

Chapter 10: State Regional Offices

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Chapter 10: State Regional Offices

A. Overview

1. Division of Child Welfare and Community Services

The Division of Child Welfare and Community Services (CWCS) is a division of the Office of Children and Family Services (OCFS). CWCS supervises and supports the 58 local departments of social services (LDSSs) of local social services districts, youth bureaus, and several hundred voluntary authorized agencies (VAs) in providing quality services to children, youth, families, and vulnerable adults. These services are designed to achieve safety, permanency, and well-being for at-risk populations. CWCS helps its community partners achieve these goals by:

- Providing funding, guidance, and technical assistance
- Monitoring, assessing, and enforcing compliance with laws and regulations
- Working in partnership with stakeholders at the local, state, and federal levels [SSL §§17, 20 & 34]

The CWCS Deputy Commissioner is responsible for the overall direction and management of CWCS, both in the OCFS Home Office and in six Regional Offices around the state. Much of that work is conducted by the CWCS Office of Regional Operations and Practice Improvement (ROPI), which includes the Bureau of Native American Services. ROPI provides direct support to LDSSs, the St. Regis Mohawk Tribe, and VAs, that provide direct services to children and families. ROPI has six established regional offices around New York State where staff are stationed closer to the agencies that they oversee and serve.

2. Regional Offices

The following are the six OCFS CWCS regional offices with the counties they serve:

Albany Regional Office

Albany, Clinton, Columbia, Delaware, Essex, Franklin, Fulton, Greene, Hamilton, Montgomery, Otsego, Rensselaer, Saint Regis Mohawk Tribe, Saratoga, Schenectady, Schoharie, Warren, and Washington.

Buffalo Regional Office

Allegany; Cattaraugus, Chautauqua, Erie, Genesee, Niagara, Orleans, and Wyoming.

New York City Regional Office

Bronx, Kings, New York, Richmond, and Queens.

Rochester Regional Office

Chemung, Livingston, Monroe, Ontario, Schuyler, Seneca, Steuben, Wayne, and Yates.

Spring Valley Regional Office

Dutchess, Nassau, Orange, Putnam, Rockland, Suffolk, Sullivan, Ulster, and Westchester.

Syracuse Regional Office

Broome, Cayuga, Chenango, Cortland, Herkimer, Jefferson, Lewis, Madison, Oneida, Onondaga, Oswego, St. Lawrence, Tioga, and Tompkins.

The Regional Offices maintain oversight of field activities used to implement child welfare programs by monitoring and providing technical assistance to child protective services (CPS), preventive services, foster care services, and permanency (including adoption) services. Regional Offices also provide support for domestic violence services and services to youth. The oversight functions that the Regional Offices perform include, but are not limited to:

- Technical assistance to LDSSs, tribal nations and voluntary agencies regarding child welfare policies, procedures, and best practices
- Reviewing compliance with legal requirements by monitoring voluntary authorized agencies regarding the provision of foster care and adoption services
- Ongoing Monitoring and Assessments (OMAs) for local child protective services
- Safety and Permanency Assessments (SPAs) for local foster care services
- Voluntary Agency Reviews (VARs) for residential services for foster care youth
- Institutional Abuse and Neglect Investigations on behalf of the Justice Center for the Protection of People with Special Needs
- Reviewing compliance with legal requirements by monitoring Crisis Shelter Programs and Transitional Independent Living Support Programs for runaway and homeless youth
- Support for LDSS and VAs in achieving permanency and well-being for children in foster care via training, technical assistance and public awareness programming
- Reviewing compliance with legal requirements by monitoring residential programs for victims of domestic violence
- Health and fire safety inspections of licensed residential programs.

B. Technical assistance

OCFS Regional Office personnel play a significant role in providing technical assistance to the staffs of LDSSs and VAs. The identification of a need for technical assistance can arise from many situations, including, but not limited to:

- Reviews of child protective investigations
- Foster care, adoptive, and preventive services program reviews
- Regional Office reviews of performance data
- LDSS requests – the LDSS may call the Regional Office with specific questions or requests
- SCR referral – the Statewide Central Register of Child Abuse and Maltreatment (SCR) may contact the Regional Office to voice concerns about an LDSS practice(s), known as a Referral for Action
- Family assessment response (FAR) Q&As and coaching sessions, where problems may be identified by either CPS, OCFS, or training staff
- Written complaints by a subject of a report, a mandated reporter or other person may be made directly to the Regional Office or channeled to the Regional Office by the Office of the Governor or by the OCFS Commissioner's office. The Regional Office investigates these complaints, and, where necessary, provides technical assistance.

As part of CONNECTIONS (CONNX) implementation and support, Regional Office staff provide technical assistance to LDSSs on system functionality and educate staff on how CONNX supports child welfare practice.

In addition, the Regional Office may identify a need for training within a local district, make a referral for such training to OCFS Home Office, and participate in the training activities.

The support provided by the Regional Offices to their partners at LDSSs and VAs varies according to the specific need. Needs can vary based on region, resources, and other variables. It is the role of Regional Offices to serve as a resource to partners in the field and to be available to assist them directly or by coordinating additional resources.

Regional Office staff provide the conduit through which CWCS promotes and implements program improvement initiatives at LDSSs and VAs. They support continuous quality improvement efforts by using their monitoring responsibilities to inform program improvement. The relationship between Regional Offices, LDSSs, and VAs is vital to the efforts of all those entities to improve outcomes for children.

C. Role in child protective investigations

1. Foster Boarding Homes

When a certified or approved foster parent is the subject of a report of suspected child abuse or maltreatment involving a child in a foster boarding home, multiple agencies may have an interest in the report and the safety of the child(ren) in the foster home. These agencies include: the LDSS that is conducting the CPS investigation; the LDSS with legal custody of the children in foster care named in the CPS report; and the LDSS or VA that certified or approved the foster home. In some cases, they all may be the same LDSS; however, often there will be more than one interested agency. In such cases, notification, coordination, and cooperation are vitally important in meeting the safety needs of the child(ren) in the foster home.¹ (See **Chapter 7: Investigations in foster homes and child day care programs.**)

When the SCR receives a report in which the subject is a foster parent, it notifies the Regional Office with oversight for the Local District from which the child was placed. Regional Offices are responsible for monitoring whether the LDSS and VA adhere to the applicable regulatory, statutory, and policy standards. This includes determining whether they make the appropriate collateral contacts, particularly when a VA is providing foster care services. Regional Office staff may exercise their oversight responsibilities by directly communicating with the LDSS and the VA, reviewing casework activities, and assisting the LDSS and the VA in negotiating each entity's role

2. Child Care

The OCFS Division of Child Care Services (DCCS) has its own Regional Offices, which often are in the same locations as CWCS Regional Offices. The DCCS, however, also has a unique Long Island Regional Office, which covers the counties of Nassau and Suffolk.

The DCCS Regional Office collaborates with the LDSS whenever the LDSS conducts a CPS investigation of a report alleging the abuse or maltreatment of a child receiving child care services in any day care setting, which includes:

- Day care center
- Small day care center
- School age child care program
- Group family day care
- Family day care home
- Any child day care program that is operating illegally

The staff of the DCCS Regional Office or a designated Child Care Coordinating Council also conducts its own assessment of the potential violations of day care regulations associated with the CPS report, which should be coordinated with the CPS investigation. See (See **Chapter 7: Investigations in foster homes and child day care programs.**)

¹ 16-OCFS-ADM-13

3. Near fatalities²

As defined in the federal Child Abuse Prevention and Treatment Act (CAPTA), a “near fatality” means an act that resulted in the child being in serious or critical condition as certified by a physician [42 USC §5106a(b)(4)(A); SSL §422-a(1)(d)]. Just as there are state and federal requirements regarding certain child fatalities, there are also mandates regarding *near* fatalities of children in the child welfare system.

The LDSS is responsible for using Form OCFS-7065 (3/2008) to notify its Regional Office of the near fatality of a child just as it does with a child fatality.

4. Fatalities

Regional Office staff are notified of the following incidents:

- A child fatality is registered as a report from the SCR
- A child dies while in the care and custody or guardianship and custody of the LDSS or VA in a foster care placement
- A child dies who is part of an open CPS or preventive services case [SSL §20(5)]

The LDSS is required to notify its Regional Office by telephone within 24 hours of learning of the death of a child in an open CPS or preventive services case. The LDSS or VA must then send Form OCFS-7065 (3/2008), “Agency Reporting Form for Serious Injuries, Accidents, or Deaths of Child in Foster Care and Deaths of Children in Open Child Protective or Preventive Cases,” to the Regional Office within 72 hours of the death of the child.³

Regional Office staff may take the following steps when notified of a fatality:

- Participate in a dialogue with the LDSS and/or the VA regarding the case
- Provide support to involved agencies in adhering to legal and regulatory requirements
- Discuss and provide guidance to the LDSS regarding practice issues related to the fatality and ensuing investigation
- Participate in a Multi-Disciplinary Team (MDT) case review and/or a Child Fatality Review Team (CFRT) review

In addition to supporting the CPS investigation of the child fatality, the Regional Office has a role in the development of the Individual Child Fatality Review report that must be issued following the CPS investigation. Should practice issues come to light while writing the report, those issues will be addressed between the Regional Office and the LDSS. The Regional Office also facilitates communication between the LDSS and Home Office about other identified issues in the Individual Child Fatality Report, as needed.

Once a Child Fatality Review report is issued by OCFS, it may develop a Program Improvement Plan (PIP) to address statutory or regulatory noncompliance issues within the LDSS. The Regional Office is responsible for monitoring the implementation and completion of the LDSS’s PIP.

Please see **Chapter 11: Child Fatality Reviews**, for more information on the LDSS’s role and responsibilities regarding the preparation of Child Fatality Review reports.

² OCFS. (1999). “Child Protective Services Legislation” (99-OCFS-LCM-26)

³ OCFS. (2006). “Notification to OCFS of the Death of Children in Open Child Protective or Preventive Services Cases” (06-OCFS-LCM-13)

D. Reviews

Regional Offices play the lead role for OCFS in providing the oversight necessary to determine whether statewide standards are maintained in child welfare services, including child protective services. Periodic reviews of case practice are one means by which OCFS, the LDSS and/or VA can identify strengths and weaknesses. The LDSS or VA can then address identified issues, with technical assistance provided by the Regional Office.

1. Ongoing Monitoring Assessment (OMA)

The CWCS Home Office staff and the Regional Offices collaborate with LDSSs to conduct Ongoing Monitoring Assessments (OMAs) of a random cohort of CPS case records in each LDSS on a four-year cycle. The purpose of the OMA is to improve practice at the local level. The OMA tool is formulated to align in some aspects with the federal Child and Family Service Review.

2. Safety and Permanency Assessment (SPA)

Safety and Permanency Assessments (SPAs) are conducted every four years. Foster care case records are reviewed, focusing on compliance with state laws and regulations, as well as best practices. SPAs provide an opportunity to review not just individual cases, but also systemic practices. The purpose of the SPA is to inform the LDSS about areas needing improvement as well as areas of success.

3. Voluntary Agency Review (VAR)

Voluntary Agency Review (VAR) reviews are conducted every three years by Regional Office staff and staff of VAs. Regional Offices gather information from case records, onsite inspections, and interviews with youth, families, and VA staff. As with the other reviews, the focus is on regulatory and statutory compliance along with best practice. The purpose of the process is to inform the VAs about areas needing improvement as well as areas of success.

All three types of reviews culminate in the development of a PIP by the Regional Office and the LDSS or VA. The PIP lays out the activities the LDSS or VA will undertake to bring their work into alignment with any statutory, regulatory, and/or practice issues that were identified in the review. Mapping out program improvement activities is done collaboratively and may also incorporate input from other partners. The stakeholders may choose to use new, emerging, or existing strategies to address identified opportunities for improvement. PIPs help inform the work of all agencies involved in the improvement of the safety, permanency, and well-being of children in New York.

E. Institutional Abuse Investigations (IAB)

Reports alleging abuse or neglect in residential care programs licensed, certified, or operated by OCFS are under the jurisdiction of the Justice Center for the Protection of People with Special Needs (Justice Center).

The Justice Center was established by Chapter 501 of the Laws of 2012 and began operation on June 30, 2013. Other programs under the Justice Center's jurisdiction include programs under the authority of the Office of Mental Health, Office for People with Developmental Disabilities, Office of Alcoholism and Substance Abuse Services, State Education Department, and Department of Health.

All reports alleging the abuse or neglect of persons in programs under the Justice Center's jurisdiction, including reports of abuse and neglect of children in those programs, must be made to the Justice Center's Vulnerable Persons Central Register (VPCR). The VPCR and the SCR have an agreement to provide a live transfer to each other if any call is mistakenly made to the incorrect hotline.

The Justice Center, after concluding a call, determines the proper classification of the report. The choices for classification are 1) abuse or neglect, 2) significant incident, and 3) non-New York Justice Center (non-NYJC) report. All abuse and neglect reports at a residential program operated by OCFS are investigated by the Justice Center. Allegations of abuse or neglect at programs licensed or certified by OCFS may be delegated by the Justice Center to OCFS ROPI staff for investigation. No OCFS licensed, certified, or operated program is delegated to conduct investigations of abuse or neglect.

A significant incident is an event that, while not an incident of abuse or neglect, may result in or has the potential to result in harm to the health, safety, or welfare of a vulnerable person and is treated as a programmatic concern which can sometimes also be a regulatory or licensing concern.

Non-NYJC reports are reports for which the Justice Center does not have jurisdiction, or reports that do not contain an allegation of a significant incident, abuse, or neglect.

The OCFS program types under Justice Center jurisdiction are [\[SSL §488\(4\)\(b\); 18 NYCRR 433.2\(a\)\]](#):

- OCFS operated juvenile justice programs
- OCFS certified youth detention programs
- Runaway and homeless youth programs
- Family-type homes for adults
- Congregate care programs, including:
 - *Institution*: any facility for the care and maintenance of 13 or more children operated by a child-care agency
 - *Group residence*: an institution for the care and maintenance of not more than 25 children operated by an authorized agency
 - *Group home*: a family-type home for the care and maintenance of not less than seven, nor more than twelve children who are at least five years of age, operated by an authorized agency, except that the minimum age shall not be applicable to siblings placed in the same facility nor to children whose mother is in the same facility
 - *Agency operated boarding home*: family-type home for the care and maintenance of not more than six children operated by an authorized agency, except that such a home may provide care for more than six brothers and sisters of the same family
 - *Close to home programs*: agency operated boarding homes, group homes, group residences or institutions operated as part of New York City's "Close to Home" program.

If a county has custody of a child placed in one of these programs, the Justice Center should notify the county about any determination of abuse or neglect of that child [SSL §493(3)(c)]. The Regional Office staff who conduct these investigations on behalf of the Justice Center must comply with the laws and policies specific to the Justice Center.