?

Won't we have the same issues as with the 2006 Manual?

NYS Child Protective Services Manual (rev. 12/2017)

To which we say:

We have a plan!



NYS Child Protective Services Manual (rev. 12/2017)

2018 Pilot

- ❖ Recognizing the importance of providing regular updated information to the field, OCFS will pilot a method of utilizing our policy directive process to provide “real time” page replacements for the Manual.
- ❖ Policy directives will continue to provide information and instruction to the field regarding recent changes.

NYS Child Protective Services Manual (rev. 12/2017)

2018 Pilot (cont'd)

- ❖ Policy directives will be enhanced to include page replacements reflecting updates to the CPS Manual.
- ❖ This process will prevent the Manual from becoming out of date and enable the CPS Manual to reflect current Law, Policy, and practice.

NYS Child Protective Services Manual (rev. 12/2017)

Questions?