

CHILD PROTECTIVE SERVICES

THE ABUSE AND MALTREATMENT OF CHILDREN IS AGAINST THE LAW.

Victims need an effective child protective service to prevent them from suffering further injury and impairment.

The purpose of the Child Protective Services Act of 1973 is to encourage more complete reporting of child abuse and maltreatment. The law established child protective services (CPS) in each county in New York. Each CPS is required to investigate child abuse and maltreatment reports, to protect children (anyone under 18 years old) from further abuse or maltreatment, and to provide rehabilitative services to children, parents, and other family members involved.

The New York State Office of Children and Family Services maintains the Statewide Central Register of Child Abuse and Maltreatment (SCR, also known as the “hotline”) for reports made pursuant to the Social Services Law.

The SCR receives telephone calls alleging child abuse or maltreatment within New York State. SCR staff relay information from the calls to the local CPS for investigation, monitors their prompt response, and identifies whether there are prior child abuse or maltreatment reports.

WHAT DO WE DO:

Protective services for children are activities on behalf of children (persons under the age of 18) who are named in a report under investigation or an indicated report of abuse and/or maltreatment. The following activities may be considered protective services for children:

- Receive reports of child abuse and/or maltreatment.
- Investigate the report, including obtaining information from collateral contacts such as hospitals, school and police.
- Communicate with the family to identify concerns affecting family stability and assisting them to identify services and resources that will minimize future risk to a child.
- Identify and assess a child's current safety and risk to the child of future abuse or maltreatment.
- Make determinations, following investigations, whether there is a fair preponderance of evidence to support the allegation of child abuse and/or maltreatment or not.
- Provide counseling and training courses for the parents or guardians of the child, including parent aide services.
- Arrange for counseling and therapy for individuals at risk of physical or emotional harm.
- Arrange for emergency shelter for children who are suspected of being abused and/or maltreated.

- Arrange for financial assistance, where appropriate.
- Assist the Family Court or the Criminal Court during all stages of a court proceeding in accordance with the purposes of Title 6 of Article 6 of the Social Services Law (SSL).
- Arrange for the provision of appropriate rehabilitative services, including but not limited to preventive services and foster care for children.
- Provide direct or arrange for, either through purchase or referral, the provision of day care or homemaker services, without regard to financial criteria.
- Monitor the rehabilitative services being provided by someone other than the child protective service worker.
- Case management services
- Case planning services
- Casework contacts

MANDATED REPORTERS:

When in their professional capacity, mandated reporters are required to file a report with the NYS Central Registry when presented with a reasonable cause to suspect a child is experiencing child abuse and/or neglect, by the information presented to them by a child, parent, or other person legally responsible for the child.

Reasonable cause to suspect child abuse or maltreatment means that, based on your rational observations, professional training, and experience, you have a suspicion that the parent or other person legally responsible for a child is responsible for harming that child or placing that child in imminent danger of harm. Your suspicion can be as simple as distrusting an explanation for an injury.

- Abuse encompasses the most serious injuries and/or risk of serious injuries to children by their caregivers. An abused child is one whose parent or other person legally responsible for his or her care inflicts serious physical injury upon the child, creates a substantial risk of serious physical injury, or commits a sex offense against the child. Abuse also includes situations where a parent or other person legally responsible knowingly allows someone else to inflict such harm on a child.
- Maltreatment means that a child's physical, mental or emotional condition has been impaired, or placed in imminent danger of impairment, by the failure of the child's parent or other person legally responsible to exercise a minimum degree of care by:
 - failing to provide sufficient food, clothing, shelter, education; or
 - failing to provide proper supervision, guardianship, or medical care (refers to all medical issues, including dental, optometric, or surgical care); or
 - inflicting excessive corporal punishment, abandoning the child, or misusing alcohol or other drugs to the extent that the child was placed in imminent danger.

Poverty or other financial inability to provide the above is not maltreatment.

MANDATED REPORTERS INCLUDE BUT ARE NOT LIMITED TO:

- Medical and hospital personnel
- Dentist
- Social services worker
- Employees of a health home or health home care management agency contracting with a health home, who are expected to have regular and substantial contact with children.
- Employee of a publicly funded emergency shelter for families with children
- Social worker
- Director of a children's overnight camp, summer day camp or traveling summer day camp
- Coroner
- Emergency medical technician
- Employees who provide home and community-based services under a Social Security Act §1115 demonstration project, who are expected to have regular and substantial contact with children.
- Day care provider-group or home based
- School officials including (but not limited to): - teacher - guidance counselor - psychologist - social worker - nurse - administrator or other school personnel required to hold a teaching or administrative license or certificate, coach, bus driver
- Employee or volunteer in a residential care facility for children
- Police officer/Law enforcement official
- District attorney
- Mental health provider