



Office of Children  
and Family Services

# OCFS

## 2020 Annual Report



Sheila J. Poole, OCFS Commissioner

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## Introduction

The New York State Office of Children and Family Services (OCFS) oversees a continuum of services for children, families, and communities that promote 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. Through its programs and connections for the people served, OCFS also has a commitment to social justice and racial equity.

In 2020, OCFS adapted and reconfigured how it helped people across New York State due to the COVID-19 pandemic. The health crisis forced every division to rethink, react, and respond to how people are served. Programs changed, offered supplies such as hand sanitizer and personal protective equipment and responded around the state, either in person or virtually. For example, the Bureau of Program and Community Development maintained ongoing contact with the community-based programs we fund, processed claims on time, helped programs adjust budgets, initiated new contracts to respond to the pandemic, conducted annual site visits virtually, provided technical assistance, and monitored service quality.

OCFS's oversight and operational responsibilities include, but are not limited to, 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 and youth. In addition, the agency coordinates New York State's response to the needs of Native Americans on reservations and in communities and operates specialized programs for juvenile delinquents placed in the care of OCFS by family courts as well as juvenile and adolescent offenders committed to OCFS custody by the criminal courts.

Additionally, OCFS staff were also affected by COVID – from cases to quarantine, public transportation and school closures. Also, great consideration and care was taken to respond to the racial justice and equity movement precipitated by the murder of George Floyd.

The reports compiled herein, required under New York Social Services Law (SSL) § 17(d) and New York Executive Law § 164, help provide a snapshot of how the system is performing in key areas.

## Administrative Hearings

Pursuant to Social Services Law (SSL), applicants for or recipients of government-subsidized foster care services, day care services, homemaker services, and other child welfare services may appeal to OCFS the decisions of social services officials to deny or limit such payments. Local social services officials must determine eligibility for and the level of payment to be 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: the decision to remove a foster child from a foster boarding home; the determination by the local department of social services (LDSS) to indicate a report of child abuse and maltreatment; the proposed disclosure of such indicated finding to an inquiring provider or licensing agency under section 424-a of the SSL; the decision to deny, revoke, suspend or otherwise limit the license or registration to provide day care for children; the denial of an application to adopt children; determinations regarding the adequacy of adoption subsidies; the decision of the New York State Commission for the Blind (NYSCB) to deny or limit services or participation to a consumer; and the decision to deny, suspend, revoke or otherwise limit an operating certificate to provide long-term residential care to adults in family settings.

Administrative hearings help to protect children and adults, preserve families, and promote the adequacy and correctness of determinations made by LDSSs and the state that impact these children, adults and families.

### **Time Period: 1/1/2020 – 12/31/2020**

**NOTE:** *The total number of hearings held in the tables below is often significantly lower than the number of hearings scheduled, and the number of decisions issued due to the fact that many scheduled hearings are resolved without the need for a full hearing, such as by default, settlement, and party withdrawal.*

**Child Care Hearings** – Hearings held pursuant to section 22 of the SSL and Parts 358 and 415 of New York Codes, Rules and Regulations (18 NYCRR) to challenge determinations by LDSSs to deny, reduce, or terminate day care subsidy payments, or to challenge the adequacy of such payments.

Hearings Requested	Hearings Scheduled	Hearings Held	Hearing Decisions Issued
1409	1854	493	504

**Foster Care Payments** – Hearings held pursuant to section 22 of the SSL and Part 358 of 18 NYCRR to challenge determinations by LDSSs to deny requests by foster parents for foster boarding home payments at a rate higher than the rate being received by the foster parents, to deny voluntary foster care placement services for natural parents, or to challenge the adequacy of such payments or services.

Hearings Requested	Hearings Scheduled	Hearings Held	Hearing Decisions Issued
375	615	333	354

**Homemaker Services** – Hearings held pursuant to section 22 of the SSL and Part 358 of 18 NYCRR to challenge determinations by LDSSs to deny, reduce, or terminate homemaker services for adults and children, or to challenge the adequacy of services authorized.

Hearings Requested	Hearings Scheduled	Hearings Held	Hearing Decisions Issued
2	7	1	1

**Protective/Preventive Services** – Hearings held pursuant to section 22 of the SSL and Part 358 of 18 NYCRR to challenge determinations by LDSSs 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
238	411	99	94

**Transitional Child Care** – Hearings held pursuant to section 22 of the SSL and Part 358 of 18 NYCRR to challenge determinations by LDSSs to deny, reduce, or terminate transitional child care payments, or to challenge the adequacy of such payments.

Hearings Requested	Hearings Scheduled	Hearings Held	Hearing Decisions Issued
184	345	98	115

**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
3017	3027	571	2426

**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
1,084	1,148	229	970

**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
30	29	12	19

**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
0	0	0	0

**Adoption Subsidy** – Hearings held pursuant to section 455 of the SSL in which adoptive parents challenge the determination to deny or 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
14	14	5	26

**Day Care Licensing** – Hearings held pursuant to section 390-(3)(d), 390(10) and 390(11) of the SSL to contest: denial of an application for licensure or registration of a day care program; denial of an application for renewal of the licensing or registration of a day care program; suspension, revocation or limitation of a license or registration to operate a day care program; a directive to cease the operation of an unlicensed or unregistered 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
162	160	21	193

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

Hearings Requested	Hearings Scheduled	Hearings Held	Hearing Decisions Issued
6	6	0	3

**New York State Commission for the Blind (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 hearings 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 kinship guardian(s) challenge the determination to deny an application for kinship guardianship assistance payments, the determination to discontinue kinship guardianship assistance payments, or the amount of kinship guardianship assistance payments being provided to the kinship guardian(s).

Hearings Requested	Hearings Scheduled	Hearings Held	Hearing Decisions Issued
7	7	5	7

**Court Challenges to OCFS Administrative Decisions – 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 of such challenges for 2020.

2020 Total Cases Appealed:	18
-Appeals Resolved:	1
-Appeals Decisions Upheld:	1
-Appeals Decisions Reversed:	0
-Appeals Pending:	17
Prior Years Appeals Resolved in 2020:	2
-Appeals Upheld:	2
-Appeals Reversed:	0



## 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 engagement of participants in their own rehabilitation programs, including the ability to make meaningful and informed choices regarding their vocational goals and the rehabilitation services, is a fundamental principle of all NYSCB programs, projects, and policies.

NYSCB is committed to working closely with children who are blind and their families to enable each child to achieve the maximum possible independence in working, living, and participating as they become an adult. NYSCB incorporates interactive teamwork in its vocational rehabilitation services to best meet the needs of participants.

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

### Vocational Rehabilitation Program

**FFY 2019-20                      Participants served: 3,194                      Participants placed in employment: 209**

The Vocational Rehabilitation (VR) Program offers counseling and guidance to assist legally blind participants in finding or retaining employment. VR counselors (VRCs) work with each participant to develop an Individualized Plan for Employment (IPE). The IPE serves as a road map to guide participants toward their employment goals. Goals vary and services may include educational training, preparing for and finding a job, continuing at a current workplace, or learning to use adaptive equipment or technology related to employment. In addition to counseling and guidance, the VR Program may offer services or access to services, including the following:

- Assessments to determine service needs
- Social services casework, including referrals
- Mobility training (which enables participants to travel safely and efficiently)
- Vision rehabilitation for instruction in activities of daily life
- Low vision exams and devices
- Braille instruction
- Deaf-blind services
- Pretests and transition services for students with disabilities
- Maintenance, transportation, language interpretation assistance, and reader services
- Vocational assessment
- Vocational and educational training, including college
- Job training
- Assistive technology training and equipment
- Job retention services for workers experiencing vision loss

## **Services for Older Blind Individuals**

**FFY 2019-20**

**Older individuals served: 4,386**

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. NYSCB intends for the individuals it serves to achieve the highest level of confidence, self-sufficiency, and independence they can given their life circumstances, interests, and accordance with their established goals. NYSCB measures each person's success by determining whether they accomplished the goals identified in their Individualized Service Plans (ISP).

## **Children's Program**

**FFY 2019-20**

**Children served: 1,619**

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

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

The Children's Program provides services 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 socialization skills programs that they might not be able to attend without the support of NYSCB. The goal of the socialization skills programs is to provide legally blind children with opportunities that encourage independence and increase self-confidence.

## **Business Enterprise Program**

**FFY 2019-20**

**Vendors employed: 65**

**Average income: \$32,513**

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 cover all the counties in the state. Each regional office has a district supervisor, BEP specialists, and a support staff person. The BEP specialists work directly with the licensed program members to assist them in operating their own businesses.

## Division of Child Care Services

OCFS's 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: New York City Department of Health and Mental Hygiene, 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 132,000 children annually, and for the enrollment and monitoring of approximately 12,000 legally exempt child care providers annually. DCCS investigates complaints regarding the provision of local services, child care inspections, LDSSs, and community-based organizations to improve the delivery of service and care. DCCS also works to develop new programs and methods of service provision for children, youth, and child care providers that promote positive child development and improve the quality of child care services.

### **Number of Regulated Child Care Providers in New York State**

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

- 4,214 day care centers with a capacity for 316,164 children
- 3,060 family day care homes with a capacity for 23,938 children
- 7,676 group family day care homes with a capacity for 117,934 children
- 2,803 school-age child care programs with a capacity for 323,318 children

**Total: 17,753 regulated providers with a capacity for 781,354 children**

	Region	Center-Based		Home-Based		Total
		Day Care	School Age	Family	Group Family	
<b>Number of Providers</b>	New York City	2,185	1,542	1,081	5,054	8,862
	Rest of State	2,029	1,261	1,979	2,622	7,891
	<b>Total</b>	<b>4,214</b>	<b>2,803</b>	<b>3,060</b>	<b>7,676</b>	<b>17,753</b>
<b>Maximum Capacity</b>	New York City	140,418	225,193	8,197	76,857	450,665
	Rest of State	175,746	98,125	15,741	41,077	330,689
	<b>Total</b>	<b>316,164</b>	<b>323,318</b>	<b>23,938</b>	<b>117,934</b>	<b>781,354</b>

### **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 per child on a regular basis. Maximum capacity is driven by square footage allowance.

Small Day Care Center (SDCC) - Provides care for three to six children at a facility which is not a residence for more than three hours per day per child on a regular basis.

Family Day Care Home (FDC) - Provides care to more than two non-relative children in a residence for three or more hours a day per child 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 per child 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

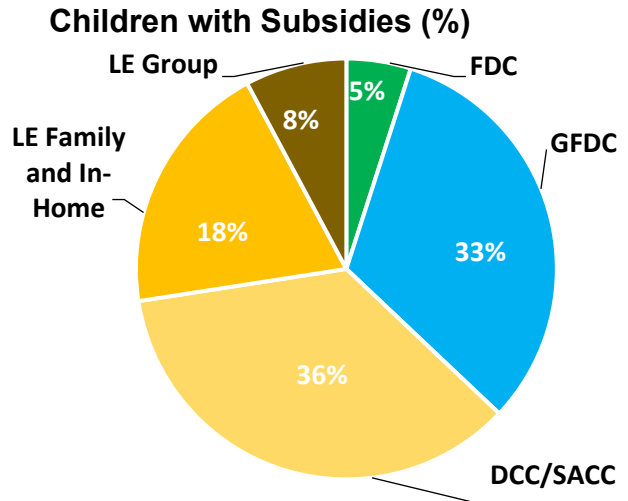
children in a non-residence facility outside normal school hours. Maximum capacity is driven by square footage allowance.

**Subsidized Child Care in New York State**

The New York State Child Care Subsidy Program is administered by LDSSs and overseen by DCCS. Approximately 132,000 children in 79,000 families received child care subsidies in FFY 2020.

**Of these:**

- 36% were cared for in DCCs or SACCs - 47,073
- 33% were cared for in GFDCs - 44,184
- 18% were cared for in legally exempt settings (LE Family & In-Home) - 23,702
- 8% were cared for in LE Group - 10,701
- 5% were cared for in FDCs - 6,504



It should be noted that the number of children and families served was greatly reduced in FFY 2020 due to the impact of COVID-19.

**Number of Providers Caring for One or More Children With Child Care Subsidies in FFY 2020**

	Licensed or Registered			Legally Exempt Enrolled			Total
	DCC/SACC	FDC	GFDC	LE Family	LE In-Home	LE Group	
New York City	1,084	706	4,096	1,247	3,958	169	11,260
Rest of State	2,195	1,333	2,402	3,819	2,741	82	12,572
<b>Total</b>	<b>3,279</b>	<b>2,039</b>	<b>6,498</b>	<b>5,066</b>	<b>6,699</b>	<b>251</b>	<b>23,832</b>

**Funding for Child Care Subsidies**

In SFY 2020-21, OCFS allocated \$832.1 million to LDSSs through New York State’s Child Care Block Grant. Additional child care subsidy funds for income-eligible families in SFY 2020-21 were made available through memoranda of understanding with SUNY (\$2.213 million) and CUNY (\$2.161 million).

OCFS facilitated enrollment projects funded in SFY 2020-21 for child care subsidies to families eligible up to 275% of poverty totaled \$9.988 million.

**Pandemic Relief Funding**

New York State received \$163 million\* in Coronavirus Aid, Relief, and Economic Security (CARES) Act funding, which OCFS administered in three rounds to support child care programs that remained open to serve the families of essential workers:

1. \$30 million announced on April 23, 2020
  - \$20 million for essential worker child care scholarships
  - \$10 million for supplies and personal protective equipment (PPE) for child care programs that remained open
2. \$65 million announced on June 23, 2020, to address immediate child care needs and to support additional capacity for parents returning to work
  - \$20 million for child care reopening/restructuring grants
  - \$45 million for temporary operating assistance grants
3. \$88.6 million announced on September 10, 2020
  - \$20 million for essential worker scholarships
  - \$20 million for rental assistance for school-based programs displaced by the pandemic
  - \$20 million for reopening/restructuring grants
  - \$28.6 million to pay for up to half of the cost of opening new classrooms

\*OCFS reallocated unspent funds; thus, total offerings exceed \$163 million.

**Number of Awardees for CARES 2 and CARES 3 Pandemic Relief**

	CARES 2		CARES 3		Across CARES 2 & 3	
	Programs Awarded	Total Awarded	Programs Awarded	Total Awarded	Programs Awarded	Total Awarded
Temporary Operating Assistance	2,372	\$44,033,450	1,382	\$22,929,200	3,754	\$66,962,650
Restructuring Grant	3,956	\$5,019,600	3,098	\$3,946,650	7,054	\$8,966,250

**Child Care Resource and Referral (CCR&R) Agencies**

OCFS provides funding and supervision to support and enhance the child care services delivered by Child Care Resource and Referral (CCR&R) agencies for children and families throughout New York State as specified in SSL sections 410-p through 410-t. CCR&Rs 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 2018, OCFS entered into contracts worth \$19.89 million with 32 CCR&Rs. These contracts are continuing at this level for SFY 2020-21. In FFY 2018, OCFS entered into contracts with seven CCR&Rs to serve as infant/toddler lead agencies for a total of \$1.1 million. In SFY 2019-20, OCFS amended these contracts to increase the total amount to \$3.3 million annually. OCFS increased

these infant/toddler contracts to add an Infant/Toddler Mental Wellness component to the program. The \$3.3 million annual amount continued for SFY 2020-21.

### **Union Contracts**

Family-based child care providers are represented by one of two unions: The United Federation of Teachers (UFT) for child care providers in New York City and the Civil Service Employees Association (CSEA) for child care providers in the rest of the state. OCFS provides funds 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 health and safety items, developmentally appropriate books, toys and other materials, first aid/CPR training expenses, general supplies, and children's furnishings, including cribs, mats, changing tables, etc.) and funds to support professional development and training. In SFY 2020-21, CSEA received \$1.25 million for quality grants and \$750 thousand for professional development. UFT received \$1 million for quality grants and \$1.25 million for professional development.

### **Advantage After-School Program**

In SFY 2019-20, \$33.0 million in funds supported a new Advantage After-School Program request for proposal. Approximately 16,500 children and youth will be served through 147 contracts. OCFS funded these contracts at the same \$33 million level for SFY 2020-21.

### **Empire State After-School Program**

In SFY 2019-20, the Empire State After-School Program created additional after-school opportunities in targeted high-need areas of New York State. As a result, \$55 million supported 80 contracts in approximately 327 sites that have served about 34,300 children. OCFS funded these contracts at the same level in SFY 2020-21.

## 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's Division of Child Welfare and Community Services (CWCS), there are five offices:

- Office of Child Protective Services Intake, Human Services Call Center and Protective Practices
- Office of Implementation, Community Affairs and Protective Practices
- Office of Implementation and Accountability
- Office of Prevention, Permanency, Program Support and New York State Federal Liaison and Practice Improvement
- Office of Regional Operations and Implementation

The division 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 provision of technical assistance for the implementation of program activities to 58 LDSSs, the St. Regis Mohawk Tribe, and 228 voluntary authorized agency (VA) providers.

Specific responsibilities include, but are not limited to, 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
- SCR database checks of individuals required to be subject to background checks under SSL 424-a using the SCR 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 voluntary foster care agencies, family-type homes for adults, and domestic violence shelters.
- 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 VAs to improve the delivery

of services and care

- Oversight and monitoring of the Children's Medicaid Management transition
- Operation of the Human Services Call Center

### **Office of Regional Operations and Implementation**

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

### **Bureau of Regional Operations**

The bureau maintains seven regional offices to provide direct oversight, monitoring, and technical assistance to LDSSs and VAs 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 seven regional offices are: Albany Regional Office (ARO), Buffalo Regional Office (BRO), Long Island Regional Office, New York City Regional Office (NYCRO), Rochester Regional Office (RRO), Syracuse Regional Office (SRO), and Westchester Regional Office (WRO).

### **Bureau of Native American Services**

The bureau is responsible for responding to the needs of the tribal nations located within New York State 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 OCFS'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, eight of which are federally recognized. The bureau is empowered to deal with tribal nations directly in upholding New York State's treaty obligations and making tribal annuity payments. Additionally, the bureau oversees the daily operation of the Tonawanda Indian Community House. OCFS is one of three state agencies (including the Education Department and the Department of Health) charged with specific obligations to New York's Native American population.

### **Bureau of Children's Medicaid Management (BCMM)**

The bureau is responsible for the implementation and ongoing monitoring of the New York State Medicaid redesign's recommendations to move children placed with voluntary foster care agencies (VFCAs) into Medicaid Managed Care. To facilitate this major transition, New York State Public Health Law was amended to create a new licensing category for VFCAs in 2017. With the implementation of the VFCA Health Facilities Law under Article 29-I of the Public Health Law, OCFS's BCMM worked with the New York State Department of Health to implement regulations and an application process. Article 29-I permits VFCAs to comply with corporate practice of medicine, allows VFCAs to contract with Medicaid Managed Care Plans and provide health care services to children in their care.

**Medicaid Eligibility:** Children in foster care are categorically eligible for New York State Medicaid. To facilitate this coverage, BCMM works with 58 LDSSs (including the New York City Administration for Children's Services) regarding the continuous coverage provision policies as they apply to Medicaid eligibility, including recently introduced regulations to guarantee coverage for children through the age of 21 as well as the Affordable Care Act Medicaid to age 26 requirements.



## **Office of Implementation and Accountability**

The office focuses on implementation of policy and programs in compliance with statutes and regulations. Through the bureaus of Oversight and Monitoring and Program Quality Improvement (PQI), the office monitors outcomes and tracks practice in the field. Through these processes, the office is able to identify opportunities to provide training and technical assistance to LDSSs and VAs to help them implement new programs effectively and improve practices.

### **Bureau of Oversight and Monitoring**

The bureau assesses the delivery of child welfare services by LDSSs for compliance with state and federal laws, regulations, and best practice standards. In cooperation with CWCS regional offices, the bureau conducts case reviews of child protective services (CPS), foster care services, and preventive/protective services cases. Practice assessments focus on the goal of improving both child welfare practice and outcomes. The CQI process utilizes the case review results to identify practice strengths and challenges as well as systemic issues that impact child welfare outcomes. This work is done in collaboration with the Bureau of Program Quality Improvement (PQI).

### **Bureau of Program Quality Improvement (PQI) Data**

The bureau supports a continuous quality improvement framework within OCFS and with key stakeholders such as LDSSs and VAs. The PQI bureau promotes targeted strategic planning through the utilization of data and other evidence to assess performance and track improvement. Additional activities include child welfare organizations throughout the state to acquire, process, and apply administrative data to program improvement. The bureau also supports the county child and family services planning process.

The PQI team uses continuous quality improvement concepts and utilizes quantitative and qualitative data to (1) evaluate practice and understand factors that contribute to performance, (2) establish improvement strategies, and (3) track the effectiveness of those strategies in improving outcomes. Utilizing comparative analyses, districts are provided feedback about their practice and outcomes to provide a framework for districts to identify strategies and resources to address areas needing improvement and to enhance outcomes for families.

This team participates in the data governance framework as well as in the biennial data quality reviews.

### **Bureau of Child Welfare Information Systems**

This bureau serves as liaison for the division's automated state child welfare system needs, CONNECTIONS, which are provided by the New York State Office of Information Technology Services (ITS) with review and process support for workload management requests for all systems (other than CONNECTIONS), project expenditure requests for all CONNECTIONS agency-funded consultant needs, as well as overall system needs prioritization activities. This bureau provides direct support for CONNECTIONS, managing the change board governance, working with ITS to prioritize enhancements, and overseeing a team of 28 implementation specialists who work in regional offices around the state to support over 28,000 system users at LDSSs and VAs. The bureau also works closely with our PQI bureau and the OCFS Bureau of Research Evaluation and Performance Analytics (BREPA) to prioritize data warehouse needs. This bureau also includes two business analysts who support child welfare systems' business requirements. In addition, this bureau manages the agency's initiative to transition CONNECTIONS to comply with federal comprehensive child welfare information systems (CCWIS) requirements.

### **Family First Prevention Services Act (FFPSA)**

The Family First Prevention Services Act (FFPSA) was signed into law on February 9, 2018. FFPSA makes major reforms intended to keep children safely at home with their families, and when that is not possible, use the least restrictive form of placement that is appropriate to meet the child's needs. In response to FFPSA, OCFS is rebalancing its child welfare system by modernizing and expanding its array of programming, supports, and services for preventive, out-of-home, and after-care services.

### **Family Assessment Response (FAR)**

FAR is a differential response to a child protective services (CPS) report of suspected child maltreatment within the two-track New York State CPS response system. FAR may be used for CPS reports that have been accepted by the New York Statewide Central Register for Child Abuse and Maltreatment (SCR) where there is no safety concern that rises to the level of immediate or impending danger for the child and/or family. FAR offers an alternative family-led child protective response to achieve safety through family engagement and collaborative partnerships.

In 2020, 15 counties including the St. Regis Mohawk tribe participated in FAR. The inclusion of FAR as an alternative will provide LDSSs with more than one way to respond to abuse or neglect reports, based on multiple factors: e.g., type and severity of allegation, number and history of previous reports, existence of threats to safety, motivation, and capacity of parents to address maltreatment concerns.

The FAR approach has been shown to be less adversarial than the traditional child protective response. FAR also addresses the disproportionality often seen in the child welfare system by reducing the number of indicated reports and removals (placements in foster care). Family engagement strategies utilized in FAR help to mitigate racial inequities within child welfare by focusing on family preservation, building an enhanced relationship that is focused on a family's unique needs, increasing family engagement and family decision-making skills. Family engagement strategies lead to improved quality and caseworker visits focus, more targeted services to families and expanded options, such as the identification and use of kin and extended families. New York's implementation of FAR aligns with a national growing effort to incorporate differential response into the CPS response and service array.

### **Office of Child Protective Services Intake, Human Services Call Center and Protective Practices**

### **Statewide Central Register of Child Abuse and Maltreatment (SCR)**

Mandated reporters and members of the public who suspect that a child in a familial home, foster home, or day care program has been or is being abused or maltreated can call the SCR's 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 approximately 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 35 supervisors support decision-making and supervisory consultation with callers. In 2020, the COVID-19 pandemic reduced volume in all workloads. The SCR received 268,926 calls and 163,549 reports transmitted electronically 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, the SCR registers a report and submits it 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 completes and electronically sends 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 244,907 database check clearance requests, 6,658 administrative review requests, and received 13,360 requests for information in 2020.

## **Bureau of Protective Practices**

### **Child Fatality Review Unit**

As required by law, OCFS reviews LDSSs 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 an LDSS. 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 covering 23 counties 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.

### **Multidisciplinary Teams/Child Advocacy Centers**

OCFS supports 62 approved multidisciplinary teams (MDTs) and child advocacy centers (CACs) including 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 multidisciplinary response in cases of child sexual abuse, severe physical abuse, and other child abuse allegations. MDTs and CACs support a child's well-being and aid 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 from the SCR by the local CPS 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; medical exams and counseling for victims and

their non-offending family members may also be completed.

### **Human Services Call Center (HSCC)**

The HSCC is a high-volume, customer-focused call center that receives and handles calls from the public on behalf of 10 state agencies. The HSCC is 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:

- Outbound COVID-19 Diagnostic Testing Scheduling
- Pandemic Electronic Benefits Transfer
- Paid Family Leave
- Medical Marijuana Program

The HSCC has routinely outperformed its goal of answering 85% of all calls within five minutes while handling more than one million calls per year. Responses from the customer agencies confirm that the HSCC provides excellent service while allowing the customer agencies to focus on their core mission. Through the HSCC, customer agencies have a detailed understanding of their callers' needs, including a full accounting of the time required to handle calls, and the most frequently asked questions. This customer-focused approach has proven to be successful.

### **Office of Prevention, Permanency, Program Support and New York State Federal Liaison and Practice Improvement**

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

### **Bureau of Adult Services**

This bureau is responsible for the oversight of Adult Protective Services and other adult services programs provided through LDSSs as well as 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, people with mental illness, people with developmental disabilities, and people who have been abused or exploited. APS investigates referrals of suspected physical, sexual or emotional abuse, financial exploitation, active and passive neglect, and self-neglect.

Approximately 70% of APS cases involve persons age 60 and older, and more than 70% of all APS reports are for "self-neglect." Services provided by APS include (1) investigating and assessing the adult's needs and risk of harm, (2) coordinating with law enforcement and other agencies, (3) counseling, (4) advocacy and case management, (5) applying for benefits and coordinating the delivery of services, (6) finding alternative living arrangements, (7) financial management services, (8) homemaker and housekeeper chore services, (9) crisis interventions, and (10) 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 able to ambulate independently, or if appropriate, are granted a reasonable accommodation, 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 actions against FTHAs that are in violation of statutes or regulations. There are currently 231 licensed FTHA operators in New York State with a capacity of 775 residents.

### **Bureau of Program and Community Development**

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

#### **Healthy Families New York (HFNY) Home Visiting Program**

HFNY is an evidence-based child abuse and neglect 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 reductions in low birth weight, increased school readiness, improved parenting skills, and reductions in child abuse and neglect. HFNY is accredited by Healthy Families America, an initiative of Prevent Child Abuse America. Services are offered in 39 counties throughout the state. Eleven of the 43 programs are also supported with federal Maternal, Infant and Early Childhood Home Visiting (MIECHV) funds. OCFS works closely with the New York State Department of Health on the implementation of the MIECHV initiative. HFNY subcontracts for statewide standardized core training and staff development, a management information system, and evaluation support. In 2020, HFNY completed 2,719 parent survey assessments, enrolled 1,816 new families, and provided 82,759 home visits to 5,358 new and existing families.

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

The Trust Fund supports programs focused on improving the safety and well-being of children and adults at risk of or experiencing child abuse, intergenerational abuse, and/or domestic violence. Programs prioritize services based on research or evidence, target high-need communities, and emphasize partnerships with LDSSs and other community partners. Programs that were funded through the 2018 request for proposals competitive process continued in 2020. The Trust Fund, in combination with the federal Community-Based Child Abuse Prevention (CBCAP) grant, supports 22 primary and secondary prevention efforts. Funded services include parenting education, home visiting, family resource centers, counseling, and linkages to other supportive services. Targeted populations include teen parents, families experiencing homelessness, low-income families, domestic violence survivors, and kinship families. The Trust Fund also supports the Enough Abuse Campaign to prevent child sexual abuse, training to increase protective factors that can prevent child abuse and maltreatment, the 1-800-CHILDREN statewide Parent Helpline, and the New York State Parenting Education Partnership, a collation of agencies and programs to improve and professionalize parenting education and increase families' ability to nurture the positive development of their children.

#### **Public-Private Partnership (PPP)**

The 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 \$3.64 million was included in the 2019-2020 state budget for this initiative. Selected

programs are required to invest in a 35% match in private fund contributions for this initiative. The awards to 14 providers continued in 2020 until November, at which time funding was no longer available. Program models include Parent-Child Home Plus program, Therapeutic Supervised Visitation, Functional Family Therapy for high-risk families, Parents as Teacher program, Domestic Violence programs and services to support at-risk youth. Funding was not included in the 2020-2021 state budget, though some programs continued scaled down programming with the support of local funds.

### **Bureau of Domestic Violence Prevention and Victim Support**

OCFS regulates 62 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. The bureau distributes and monitors federal Family Violence Prevention and Services Act (FVPSA) funds, including 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 back DV core services. There are 16 funded child protective services (CPS) and DV collaboration projects with a DV advocate stationed at the local CPS office. The State University of New York 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 administers the Temporary Assistance for Needy Families (TANF) funds to LDSSs to support non-residential DV services. All funded 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, materials, and training for child welfare workers regarding the issues and dynamics of DV.

### **Bureau of Permanency Services**

The bureau 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 on the Placement of Children. 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 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 children in New York State who are awaiting adoption. The bureau is responsible for:

- **Child Photolisting:** Administers the process for the photolisting of children in foster care 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 children in foster care in the New York State Family Adoption Registry and the photolisting of families on the agency's adoption album
- **Adoption Subsidy:** Reviews and approves or denies 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 for foster care or adoption 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 who 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 program provides 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 and KinGAP resources on its website. In 2016, OCFS published *Know Your Options: Kin Caring for Children*, a plain-language publication that introduces options for relative placement when a child cannot live safely with their parents. The brochure was translated into 11 languages. In 2018, OCFS in collaboration with the New York State Office of Temporary and Disability Assistance developed a plain-language publication titled *Know Your Resources: Non-Parent Caregiver Benefits* to inform caregivers of financial assistance and other supports for which they may be eligible.

In 2020, OCFS received a third year of funding for the federal grant under the Promoting Safe and Stable Families Program, Title IV-B Subpart 2 of the Social Security Act, and the Consolidated Appropriations Act of 2018 to support the development, enhancement, or evaluation of kinship navigator programs. The funding is subcontracted with the New York State Kinship Navigator program to strengthen New York State's unified kinship navigator system of care.

**General Demographics of Children in Foster Care**

<b>Demographics of Children in Foster Care on 12/31/2020</b>	
	<b>Percentage</b>
<b>Gender</b>	
Male	51%
Female	49%
<b>Age Group</b>	
Age 0-5	40%
Age 6-13	33%
Age 14-17	18%
Age 18 and over	9%
<b>Race/Ethnicity</b>	
Hispanic	25%
African American	39%
White	26%
Other/Unknown	10%

**Foster Care Admissions**

<b>Statewide: 2020 Foster Care Admissions and In Care by Age Group</b>				
<b>Age</b>	<b>Admissions</b>			<b>In Care 12/31/20</b>
	Reentered care	First Admissions	Total Admissions	
Under 1 year	47	1,352	1,399	894
1-5 years	319	1,366	1,685	5,050
6-9 years	265	721	986	2,629
10-13 years	249	688	937	2,283
14-17 years	371	920	1,291	2,731
18+ years	42	9	51	1,429
All ages	1,293	5,056	6,349	15,016
Source: 2020 Monitoring and Analysis Profiles				



## Foster Care Exits

Statewide: 2020 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	163	110	0	3	0	9	0	7	292
1-5 years	886	227	120	424	0	21	0	5	1,683
6-9 years	543	141	87	218	0	15	0	10	1,014
10-13 years	535	120	75	138	1	7	0	14	890
14-17 years	879	154	62	74	16	16	8	127	1,336
18+ years	144	28	20	12	863	7	5	17	1,096
<b>All ages</b>	<b>3,150</b>	<b>780</b>	<b>364</b>	<b>869</b>	<b>880</b>	<b>75</b>	<b>13</b>	<b>180</b>	<b>6,311</b>

Source: 2020 Monitoring and Analysis Profiles

\* Includes "Attained Adulthood" and "Released to Responsibility"

\*\* Includes discharges to OCFS custody, care of a guardian or mental health/penal facility, and child fatalities

### **Office of Implementation, Community Affairs and Protective Practices (ICAPP)**

ICAPP is comprised of the Appeals Processing Team (APT) and the Fair Hearing and Administrative Review Management (FHARM), which process all administrative appeals challenging indicated reports of child abuse or maltreatment and conduct all administrative reviews for such matters, respectively. ICAPP also manages the implementation of state legislation, drafting and monitoring the status of state legislation, appropriations and regulations, and comments on proposed state and federal legislation, regulations or other activity. ICAPP also coordinates the development of State of the State proposals and preparation for the CWCS budget hearings.

### **Fair Hearing and Administrative Review Management (FHARM) Team**

The FHARM Team conducts all administrative reviews for challenges to indicated reports of child abuse or maltreatment. An “administrative review” is the first level of an administrative appeal. As part of this review, the FHARM Team reviews the CPS case record in CONNECTIONS as well as any information submitted by the LDSS and the subject of the indicated report. During the administrative review, the FHARM Team must determine whether there is a fair preponderance of the evidence to support the indication of child abuse or maltreatment and whether the indication is relevant and reasonably related to employment. In 2020, the FHARM Team conducted over 5,000 administrative reviews.

### **The Appeals Processing Team (APT)**

The APT processes documents and cases for administrative appeal. Formally part of the SCR, the APT is responsible for receiving, processing, uploading, and mailing out case records and all documents related to administrative reviews and fair hearings to challenge indicated reports of child abuse and maltreatment.

## **Division of Youth Development and Partnerships for Success**

The Division of Youth Development and Partnerships for Success (YDAPS) continued its focus on meeting the needs of older youth and young adults who are involved with the child welfare and youth justice systems or are at risk of system involvement, and its support of positive youth development across the state. YDAPS oversees youth development initiatives, including services for runaway and homeless youth, educational and vocational advocacy, juvenile detention programs, the Close to Home initiative in New York City, services for youth who are at risk of or are survivors of human trafficking, and initiatives to improve outcomes for lesbian, gay, bisexual, transgender, and queer/questioning (LGBTQ+) youth and families. YDAPS also oversees initiatives for youth to provide critical input to policymakers and service providers, including the OCFS youth advisory board. YDAPS focuses on the interlocking relationships among positive youth development, partnership, and equity to increase opportunities for youth and young adults in New York State to thrive and become productive citizens.

YDAPS maintains interagency partnerships with the Division of Criminal Justice Services (DCJS), Youth Justice Institute (YJI), Office of Temporary and Disability Assistance (OTDA), Office of Mental Health (OMH), Office of Addiction Services and Supports (OASAS), State Commission of Correction (SCOC), State Education Department (SED), Department of Labor (DOL), and the Office of Court Administration (OCA). The division continues to work in close coordination with the OCFS Division of Juvenile Justice and Opportunities for Youth (DJJOY) and the Division of Child Welfare and Community Services (CWCS).

YDAPS has six bureaus:

- Youth Development
- Cross Systems Supports
- Education and Transitional Support Services
- Detention Services
- Health and Well-Being
- Close to Home Oversight and System Improvement

### **Bureau of Youth Development**

The bureau designs, coordinates, and promotes innovative strategies to advance positive youth development (PYD). PYD is a strengths-focused approach to children and youth that promotes protective factors and supports the growth and development of youth assets. PYD 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.

State aid for the Youth Development Program (YDP) is allocated to municipal youth bureaus to provide approved YDPs for youth under the age of 21. Youth development programming is designed to promote positive youth development by undertaking activities to prevent delinquency and youth crime while advancing the moral, physical, mental, and social well-being of youth.

The 2020 final appropriations provided support for YDP in the amount of \$15,621,700. OCFS used a portion of YDP funding to enter into contracts to provide statewide training to assist municipalities, youth bureaus and programs.

Data from 2020 shows that over 900 programs were funded across all counties. Data provided by the counties indicate that there were 523,444 duplicated youth who were served with YDP funding – 53,810 were ages 0-4; 197,437 ages 5-9; 210,139 ages 10-16; 62,058 ages 16-20.

The data from 2020 identified that the most common used service, opportunity, or support offered

was year-round seasonal activities, followed by Safe Places/Out-of-School Time Services, Youth Leadership/Empowerment, Academic Support Services and Healthy Lifestyles.

### **Youth Advisory Board**

The mission of the OCFS Youth Advisory Board (YAB) is to make a difference for youth in care by giving them the voice to help create positive changes in the foster care system. The board is comprised of up to 15 members who provide feedback on their experience in foster care and help shape state policies and initiatives. They are young adults from across New York State who advise and collaborate with OCFS on policy topics related to foster care as they shape their transition to independence. YAB members have been speakers at venues such as the OCFS Home Finders Summit, the New York Public Welfare Association's annual conferences, and various speak-out events around the state.

In 2020, YAB:

- participated in an interview to be used in the Engaging Youth in Virtual Permanency Hearings Training sponsored by the Office of Court Administration;
- participated in the Annie E. Casey/Jim Casey Opportunities Activating Youth Engagement Summit;
- assisted in facilitating listening sessions with LGBTQ+ youth in foster care;
- provided feedback on OCFS's proposed models of supervised settings for Family First and in New York's approach to the distribution of additional Chafee dollars to address needs related to the pandemic of young adults who had previously been in foster care;
- reviewed and provided feedback on information about internet safety for youth and families;
- met with the director of the youth development program at the Washington County Youth Service Bureau in Vermont regarding the "My Bag" and "No More Trash Bags" program for youth in foster care, which resulted in the development of their own "no more trash bags" program;
- participated in Young Adult Virtual Round Tables for youth in foster care; and
- created a job description and scope for a peer specialist that will be a state employment opportunity for young adults with prior experience in care.

### **Workforce Development**

The Workforce Development Demonstration Project (WDDP) is a two-year community-based alternative education/workforce development program that integrates project-based learning and occupational skills training to prepare disadvantaged youth for long-term career success and opportunities for post-secondary education. OCFS is prioritizing this approach to work-based learning to provide education and learning opportunities designed specifically for youth 16-24 years old who possess many risk factors that inhibit their success as they enter adulthood.

This program utilizes a Pay for Success (PFS) performance-based approach. PFS requires applicants to demonstrate, document, and provide verification of past success delivering the services proposed by the applicant. OCFS awarded 14 contracts to workforce programs in the following counties: Albany, Dutchess, Erie, Monroe, Onondaga, Rensselaer, Rockland, Schenectady, Suffolk, and Ulster. Contracts began in 2019 but as with much of community-based in-person programming, the services went online or had to be suspended in 2020 until the COVID-19 public health emergency was lifted. Many of the programs provided virtual support and training to youth, but most struggled to meet their target outcomes due to restrictions. Contracts have been extended for an additional year.

## **Bureau of Cross Systems Supports**

The bureau coordinates and oversees a number of cross-system initiatives and program areas, which include statewide juvenile justice reforms, practices related to Persons in Need of Supervision (PINS), LGBTQ+ youth and families, multisystem-involved youth, the Supervision and Treatment Services for Juveniles Program (STSJP), and collaboration on Raise the Age (RTA) implementation.

### **Sexual Orientation, Gender Identity and Expression**

In 2019, an Empire State Fellow dedicated to LGBTQ+ work within OCFS joined the bureau. The revitalized focus of work on sexual orientation, gender identity and expression (SOGIE) in 2020 included continued reviews and enhancements to training curricula, provision of training and technical assistance to state and local partners, the work of the OCFS SOGIE committee, and further engagement with community-based providers who serve LGBTQ+ youth and young adults. In recognition of the need for broader understanding and a comprehensive approach to meet the needs of LGBTQ+ stakeholders, OCFS researched best practices and gathered diverse stakeholder feedback to develop an *LGBTQ+ Community Practice Model*. The work also focused on the development and implementation of listening sessions with youth in foster care to obtain feedback to improve outcomes for LGBTQ+ youth in foster care, and an OCFS informational letter issued to the field regarding national resources accessible to support youth in foster care.

### **Persons in Need of Supervision (PINS)**

Reform legislation regarding PINS was passed in 2019, which required several cross-system implementation efforts with multiple state agencies and OCFS divisions. After the January 1, 2020, legislative implementation date, OCFS continued to provide guidance through trainings, regional meetings (in collaboration with the CWCS regional offices), and technical assistance to LDSS, VAs, and local probation departments (in collaboration with DCJS). With the assistance of the Bureau of Research, Evaluation and Performance Analytics, the bureau developed new data reports. The Child and Family Services Plan was amended to include a PINS pre-dispositional placement technical section for LDSSs to report on their accessibility of such placement settings.

### **Supervision and Treatment Services for Juveniles Program**

OCFS made \$7,876,000 available to municipalities under STSJP, which funds services and supports for youth who are at risk, alleged to be, or adjudicated as PINS or juvenile delinquents (JD); or alleged to be or convicted as juvenile offenders (JOs), adolescent offenders (AOs), or youthful offenders (YOs), to divert these youth from detention or residential care. Fifty-two municipalities submitted STSJP Annual Plans. OCFS approved 180 unique STSJP-funded programs and 113 unique STSJP-RTA funded programs. OCFS updated its data collection processes in 2020 to enhance analysis capability at the state and local level. OCFS also updated the STSJP webpages on its website to reflect the significant changes related to RTA and PINS reform legislation.

### **Bureau of Education and Transition Support Services (BETSS)**

BETSS continues to address the needs and challenges of youth aging out of foster care by strengthening educational stability for youth in secondary education programs, improving access to higher education funding sources for post-secondary or vocational learning, and providing skills-based training, supportive housing options, and leadership development opportunities to help youth make a successful transition to adulthood. The aim is also to provide adults who work with youth in care with the training, knowledge, support, and job aids necessary to effectively assist the youth in their care to lead successful lives.

## Youth Aging Out of Care

One of the key foci of BETSS in 2020 was the urgent and critical needs of young adults who were aging out of foster care during the pandemic. This is a highly vulnerable population at any time, but the pandemic increased economic and housing instability. OCFS identified funding to support these young adults and worked closely with the LDSSs to provide individualized support including, but not limited to, maintaining stable housing, transportation, and technology-related needs.

The bureau issued the annual John H. Chafee Independent Living allocation policy and provided individual county data regarding the number of youth-in-care between the ages of 14-21 to all counties. On December 27, 2020 federal legislation was passed providing supplemental Chafee funds. New York State received close to \$13 million and worked closely with the Youth Advisory Board and national advocates to devise a plan to provide direct cash relief to eligible young adults.

The same legislation provided a moratorium on requiring youth to leave care at 21 during the pandemic period and to allow for reentry of former foster youth into care over the age of 21. BETSS provided technical assistance and policy guidance to the field to support this legislation.

## National Youth in Transition Database

In 2020, the bureau completed the National Youth in Transition Database (NYTD) cohort 4, wave 1, which was a baseline survey for youth at age 17 who are still in foster care. A total of 815 youth is part of cohort 4. NYTD measures the outcomes of youth at ages 17, 19, and 21 who had been in care at age 17, with a focus on well-being outcomes.

## Education

The bureau continued to partner with the State Education Department (SED) and the American Bar Association (ABA) to implement the Every Student Succeeds Act (ESSA) and the changes to the law from 2018 to ensure children in foster care are able to continue their education. OCFS worked with SED and the ABA to revise the ESSA toolkit initially provided to the field in 2018. The workgroup will be including a FAQ section along with updates regarding transportation and best interest determination forms.

The COVID-19 pandemic presented some unique challenges for foster care youth in college. In early March 2020, OCFS worked closely with SED, the State University of New York (SUNY), the City University of New York (CUNY), and LDSSs to address housing needs for youth in foster care whose housing was tied to college and to identify stable housing options for them.

OCFS engaged a new vendor to administer New York's Education Training Voucher (ETV) program in November 2019. For the academic year starting at January 2020, through June 30, 2020, 331 students received an ETV award. The bureau also worked collaboratively with SED to determine eligibility for the Foster Youth College Success Initiative (FYCSI) for students who attend a SUNY, CUNY, or private college with a higher education opportunity program (HEOP). OCFS determined that 1,091 students out of over 1,250 who applied were eligible for FYCSI.

## Training

BETSS contracts with the Professional Development Program (PDP) to provide training to increase the skills of adults working with youth and young adults in foster care, and to engage youth across the state and provide them with information and supports to aid their transition to adulthood. There are seven youth engagement specialists (YESs) to provide training across the state. In 2020, the specialists provided 47 days of in-person training and 164 days of web-based trainings. The increase of web-based trainings was a direct result of the pandemic and everything

switching to virtual training in March of 2020. In addition, YESs provided 113 days of technical assistance.

In 2020, PDP organized seven virtual youth speak out events that presented an opportunity for youth in care to express their thoughts, feelings, and opinions about their experiences to a panel of state and local administrators. A statewide virtual event was held for the first time and had a national presenter from Think of Us; Sixto Cancel. Attendance for the events across New York State was 647. This was a significant decrease from prior years likely due to the virtual format utilized for all events due to the COVID-19 pandemic.

### **Bureau of Detention Services**

YDAPS is also responsible for certifying and monitoring local detention programs (eight secure and 17 non-secure detention facilities) operated by counties and voluntary agencies throughout the state. These programs provide temporary care and supervision to youth ages 7 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 matter or criminal charges in a local superior court and who were under the age of 18 at the time of the alleged act or crime. Youth alleged to be or sentenced as adolescent offenders may be held in one of the specialized secure detention facilities created under the 2017 Raise the Age legislation.

The number of older youth in detention began to climb in early 2020 as the state was in full implementation of Raise the Age. However, when COVID-19 restrictions were put into place, courts slowed or halted proceedings and switched to virtual sessions, and the number of youth remanded to detention lowered. The group of young people with the most serious charges who had cases that could not proceed in court due to the cessation of jury trials have had long lengths of stay. Detention facilities struggled with high census numbers, long stays, outbreaks of COVID-19 among staff and youth, the need to create quarantine and isolation units, and the need to provide virtual school and programming. In-person visiting was suspended from March 2020 through most of the year to maintain safety of youth and staff members. The Bureau of Detention Services conducted weekly virtual oversight from mid-March through early July 2020 when in-person visits by staff resumed.

YDAPS detention staff worked closely with the New York State Commission of Correction (SCOC), which co-regulates specialized secure detention facilities, to address operational and safety needs. The pandemic presented major operational challenges, including low staffing, space constraints due to social distancing requirements, isolation, and quarantine needs and concerns regarding air flow.

### **Bureau of Health and Well-Being**

The bureau focuses on two primary youth populations: those who have experienced or are at-risk of trafficking and/or exploitation and those who have experienced homelessness or have run away from home. OCFS supports the safety and well-being of these youth through the administration of the runaway and homeless youth service system, including certification and oversight of residential emergency and transitional living programs, supporting non-residential services, including local hotlines, street outreach programs, and case management, and providing training and technical assistance to counties and providers. OCFS works actively to prevent trafficking and support healing for youth who have been exploited through the implementation of numerous policies and programs. The bureau also oversees the Safe Harbour: NY program, which enables 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 its system response.

## **Runaway and Homeless Youth Programs**

OCFS certifies, funds, and provides oversight to runaway and homeless youth (RHY) crisis services programs and transitional independent living support programs (TILPs) under the New York State Executive Law, Articles 19-A and 19-H, which comprise the New York State Runaway and Homeless Youth Act. At the end of 2020, there were 125 RHY residential programs certified by OCFS, with a total bed capacity of 1,073 beds (979 youth beds and up to 105 infant/dependent beds). Of these 125 RHY programs, 33 were RHY crisis services programs and 92 are TILPs.

The 2020 RHY appropriation was \$4,484,000, which OCFS administered through the resource allocation process by the county youth bureaus.

RHY crisis services programs provide short-term crisis shelter and support services to RHY and, if applicable, homeless young adults, for arrangements to be made to return them home where possible, or to move them to an alternative residential arrangement when necessary.

TILPs provide long-term residential services and supports to homeless youth and, if applicable, homeless young adults, 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.

## **Child Sex Trafficking**

OCFS continues to provide technical assistance to counties and programs regarding the identification, reporting, and provision of services to youth identified as having been sex trafficked who are in the care, custody, or supervision of LDSSs or are in the community.

In 2020, the state budget funded Safe Harbor: NY at \$3 million to support systems to better serve commercially sexually exploited and at-risk youth. The program was active in 59 municipalities, including New York City. This program supports counties as they raise local awareness, offer training to youth-serving professionals, develop local protocol for services, and directly support youth who have been trafficked, exploited, or are at risk. In 2020, the bureau worked closely with providers across the state to develop and refine a model of residential foster care for youth who were at risk of or survivors of trafficking.

Staff members from YDAPS were invited to participate in several round tables and policy meetings with federal partners and national policy organizations that focused on the elimination of child sex trafficking. OCFS continues to be sought out for its expertise in this area across the country.

## **Close to Home Oversight (CTHO) and System Improvement**

CTHO is responsible for monitoring and providing technical assistance to the CTH providers of a continuum of services in New York City. These services consist of residential service programs to youth in New York City who are adjudicated delinquent in non-secure placement (NSP) or limited-secure placement (LSP), and services to CTH 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 CTH agencies for compliance with OCFS regulations and best practices in the areas of safety, permanency, and well-being.

The program's goal is to provide residential and community-based aftercare services 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 CTH NSP residential services, operating 26 residential programs. Three agencies provide CTH LSP residential services and operate four residential programs. Four agencies provide contracted aftercare services.

In 2020, CTHO conducted in-person site visits to providers until the pandemic when all in-person visits ceased unless there was a health or safety issue that required in-person attention. During the pause, CTHO staff members spoke daily to providers to assess any outbreaks and PPE or hand sanitizer needs. CTHO worked with ACS to identify quarantine and isolation sites.

### **Settlement Houses**

In 2020 OCFS released a procurement mechanism to support Settlement Houses across New York State. Settlement Houses provide multi-faceted supportive services for the duration of an individual's life in specific geographic neighborhoods and represent some of the oldest social services organizations in the United States. CTHO provides oversight and technical assistance for these contracts.

### **Statewide Youth Justice Reforms**

In 2020, OCFS worked with the Youth Justice Institute at the School of Criminal Justice at the University of Albany on a series to highlight the impact of COVID-19 on youth justice.

OCFS is also co-chair of the Partnership for Youth Justice (PYJ), a multi-stakeholder group that identifies policy and practice issues in the youth justice sphere that require improvement, with a specific focus on improving racial and ethnic disparities across the system. In 2020, PYJ increased its membership of local stakeholders by including representatives from the Office of Addiction Services and Supports (OASAS) and local legal aid organizations. Throughout the pandemic the PYJ met virtually and focused on centering racial equity in the work.



## Division of Juvenile Justice and Opportunities for Youth (DJJOY)

DJJOY is responsible for the supervision and treatment of youth placed in OCFS custody by the courts, from intake through aftercare. OCFS serves youth from the ages of 7 through 23 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), or as JOs or AOs adjudicated to be youthful offenders (YOs), 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. 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. The New York Model is a comprehensive behavior management system that is tailored around the individual treatment needs of each youth.

### **Residential Care System**

In 2020, the DJJOY residential care system consisted of 12 facilities: four secure facilities, six limited secure facilities, and two non-secure facilities. Except for the Harriet Tubman Residential Center for Girls, which opened in October 2018, all other facilities are accredited by the American Correctional Association and have achieved full compliance under the Prison Rape Elimination Act.

The following services are provided to youth in DJJOY care: discrete units for youth with mental health issues, youth with substance abuse issues, and youth presenting sexually harmful behavior; individual and group counseling; medical and dental services; education; and vocational/employment, recreational, and ministerial services.

- **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. Most of the youth in secure facilities are sentenced as JOs or AOs or as JOs and AOs adjudicated as YOs by the criminal courts. Certain JD youth may be placed in secure facilities if the placing family court has authorized secure placement within 60 days of admission or when the youth has been moved from a limited secure facility for dangerous behavior.
- **Limited Secure Residential Facilities:** This is a restrictive service setting used for initial placement of 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. 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 youth adjudicated as JDs who have been placed outside their home by a family court, but who do not exhibit behaviors that require the more restrictive setting of a limited secure facility. OCFS also contracts with authorized agencies to provide non-secure residential care for some JDs.

### **Community Services**

DJJOY began 2020 with 11 Community Multi-Services Offices (CMSOs) and four satellite offices. Effective March 2, 2020, the Bronx CMSO closed and merged with the Manhattan CMSO, which brought the total to 10 CMSOs and four 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 works with the youth and family from the first day of placement, in preparation for reentry by employing targeted, evidence-based strategies related to education, school placement, vocational and employment opportunities, mental health and substance abuse counseling, and recreational programs.

### **Juvenile Justice Reform**

Over the past 13 years, counties statewide have increased their efforts to rely less on residential confinement with 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 older youth with more complex histories and difficult behaviors and 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, transitional services, family engagement, youth development, and the New York Model system of care. DJJOY has worked to help young people in residential placement to develop competencies and prosocial 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.

On April 10, 2017, the Raise the Age legislation was enacted (Part WWW of Chapter 59 of the Laws of 2017). The law made substantive changes to the procedures used to process 16- and 17-year-olds in the criminal and youth justice systems. As a result, the program footprint of youth facilities operated by OCFS has changed with the creation of the adolescent offender (AO) category and the addition of residential beds to accommodate an older population of JDs. DJJOY continues to develop new curricula to better meet the needs of this population.

DJJOY has expanded the juvenile justice system to accommodate the 16-year-olds who began entering residential youth facilities in late 2018. In 2018, DJJOY expanded and opened the upper section of the Industry Residential Center in Monroe County to house an additional 80 male youth, DJJOY also added and reopened a 25-bed facility for girls at the Harriet Tubman Residential Center in Cayuga County. These facilities also serve the 17-year-olds who began entering residential youth facilities in 2019 and continued through 2020.

## Office of the Ombudsman

The OCFS Office of the Ombudsman (OOTO) is statutorily empowered to protect the rights of youth who are in the care and custody of the OCFS commissioner, who have been placed from family court on a juvenile delinquency (JD) or sentenced in the youth part of the Supreme Court or criminal court as a juvenile offender (JO) or an adolescent offender (AO). OOTO staff conduct site visits and field calls from youth in OCFS juvenile justice placement facilities, local juvenile detention facilities, or voluntary agencies providing residential care across the state.

OOTO does not provide legal representation to youth in court but can explain juvenile justice-related issues, laws, rules, and policies to youth and their caregivers and can aid a youth in obtaining an attorney. OOTO is not part of the Justice Center for the Protection of People With Special Needs; it is a separate entity.

### **The Rights of Youth in Custody**

Youth in custody have legal rights, defined broadly. These rights begin with those established by the constitutions and laws of the United States and New York State, and extend to rights granted by court orders, decisions, or stipulations; by state and federal rules and regulations; and by OCFS or facility policies. These rights cover many aspects of a youth's time in care — from intake to placement, to release or transfer.

### **OOTO Responsibilities in Protecting the Rights of Youth**

*Site Visits:* OOTO has access to youth residing in juvenile justice facilities across the state. OOTO conducts both announced and unannounced visits to OCFS-operated facilities administered by DJJOY, county detention centers, Close to Home programs (administered by the New York City Administration for Children's Services), and child welfare voluntary agencies that fall under OCFS's oversight authority. While OOTO has the right to visit all these facilities, the focus during 2020 was on OCFS-operated facilities.

*Investigation and Resolution:* OOTO investigates reports made by youth in OCFS-operated facilities regarding their care and raises these reports for resolution. Complaints or concerns that emanate from youth in facilities that are not directly operated by OCFS are referred to the appropriate OCFS oversight and monitoring staff for follow-up and resolution.

*Resources:* OOTO provides several resources for youth and their families. These include: a youth-oriented video, guide, and palm card on navigating interactions with law enforcement; a guide to advocacy during school disciplinary proceedings; social media safety one-sheets; and region-based, subject-specific lists of legal service providers for youth and families. OOTO worked with DJJOY to provide youth in OCFS facilities access to a youth policy manual applicable to their time in care. OOTO also provides youth rights training to staff at OCFS facilities as well as training about due process proceedings to attorneys who represent youth in court.

### **Communication With OOTO**

Youth may contact OOTO with any concern related to their rights. Residential staff members may not refuse a youth's request to call OOTO, and youth must be afforded a reasonable level of privacy during the call. Verbal and written correspondence between youth and the OOTO is confidential. When OOTO staff members conduct site visits, youth can also speak with an ombudsperson about issues related to their care and/or treatment.

Facility staff members, a youth's family or attorney, and/or another interested person may call OOTO if they have concerns about a particular youth or the rights of youth in care, in general. By statute and policy, OOTO is careful to verify outside contact and maintain confidentiality where and when required.

Staff members in OCFS facilities call OOTO whenever a youth in OCFS custody will be in contact with law enforcement. OOTO staff advise the youth of their rights when speaking to law enforcement and will connect the youth to an/their attorney.

### **2020 Overview**

In 2020, OCFS restructured the OOTO to reflect the impact of the past 10 years of reform in the state's juvenile justice system. OOTO returned its focus to state-operated facilities while maintaining the ability to field calls from youth in other juvenile justice residential settings.

As part of our commitment to equity, OOTO began work with DJJOY staff members to identify opportunities to improve vocational and programming opportunities for girls in facilities. As with all other areas of the state, OOTO's work was interrupted by the COVID-19 pandemic. In-person visiting was curtailed from mid-March 2020 until July 2020. Limited in-person site visits resumed in the summer of 2020 in close coordination with DJJOY to support the health and safety of residents and staff.

### **Connecting With Youth**

In March 2020, OOTO had to shift from in-person to telephone and video visits with youth in all facilities and resumed in-person visits in late summer on a modified schedule. Once in-person visiting resumed, OOTO prioritized OCFS facilities; OOTO took precautions to avoid cross-exposure from site to site. Over the course of the year, **3,682** points of contact were made with a youth or about a youth. "Points of contact" include a wellness check (unique phone contact), individual one-on-one consultation with a youth, email correspondence to a facility about a youth issue, a youth's outreach to OOTO, or contact from a youth's parent or attorney to OOTO.

Ombudspersons conducted:

- **167** OCFS facility visits between DJJOY facilities (**12** total facilities) and child welfare agencies (**13** total sites)
- **170** visits to CTH facilities (**32** total sites)
- **94** visits to detention centers (**31** total centers)

## Conclusion

OCFS continually strives to meet our mission of promoting the safety, permanency and well-being of New York's children, families and communities. OCFS builds partnerships and funds localities and agencies that provide quality services to those served by our core programs of child welfare, child care, juvenile justice, homeless youth, services for vulnerable adults and for New Yorkers who are blind.

OCFS's investments in preventive and child welfare services are among the highest in the nation. We continue to reduce the number of children who have been removed from their homes and placed in foster care. And when it is not safe for a child to remain at home, we require that LDSSs seek out a kinship or guardianship placement as a first option.

OCFS worked with various partners to realize the goals of Raise the Age. This means that all youth involved in the juvenile justice system are treated as young people who require care and support and receive treatment and development-based programs and services. OCFS also fosters meaningful family and community engagement, understanding that the goal for all youth is a successful transition back to their communities.

OCFS administered the child care subsidy program to make quality child care accessible to lower income working families. We also administered the expanded Empire State After-School Program and the Advantage After-School Program so children have a safe and nurturing place to spend the time between the end of the school day and the end of their parents' workday.

OCFS continues to develop, implement, and enforce policies and programs that improve the quality of life of the children, families, and vulnerable adults we serve, as reflected in this 2020 annual report. In dealing with the COVID-19 pandemic, OCFS maintained a high level of service and implemented critical support for those we serve throughout New York State.