



**Office of Children
and Family Services**

OCFS 2017 Annual Report



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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, 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 (SSL), help provide a snapshot of how the system is performing in key areas.

Administrative Hearings

Pursuant to the SSL, applicants for or recipients of government-subsidized foster care services, day care services, homemaker services, and other child care services may appeal decisions of social services officials to deny or limit such payments 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 in an administrative hearing.

Individuals also have the right to an administrative hearing, conducted by OCFS, 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 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 to promote the accuracy of local social services districts and the state.

Time Period 1/1/2017 – 12/31/2017

NOTE: *The total number of hearings held in the tables below is often significantly lower than the number of hearings scheduled, and significantly lower than the number of decisions issued due to the fact that many scheduled hearings are resolved short of a full hearing, such as by default, settlement, and party withdrawal.*

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 social services districts to deny, reduce or terminate child day care subsidy payments, or to challenge the adequacy of such payments.

Hearings Requested	Hearings Scheduled	Hearings Held	Hearing Decisions Issued
2205	2571	605	599

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
665	709	380	368

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
11	17	4	4

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 protective or child protective or preventive services, or to challenge the adequacy of services authorized.

Hearings Requested	Hearings Scheduled	Hearings Held	Hearing Decisions Issued
430	599	121	118

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
244	350	90	82

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

Hearings Requested	Hearings Scheduled	Hearings Held	Hearing Decisions Issued
3236	3186	889	2877

Database Checks for Child Care and Other Provider Positions - Hearings held pursuant to Section 424-a(2) of the SSL in which applicants for employment, licensure or approval in a field serving vulnerable persons are seeking to overturn determinations to indicate child abuse and maltreatment reports or to obtain a finding that the indication should not be a barrier to contact with children.

Hearings Requested	Hearings Scheduled	Hearings Held	Hearing Decisions Issued
1237	1227	334	1188

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
47	46	24	58

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
2	2	1	2

Adoption Subsidy - Hearings held pursuant to Section 455 of the SSL in which adoptive parents challenge the determination to deny an adoption subsidy, or 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
31	31	11	42

Day Care Licensing - Hearings held pursuant to Section 390(10) and (11) of the SSL to contest: denial of an application for the licensing or registration of a day care program; or denial of an application for renewal of the licensing or registration of a day care program; or suspension, revocation or limitation of a license or registration to operate a day care program; or the 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
398	370	57	410

Family-Type Homes - Hearings held pursuant to Section 460-d(4), (7), and (9) of the SSL to contest: denial of an application for the licensing of a family-type home for adults; or denial of an application for renewal of the licensing of a family-type home for adults; or 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
0	0	0	0

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

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

Kinship Guardianship Assistance – Hearings held pursuant to Section 458-f of the SSL in which prospective kinship guardian(s) or current kinship guardian(s) challenge the determination to deny an application for kinship guardianship assistance payments; or 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
5	5	0	2

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 2017:

Total Number of Cases Appealed: 39
 Number of Favorable Decisions: 12
 Number of Unfavorable Decisions: 1
 Number Pursued Not Pending: 13
 Number Pursued Pending: 26

New York State Commission for the Blind

The mission of the New York State Commission for the Blind (NYSCB) is to enhance employability, maximize independence, and 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 interactive teamwork in providing vocational rehabilitation services that meet the needs of consumers.

The NYSCB team is comprised of staff (many of whom are legally blind), community-based service providers, and current and potential employers, all of whom share in the rewards of consumer employment and satisfaction. NYSCB carries out its mission through four major program areas: vocational rehabilitation services, services for older individuals, services for children, and the Business Enterprise Program.

Vocational Rehabilitation Program

FFY 16-17

**Consumers served: 4,713
Consumers placed in employment: 560**

The Vocational Rehabilitation (VR) Program offers guidance and counseling to assist legally blind consumers in finding or retaining employment. Vocational Rehabilitation Counselors (VRCs) work with each consumer to develop an Individualized Plan for Employment (IPE). The IPE serves 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 using assistive technology for job placement. In addition to counseling and guidance, the VR Program may offer services or access to services, including the following:

- Assessments to guide 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

Services for Older Blind Individuals

FFY 16-17

Older individuals served: 3,789

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 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's policy. NYSCB measures each person's success by determining whether they accomplished the goals identified in their Individualized Service Plans (ISP) or IPE.

Children's Program

FFY 16-17

Children served: 1,823

NYSCB provides rehabilitation services to children who are legally blind and reside in New York State. Working with the family, a child'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 families
- 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 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.

Business Enterprise Program

FFY 16-17

72 Vendors employed with an average income of \$42,912

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 properties. 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.

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 contracts with the following: Child Care Resource and Referral Agencies (CCR&Rs), Legally-Exempt Enrollment Agencies, the Advantage After-School Program and the Empire State After-School Program. Additionally, DCCS has oversight responsibilities for the provision of child care subsidies funded under the Child Care and Development Block Grant for approximately 182,000 children annually, and for the enrollment and monitoring of approximately 24,000 legally-exempt child care providers annually. DCCS investigates citizens and legislative complaints regarding the provision of local services, child care inspections, local districts of social services (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.

Number of Regulated Child Care Providers in New York State

(Includes New York City Day Care Centers not regulated by OCFS)

- 4,306 day care centers with a capacity for 309,407 children
- 4,020 family day care homes with a capacity for 31,262 children
- 8,079 group family day care homes with a capacity for 123,512 children
- 2,791 school-age child care programs with a capacity for 316,977 children

Total: 19,196 regulated providers with a capacity for 781,158 children

	Region	Center Based		Home Based		Total
		Day Care	School Age	Family	Group Family	
Number of Providers	New York City	2,251	1,506	1,510	5,260	10,527
	Rest of State	2,055	1,285	2,510	2,819	8,669
	Total	4,306	2,791	4,020	8,079	19,196
Maximum Capacity	New York City	139,485	217,612	11,364	79,599	448,060
	Rest of State	169,922	99,365	19,898	43,913	333,098
	Total	309,407	316,977	31,262	123,512	781,158

Child Care Definitions

Day Care Center (DCC) - Provides 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 Home (FDC) - Provides 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 Home (GFDC) - Provides 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.

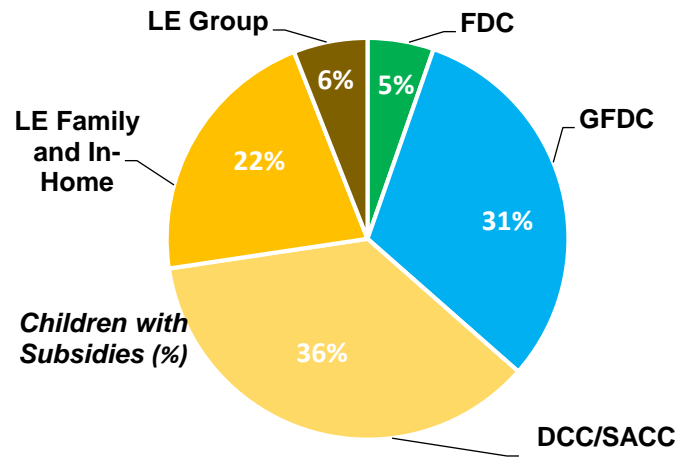
School-Age Child Care (SACC) - Provides child care to an enrolled group of seven or more children in a non-residence facility outside normal school hours. Maximum capacity is driven by square footage allowance.

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 182,000 children in 112,000 families received child care subsidies in Federal Fiscal Year (FFY) 2017.

Of these:

- 36 percent were cared for in DCCs or SACCs
- 36 percent were cared for in FDCs or GFDCs
- 28 percent were cared for in legally-exempt (LE) settings, which are almost exclusively home based



Number of providers caring for one or more children with child care subsidies in FFY 2017:

	Licensed or Registered			Legally Exempt (LE) Enrolled			Total
	DCC/SACC	FDC	GFDC	LE Family	LE In-Home	LE Group	
New York City	1,351	891	4,245	4,319	8,202	113	19,121
Rest of State	2,447	1,934	2,775	6,818	4,386	160	18,520
Total	3,798	2,825	7,020	11,137	12,588	273	37,641

Funding for Child Care Subsidies

In SFY 2017-18, OCFS allocated \$799.1 million to LDSSs through New York’s block grant for child care. Additional child care subsidy funds for income-eligible families in SFY 2017-18 were made available through Memoranda of Understanding with SUNY (\$2.213 million) and CUNY (\$2.161 million).

Facilitated enrollment projects funded in SFY 2017-18 for child care subsidies to families eligible up to 275 percent of poverty totaled \$9.988 million.

Child Care Resource and Referral Agencies

OCFS provides funding and supervision to support and enhance the child care services delivered by CCR&Rs for children and families throughout New York State as specified in SSL Article 6, Title 5-B, Sections 410-p through 410-t. 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 child care programs, costs, financial assistance, and guidelines for selecting child care.

In FFY 2017, OCFS entered contracts worth \$19.7 million with 31 CCR&Rs. Seven infant/toddler lead agencies received a total of \$1.1 million in FFY 2017.

Union Contracts

Family-based child care providers are represented by one of two unions: the United Federation of Teachers (UFT) if they are in New York City and the Civil Service Employees Association (CSEA) for providers in the rest of the state. Funds are made available to these unions to support the improvement of program quality, both through quality grants (individual grants that go directly to providers to help them pay for things such as health and safety items; developmentally-appropriate books; toys and other materials for the children they serve; First Aid/CPR training expenses; general supplies; and children's furnishings, such as cribs, mats, changing tables, etc.) and funds to support professional development and training. In SFY 2017-18, CSEA received \$4.108 million for Quality Grants and \$2.195 million for Professional Development. UFT received \$2.5 million for Quality Grants and \$5 million for Professional Development.

Advantage After-School Program

In SFY 2017-18, \$19.8 million in funds supported 157 Advantage After-School Program sites (through 137 contracts) that served approximately 17,000 children and youth.

Empire State After-School Program

In SFY 2017-18, a new initiative, the Empire State After-School Program, was established to create additional after-school opportunities in targeted high-need areas of New York State. As a result, \$35 million in funds was appropriated to support 27 contracts in 216 sites that will serve approximately 21,841 children.

Division of Child Welfare and Community Services

New York State is among nine 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 post-adoption services, and Healthy Families New York.

Guided by state and federal laws and regulations within each of the program areas, CWCS's mandate includes supervision, monitoring, and providing technical assistance for the implementation of program activities to 58 LDSSs, the St. Regis Mohawk Tribe, and 241 voluntary agency providers.

Specific responsibilities include the following:

- Oversight of LDSS 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 checks of individuals using the child abuse and maltreatment database
- Operation of the New York State Adoption Service
- Operation of the Native American Services program
- Oversight of the Adult Protective Services program
- Certifying, licensing, inspecting, and enforcing regulations for certain residential facilities and 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 regarding significant incidents and alleged abuse and maltreatment 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
- Oversight and monitoring of the Bridges to Health Waiver program (B2H) as well as guidance and technical support to all 21 Health Care Integration Agencies (HCIAs) and 58 LDSSs
- Operation of the Human Services Call Center

Office of Regional Operations and Practice Improvement

This office is responsible for monitoring, oversight and technical assistance to LDSSs and voluntary agencies. It collaborates with other offices to develop and support strategies to improve the performance of LDSSs and voluntary agencies in complying with regulations and in achieving federally established outcome and performance standards.

Bureau of Regional Operations

This bureau maintains six regional offices to provide direct oversight, monitoring, and technical assistance to the counties and agencies throughout the state. These offices support child welfare practice initiatives and follow up on complaints and inquiries by families. In addition, the regional offices investigate reports of institutional abuse and maltreatment as required by the New York State Justice Center for the Protection of People with Special Needs. The six regional offices are: Albany Regional Office (ARO), Buffalo Regional Office (BRO), New York City Regional Office (NYCRO), Rochester Regional Office (RRO), Spring Valley Regional Office (SVRO) and Syracuse Regional Office (SRO).

Bureau of Adult Services

This bureau is responsible for the oversight of Adult Protective Services and other adult services provided through the LDSSs and oversight of local activities related to the operation of family-type homes for adults.

Adult Protective Services (APS)

Services 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 by APS include investigating and assessing the adult’s needs and risk of harm; coordination 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)

FTHAs 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 FTHAs must be ambulatory, must not require continual medical or nursing care, and must not suffer from unstable medical conditions that require continuous skilled monitoring. FTHAs are licensed by OCFS and supervised by LDSSs. The Bureau of Adult Services oversees the LDSSs, investigates complaints, and conducts enforcement activities. There are currently 300 licensed FTHA operators in New York State with a capacity of 999 residents.

Bureau of Strategic Partnerships and Collaboration (SPC)

The SPC bureau is responsible for providing leadership in addressing racial disparities in out-of-home placement for children of color within the child welfare system and in supporting efforts to examine and reduce racial and ethnic disparities in the juvenile justice system in collaboration with the New York State Division of Criminal Justice Services. These efforts include developing relationships with national organizations and consultants, and participating in organizations and alliances dedicated to similar goals. Developing and providing training and learning opportunities for staff are a central part of the work. Requesting and using data to inform the efforts of more

than 30 counties with high or extreme rates of out-of-home placements for children of color is also central to the work.

Bureau of Native American Services

The Bureau of Native American Services 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 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. Native American Services is the vital link to the nine state-recognized nations, seven of which are federally recognized. This office is empowered to deal directly with tribal nations in upholding New York State's treaty obligations and making tribal annuity payments. Additionally, Native American Services staff oversee the daily operational requirements of the Tonawanda Indian Community House. 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.

Bureau of Monitoring and Quality Assurance

The monitoring bureau ensures that the delivery of child welfare services by LDSSs complies with state and federal laws, regulations and best practice standards. In cooperation with the CWCS regional offices, the bureau develops monitoring strategies and tools, conducts case reviews and tracks the development and implementation of corrective action plans.

Bureau of Continuous Quality Improvement (CQI)/Data

The bureau works to provide a continuous quality improvement framework to the work conducted throughout the Division of Child Welfare and Community Services. The CQI/Data bureau builds data inquiry skills throughout all CWCS offices, local departments of social services, courts, and voluntary agencies. The bureau supports the county Child and Family Services Planning process that includes key CQI principles, such as data and evidence.

Office of Performance Improvement

This office provides training and technical assistance to LDSSs and voluntary agencies to help them effectively implement new programs and improve practice. Current responsibilities include providing support to counties in implementing and sustaining the Family Assessment Response (FAR) child protective practice and the KEYS model of supervision. This bureau oversees the CWCS training plan and local child fatality review teams. The review of child fatality investigations and writing the child fatality reports was recently added to its portfolio.

Family Assessment Response (FAR)

FAR is an alternative family-led child protective response to achieve safety through family engagement and collaborative partnerships. In 2017, there were 21 counties plus the St. Regis Mohawk district participating in FAR. OCFS and its training partners offer support, training, coaching and ongoing data analysis. Impact evaluations have shown that FAR effectively reduced further involvement in the child welfare system.

Keys to Excellence in Your Supervision (KEYS)

The KEYS Model of Supervision supports LDSS supervisors to administer the work of the agency while effectively developing and supporting staff to accomplish the agency's mission. With KEYS, the agency supports supervision through clear and consistent supervision, an organizational culture that supports career-long learning, pro-active communication, and accountability for results.

OCFS works with training vendors to offer training, coaching and on-site assistance to create local implementation teams and effective supervisory and organizational practices. Through our training partner, several supervisory-level trainings are offered to supervisors, both new and experienced.

Child Fatality Review Unit

As required by law, OCFS reviews local districts' investigations of the fatalities of children who have been brought to the attention of the child welfare system. Specifically, OCFS examines deaths that: 1) are reported to the Statewide Central Register of Child Abuse and Maltreatment and are allegedly caused by abuse or maltreatment by a parent or caregiver; 2) occur while a child is in foster care or receiving protective or preventive services; or 3) occur while a child is under the supervision of a local department of social services. OCFS issues a separate report on approximately 300 child fatalities per year. OCFS collects information regarding the fatalities, compiles annual statistics and produces a cumulative annual report summarizing its data, findings and recommendations.

Child Fatality Review Teams (CFRTs)

CFRTs use a multidisciplinary approach to identify the cause and manner of death to help determine the most common reasons otherwise healthy children die in New York State. There are 18 CFRTs across the state that include a cross-system representation of required members who conduct in-depth examinations of child fatalities, identify local trends and develop prevention strategies.

Office of Youth and Young Adult Services

Bureau of Youth Development/Crossover Initiatives

This bureau designs, coordinates and promotes innovative strategies to advance youth development. These strategies cut across all disciplines at the state and local levels. The goal is for all New York State youth to reach their full potential and become healthy, productive adults. This is accomplished through support and funding to programs and initiatives that enable youth to build on their strengths, and provide opportunities for youth to gain important life skills and core competencies that allow them to have meaningful roles in their communities.

Crossover Initiatives is a multi-agency, cross-system approach aimed at addressing the needs of youth who are involved in both the child welfare system and the juvenile justice system. Its goal is to reduce a young person's further involvement in either system through information exchange and the coordination and collaboration between child welfare and juvenile justice professionals. In 2017, \$15,370,700 was provided to municipal youth bureaus statewide for youth development programs to prevent youth from involvement in the juvenile justice system, the child welfare system, or being chronically dependent on other human services systems. OCFS approved every county's and New York City's youth development services plan for youth up to age 21 in local areas.

Counties reported on performance outcomes to the Bureau of Youth Development for youth development programs funded by municipal youth bureaus. Web-based statewide and regional scorecards were developed for measuring and reporting performance.

Independent Living/Transition Age Youth

New York State was chosen in the fall of 2017 for a review of the National Youth in Transition Database and its practice around youth ages 14-21 who are or were in foster care by the Administration for Children and Families. OCFS was able to identify several areas for improvement in its practice with older youth, and has been implementing a Program

Improvement Plan. Areas of improvement include clarifying services that can and should be paid for through federal Chaffee dollars, better tracking of services to youth under the age of 16, and coordination between the vendor for Education and Training Vouchers and the state's Independent Living Coordinator. OCFS scheduled a series of data-driven webinars for the field focusing on youth in care over the age of 14 and their outcomes. These will be ongoing in 2018.

Bureau of Vulnerable Populations

This bureau aims to address the needs and challenges of youth and young adults that are vulnerable to specific risks. One specific population is adolescents in care. By strengthening services and providing skills-based training and leadership development opportunities, the youth are assisted in making a successful transition to adulthood while giving them a voice. The aim is to also provide adults that work with youth in care with the training, knowledge, support and job aids necessary to effectively assist the youth in their care. A second population served in this bureau is children and youth trafficked for sex or labor. The goal is to enable New York's child welfare and allied youth service systems to screen, identify, and respond effectively to the needs of children and youth trafficked for sex or labor and improve system response. The third population served is runaway and homeless youth. The goal is to develop a system of programs and services to meet the needs of runaway and homeless youth. This includes services offered through runaway and homeless youth crisis services programs and transitional independent living support programs, as well as non-residential services offered through such programs that address the needs through hotlines, street outreach programs, and case management.

Youth Advisory Board

In November of 2017, 10 youth were selected to be on OCFS's first Child Welfare Youth Advisory Board. These youth went through a rigorous application and interview process. They represent all six regions of OCFS and are diverse in gender/gender identity, sexual orientation, race and ethnicity. All youth are between the ages of 18 and 24 and are either still in care or recently exited. They focus on issues related to normalcy, aging out of care, and improving youth engagement by case workers.

Runaway and Homeless Youth Programs

OCFS approves, certifies, oversees and funds runaway and homeless youth (RHY) crisis services programs and transitional independent living support programs under the New York State Executive Law, Articles 19-A and 19-H. Article 19-H is comprised of the New York State Runaway and Homeless Youth Act. At the end of 2017, there were 122 runaway and homeless youth residential programs certified by OCFS, with a total bed capacity of 1,237 beds (1,127 youth beds and up to 134 infant/dependent beds). Of these, 122 runaway and homeless youth residential programs, 37 are runaway and homeless youth crisis services programs and 85 are transitional independent living support programs. The 2017 runaway and homeless youth appropriation was \$4,484,000, which was administered by OCFS through the resource allocation process through the county youth bureaus. In 2017, Governor Cuomo signed into law through Part M of Chapter 56 of the Laws of 2017, several significant changes to Articles 19-A and 19-H of the Executive Law with respect to the provision of runaway and homeless youth services. The 2017 changes to Articles 19-A and 19-H of the Executive Law became effective on January 1, 2018. These changes offer municipalities the option to expand runaway and homeless youth services to include:

- extending how long runaway and homeless youth may remain in residential programs under certain circumstances;
- raising the age of homeless youth from 21 to 24 years old; and
- allowing homeless youth under the age of 16 years to be served by transitional independent living programs.

The 2017 changes to Articles 19-A and 19-H of the Executive Law also modify runaway and homeless youth program requirements as follows:

- Changes the name and definition of approved runaway programs to runaway and homeless youth crisis services programs
- Adds the definition of homeless young adult
- Requires runaway and homeless youth programs to notify local departments of social services (LDSS), if a youth is believed to be a destitute child
- Requires runaway and homeless youth programs to inform applicable youth of their right to re-enter foster care and referring them to the appropriate LDSS upon request
- Requires any runaway and homeless youth residential program to be operated by an authorized agency to include TILPs

OCFS revised Sub-parts 165-1, 182-1 and 182-2 of Title 9 New York Codes, Rules and Regulations (NYCRR), to conform them to the statutory changes to the Executive Law. The revised regulations went into effect January 1, 2018.

Runaway and homeless youth crisis services programs provide short-term crisis shelter and support services to runaway and homeless youth, and homeless young adults, if applicable, for arrangements to be made to return runaway and homeless youth, and homeless young adults, if applicable, home where possible, or to move the youth or homeless young adult, if applicable, to an alternative residential placement when necessary.

Transitional independent living support programs provide long-term residential services to homeless youth or homeless young adults, if applicable, so that they may learn the skills needed to live independently. Non-residential programs provide case management, crisis intervention, drop-in services, and street outreach among other services.

Human Trafficking and Safe Harbor: New York Program

OCFS continues to provide technical assistance to counties and programs regarding the identification, reporting, and provision of services to youth identified as sex trafficked who are in the care, custody, or supervision of LDSSs. This policy was issued in accordance with the federal Preventing Sex Trafficking and Strengthening Families Act. In 2016, Safe Harbor: NY was funded with \$3 million in the state budget to provide services to commercially sexually exploited youth.

Safe Harbor: NY's funding began in 2012 and provides training, services, outreach, support, and advocacy to trafficked, sexually exploited and at-risk youth in 29 jurisdictions, including New York City. The number of youth identified as at-risk or as meeting the federal definition of child trafficking victim continue to increase as the model has been scaled up across the state.

Close to Home Oversight and System Improvement

The Close to Home Oversight and System Improvement Office (CTHO) is responsible for monitoring and providing technical assistance to the Close to Home providers of a continuum of services in New York City. These services consist of residential service programs, non-secure placement (NSP), limited-secure placement (LSP) and the Close to Home aftercare provider agencies, all of which are provided via contracts with voluntary agencies. In addition, CTHO monitors and provides technical assistance to the New York City Administration for Children's Services (ACS). CTHO monitors these Close to Home agencies for compliance with OCFS regulations and best practices in the areas of safety, permanency, and well-being. At a minimum, CTHO conducts a monthly site visit. These visits may include interviews of youth, inspection of the residences, log reviews, child-specific incidents and concerns, and review of human resources files. CTHO staff follow up on significant incidents registered by the Justice Center for the Protection of People With Special Needs (Justice Center) and monitor the corrective action plans related to abuse and neglect allegations reported to the Justice Center. Close to Home services are provided to youth in New York City who have been adjudicated as delinquent and whom judges have ordered to be placed in NSP or LSP facilities. The program goal is to provide services--including education--to the young people in a setting close to their families, in or near their communities, and to have the youth successfully transition back home as productive, contributing members of society. Seven agencies contract with ACS to provide Close to Home NSP residential services, operating 26 residential programs. Three agencies provide Close to Home, LSP-residential services and operate four residential programs. Four agencies provide contracted aftercare services.

Statewide Central Register of Child Abuse and Maltreatment

Mandated reporters and members of the public who suspect that a child in a familial home or day care program has been or is being abused or maltreated can call the Statewide Central Register of Child Abuse and Maltreatment (SCR) toll-free hotline 24 hours a day, seven days a week at 1-800-342-3720. The state-operated SCR takes the initial call, determines if there is reasonable cause to suspect abuse or maltreatment and, if there is, registers a report and relays the information to the appropriate LDSS. Calls are answered by a trained staff of more than 150 child protective specialists whose qualifications include various combinations of education and/or direct experience in the provision of child protective services (CPS) or child welfare services. Child protective specialists receive a minimum of eight weeks of intensive, in-house training, including a minimum of two weeks of on-the-job training, before beginning their shift assignments on the hotline. A staff of 34 supervisors support decision-making and supervisory consultation with callers. In 2017, the SCR received 308,754 calls and electronically transmitted 198,647 reports to LDSSs for further action.

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 registered and submitted to the CPS unit in the LDSS where the child resides. LDSSs maintain 24-hour coverage to respond to all registered reports in a timely way.
- When registering the report, the SCR conducts a search of its database to determine if anyone named in the report has a history of abuse or maltreatment. This information is also provided to CPS when the SCR transmits the intake report.
- The SCR makes law enforcement referrals when it receives information regarding crimes or immediate threats to a child's health and safety caused by persons who,

because they are not defined as legally responsible for the child, are outside the SCR's jurisdiction.

- The SCR handled 308,275 database check clearance requests, 9,285 administrative review requests, and received 14,178 requests for information.

Health and Human Services Call Center

The HSCC is a customer-focused operation committed to providing consistent and high-quality services to all callers. To achieve this goal, HSCC business analysts work with program units within each agency to define calls for transition to the HSCC and to build a robust statewide knowledge base with clear and consistent content. The relationship with the agencies' program units continues after the transition with weekly, monthly and quarterly reports and status update meetings.

The HSCC supports the following priority initiatives:

- Paid Family Leave
- Excelsior Scholarship
- Medical Marijuana Program

The HSCC has outperformed its goal of answering 85 percent of all calls within five minutes. Responses from the customer agencies confirm that the HSCC provides excellent service while allowing agency staff to focus on their core mission. For the first time, agencies have detailed understanding of their callers' needs, including a full accounting of the time required to handle calls, and the most frequently asked question by time. This customer-focused approach has proven to be successful.

Office of Prevention, Permanency and Program Support

This office is responsible for the Bureau of Program and Community Development, Bureau of Domestic Violence Prevention and Victim Support, Bureau of Permanency Services, and the Bureau of Waiver Management.

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 or Head Start. 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 Healthy Families America, an initiative of Prevent Child Abuse America. Eleven of the 43 programs are also supported with federal Maternal, Infant and Early Childhood Home Visiting (MIECHV) funds. Services are offered in 47 communities statewide. OCFS works closely with the New York State Department of Health on the implementation of the MIECHV initiative. HFNY subcontracts for statewide standardized core training and staff development, a management information system, and evaluation support. In 2017, HFNY served 5,919 families and its staff made 84,237 home visits.

William B. Hoyt Memorial Children and Family Trust Fund (Trust Fund)

The Trust Fund's public education efforts include Safe Babies New York, a program where hospitals distribute a guide for parents to support prevention of unsafe sleep and abusive head trauma strategies for keeping children safe. The Trust Fund provides financial support for 24 primary and secondary prevention programs. Primary prevention programs strengthen families to prevent family violence before it takes place. Secondary prevention programs address early signs of family violence and partner with families to identify strengths and skills, build capacities, and assist with challenges. The Trust Fund also provides financial support to the *Enough Abuse* campaign to address the ongoing problem of child sexual abuse. The campaign focuses on building community and individual adult responsibility to prevent child sexual abuse, through comprehensive public education and citizen mobilization. The campaign also works to strengthen the capacity of youth-serving organizations to prevent sexual abuse of the children in their care. In 2017, 91 trainings were delivered and 1,511 individuals received education. The campaign also hosted five "train-the-trainer" sessions, resulting in 73 additional trainers to support the campaign. The Trust Fund provides financial support to the Parent Helpline, which provides direct assistance in the form of information and referrals to parents, family members, service providers, and other community members. The Parent Helpline assisted 6,162 individuals in 2017. Trust Fund staff also coordinate the distribution of child safety materials. These materials include tip sheets, brochures, DVDs, magnets and other items with information about safe sleep environments, coping with an infant crying, and other topics. 60,300 publications and videos were provided in 2017, reaching families throughout New York State.

Public-Private Partnership

The Public-Private Partnership (PPP) 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 2017-2018 state budget for this initiative. Communities are required to invest a 35 percent private funds contribution to support state funds for this initiative. Current PPP programs include Parent-Child home visiting programs, services to support at-risk children and families in day care settings, trauma informed services and professional development to teachers, administrators and staff in at-risk schools.

Multi-Disciplinary Teams/Child Advocacy Centers

OCFS supports 52 approved multi-disciplinary teams (MDTs) and child advocacy centers (CACs) serving 46 counties in addition to the five boroughs of New York City and the St. Regis Mohawk. MDTs and CACs serve to minimize trauma to child victims through a coordinated, comprehensive, and multi-disciplinary response in cases of child sexual abuse; severe physical abuse; and other child abuse allegations 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 child abuse cases from the receipt of the initial report by the local CPS from the SCR through the investigation, treatment of victim(s), and the criminal prosecution of the offender(s). MDTs can 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. At these sites, ongoing case reviews are conducted and medical exams and counseling for victims and their non-offending family members may be completed.

Bureau of Domestic Violence Prevention and Victim Support

OCFS regulates 60 residential shelters and domestic violence (DV) programs, 30 residential sponsoring agencies with a total of 100 safe dwellings, two safe home networks, and 82 non-residential programs for DV victims and administers the 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. The bureau also monitors 16 DV programs for underserved populations, four supervised visitation programs for court ordered visitation in DV situations, 11 trauma-informed programs for DV victims and 44 FVPSA grants that support DV core services in residential and non-residential DV programs. 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.

Bureau of Waiver Management

The Bureau of Waiver Management (BWM) and regional office Quality Management Specialist (QMS) Bridges to Health (B2H) staff provide oversight, monitoring, guidance, and technical support to all 21 Health Care Integration Agencies (HCIAs) and 58 LDSSs.

Bridges to Health (B2H) Waiver Program

Bridges to Health (B2H) is a home and community-based Medicaid waiver program designed to provide services to children in foster care who have significant mental health, developmental, or medical needs to help them live in a home or community-based setting. B2H helps improve the health and well-being of these children and helps to either avoid, delay or prevent medical institutional care.

In 2017, 1,080 children were newly enrolled in the B2H program with a total of 4,065 children served by B2H during the year. Since the inception of the program in 2008, at least 2,663 children served by the B2H program were discharged from foster care to a permanent home. During 2017, at least 227 of the children enrolled in the B2H program reached their permanency goal of adoption.

BWM and QMS B2H staff conduct annual administrative reviews at each of the 21 HCIAs across New York State. These reviews consist of thorough assessments of agency policies and protocols, examination of active and discharged case records, critical incident reports, family complaints/grievances, family satisfaction, network provider contracts (subcontractors), staff qualifications, staff background checks, staff training, and the provision of B2H waiver services.

During 2017, BWM and QMS B2H staff reviewed 936 randomly selected personnel records at each of the 21 HCIAs to verify that B2H service providers had the required qualifications, background checks, and training. In addition, BWM and QMS B2H staff completed 432 case record reviews to verify that services are child focused, trauma- informed, and outcome-based and that B2H providers appropriately assessed the strengths and needs of each child and family using the CANS-NY assessment tool.

BWM and QMS B2H staff assessed and re-evaluated the training needs of the B2H provider community and made appropriate adjustments to training opportunities based on those needs. In 2017, the B2H health care integrator (HCI) training was re-written to focus heavily on a person-centered care approach to begin bringing the expectations of a managed care environment into alignment with current B2H practice. Additionally, the third day of training is now focused heavily on the skills and competencies a supervisor needs to transfer learning into from the training forum to practice. During 2017, through a contract with Sidney Albert Training and Research Institute, BWM provided in-classroom training to 2,773 attendees and online-module training to 1,055 participants.

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, adoption subsidy, post-adoption and the Interstate Compact for Child Placement 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 and voluntary authorized agencies, and closely collaborates with OCFS regional offices, particularly regional permanency 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 New York State's waiting children. The bureau is responsible for the following:

- **Child Photolisting:** administers the process for the photolisting of foster children freed for adoption in the agency's online adoption album
- **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 agency's 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 in and out of New York State, adhering to safety and service need standards 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
- **TANF Post-Adoption Services:** provides oversight and technical assistance to post-adoption programs funded by OCFS for TANF-eligible families
- **Post Adoption and Post Legal Guardianship Services:** provides oversight and technical assistance to regional permanency resource centers that provide these services to families without regard to income
- **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

Kinship Program

The kinship caregiver programs provide support services to kinship caregivers and children in informal and custodial relationships. Additionally, the New York State Kinship Navigator is a statewide program specifically designed to provide information, referral and resources to kinship caregivers statewide. OCFS provides kinship resources and KinGAP resources on its website. In 2016, a new, plain-language publication was published; *Know Your Options: Kin Caring for Children* introduces options for relative placement when a child cannot live safely with their parents.

Title IV-E Waiver Demonstration Project for Foster Care

OCFS applied for the Title IV-E waiver demonstration project, which was approved by the federal Office of the Administration for Children and Families in 2013. The state operates a demonstration project which is being implemented in New York City with the Administration for Children's Services (ACS). The demonstration's target population includes all Title IV-E eligible and non-eligible children and youth 0-21 years of age currently in an 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 children in 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 is screened using the child and adolescent needs and strengths (CANS) functional assessment tool with a component for assessing trauma. Evidence-based interventions that are trauma-informed are being implemented. The current waiver expires on December 31, 2018. OCFS has requested that the federal Administration for Children and Families extend the waiver to September 30, 2019.

General Demographics for Children in Foster Care

Statewide: 2017 Children in Foster Care		
<u>Race/Ethnicity</u>	<u>Gender</u>	<u>Age</u>
40 percent African American	52 percent male	36 percent age 0-5
18 percent of Hispanic origin	48 percent female	31 percent age 6-13
24 percent Caucasian		23 percent age 14-17
18 percent Other/Unknown		10 percent age 18 and over
Source: 2017 Monitoring and Analysis Profiles		

Foster Care Admissions and Exits

Statewide: 2017 Foster Care Admissions and In Care by Age Group				
Age	Admissions			In Care 12/31/16
	Re-entered care	First Admissions	Total Admissions	
Under 1 year	62	1,522	1,584	954
1 to 5 years	396	1,984	2,380	4,868
6 to 9 years	321	1,061	1,382	2,705
10 to 13 years	344	956	1,300	2,311
14 to 17 years		1,584	2,201	3,685
18+ years	83	44	88	1,617
All ages		7,112	8,935	16,140
Source: 2017 Monitoring and Analysis Profiles				

Statewide: 2017 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	219	182	0	12	0	18	0	2	433
1 to 5 years	1,102	422	171	867	0	35	0	9	2,606
6 to 9 years	798	242	140	472	0	18	0	9	1,679
10 to 13 years	628	153	102	291	0	22	0	15	1,211
14 to 17 years	1,308	223	77	171	16	55	13	168	2,031
18+ years	141	35	12	24		4	12	41	1,272
All ages	4,196	1,257	502	1,837		152	44	244	9,232
Source: 2017 Monitoring and Analysis Profiles									
* Includes "Attained Adulthood" and "Released to Responsibility"									

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) or adolescent offenders (AOs) by the criminal courts. Generally, youth placed with OCFS present serious and complex issues, many of which compromise their own personal well-being and public safety, and many of the youth have extensive histories of prior placements.

DJJOY supports and monitors facility-based operations and programs, community services and a range of community-based programs. DJJOY has also adopted a trauma responsive system of care called the New York Model.

Residential Care System

In 2017, the DJJOY residential care system consisted of 11 facilities and one reception center for both boys and girls: four secure facilities, five limited secure facilities, and two non-secure facilities. All facilities are accredited by the American Correctional Association (ACA) and all facilities have achieved full compliance under the Prison Rape Elimination Act (PREA).

The following services are provided to youth in DJJOY care: discrete units for youth with mental health issues, for youth with substance abuse issues, and for youth presenting sexually-harmful behavior; individual and group counseling; medical and dental services; education; and 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. Secure facilities are 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 as 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 access to all services, the majority of which 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. OCFS also contracts with authorized agencies to provide residential care to certain JDs.

Community Services

DJJOY has 12 Community Multi-Services Offices (CMSOs) and two satellite offices. CMSOs provide support to the family while the youth is in residential placement and when the youth is transitioned to community supervision. A regionally located Community Service Team (CST) works with the youth and family from day one of placement, in preparation for re-entry by employing targeted evidence-based strategies related to education, school placement, vocational and employment opportunities, mental health and substance abuse counseling, and recreational programs.

Detention Services

DJJOY is also responsible for certifying and monitoring 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 Court and/or criminal court. Detention serves youth who face a petition in Family Court on a delinquency or PINS matter, or in the criminal court (or Supreme Court) on a criminal matter. For a delinquency or criminal matter, youth must have been under the age of 16 at the time of the alleged act or crime; youth up to the age of 18 with a PINS matter may only be held in non-secure detention.

In 2017, OCFS, in consultation with the State Commission on Correction (SCOC), promulgated regulations for a new form of detention. Specialized Secure Juvenile Detention, required by the new Raise the Age legislation, which was signed into law in 2017. In preparation for this work, OCFS held several meetings with current secure detention providers to assess the current regulatory requirements and what would be needed to improve the safety and programming for older youth with felony charges. OCFS engaged counties, worked with providers and other critical stakeholders to shape the detention and alternative to detention needs for youth ages 16 and 17 who formerly were processed through the adult criminal justice system and were scheduled to be moving to the juvenile and youth justice system in stages beginning in October 2018.

Juvenile Justice Reform

Over the past 10 years, localities in New York State have taken increasing responsibility for their system-involved youth, and this effort has 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 implementation of the comprehensive New York Model system of care. 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's 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 to court-adjudicated youth and their families a range of core mandated and enhanced services that are delivered by trained professionals in structured residential facilities and in centrally located community sites.

On April 10, 2017, the Raise the Age (RTA) legislation was enacted (Part WWW of Chapter 59 of the Laws of 2017). The law makes substantive changes to the procedures used to process 16- and 17-year-olds in the criminal and youth justice systems. The youth facilities program footprint will change with the addition of residential beds to accommodate an older population of JDs. DJJOY will work on new curricula to better meet the needs of the population.

DJJOY is expanding the juvenile justice system to accommodate the 16-year-olds who were expected to begin entering residential youth facilities in late 2018 and early 2019. DJJOY plans to expand Industry Residential Center in Monroe County to house an additional 80 youth. A 25-bed facility will be added for girls at the Harriet Tubman Residential Center in Cayuga County.

Office of the Ombudsman

The Office of the Ombudsman (OOTO) helps protect the legal rights of court placed-youth who are at various residential and detention facilities across New York State. Youth may be juvenile delinquents (JDs), youthful offenders (YOs), juvenile offenders (JOs), Persons in Need of Supervision (PINS), or adolescent offenders (AOs). The ombudsmen are licensed attorneys or persons with expertise in juvenile justice or youth rights, and are based in Rensselaer; OOTO also maintains offices in Buffalo, Syracuse, and New York City.

OOTO's youth advocacy extends to youth at Division of Juvenile Justice and Opportunities for Youth facilities (DJJOY); sites administered by the Administration for Children's Services through the Close to Home Initiative (CTH); county detention centers, and local child welfare agencies. OOTO does **not** provide services to youth in other placements, nor does it handle social services or Family Court issues unrelated to the rights of youth in one of the above-listed placements.

The rights of youth in custody

Youth in custody have legal rights—meaning, all the rights established by the constitutions and laws of the United States and New York State. The definition of legal rights includes rights granted by court orders, decisions, or stipulations; state and federal regulations; and agency or facility policies. These rights cover many aspects of a youth's placement, from intake to discharge. As a result, legal rights within the OOTO's purview are broad.

OOTO responsibilities involved in protecting the rights of youth

- **Resolution of Concerns:** OOTO works to help youth with issues related to their placement, and, if appropriate, will also work to connect them to resources as they transition back to their communities. With guidance, OOTO encourages youth to resolve problems on their own, extending treatment models that emphasize self-advocacy. OOTO staff do not provide legal representation to youth on civil or criminal matters, but may be able to aid a youth in obtaining an attorney.
- **Site Visits:** Statutory and regulatory mandates give OOTO unhindered access to residents at DJJOY, Close to Home, detention and voluntary agency placements. OOTO staff conduct announced and unannounced visits to placements to meet with youth one-on-one. Ombudsmen communicate with direct care staff and facility leadership to forward and resolve the matters youth raise.
- **Investigations:** OOTO investigates reports made by youth and follows-up on those matters with youth. Ombudsmen may refer reports to other OCFS divisions or government agencies, including the Statewide Central Register and the Justice Center. OOTO may also forward these reports to appropriate facility personnel.
- **Communication:** Youth in OCFS custody most frequently reach OOTO via a 24-hour Youth Helpline or by letter. Ombudsmen immediately raise such communications with site administration or OCFS Detention Services via protocols. In the case that law enforcement is to speak with a youth, OOTO is required to advise that youth of her or his rights before such contact. Ombudsmen also speak with youths' family members and attorneys about issues related to placement.

2017 Snapshot

- OOTO made 6,520 points of contact with youth. Points of contact may be a wellness check (unique phone contact), individual one-on-one consultation with a youth, an email (entire chain) to a facility about a youth issue, a youth's call to OOTO to speak with an ombudsman, or contact from a youth's parent or attorney to OOTO.
- The ombudsmen conducted 223 OCFS facility visits to DJJOY facilities (12 total facilities) and voluntary agencies (10 total sites).
- Ombudsmen conducted 301 visits to CTH facilities (32 total sites).
- In the spring, OOTO began visiting youth detention centers in collaboration with OCFS Detention Services. OOTO conducted 91 visits to centers (42 total centers).
- OOTO received 476 after hours calls to the Youth Helpline.

2017 Summary	
Points of Contact	6520
OCFS Facility Visits	223
Detention Facility Visits	91
CTH Facility Visits	301
After Hours Helpline Calls	476