

ECLIPSE 2014 1 10

**Erie County Community Coordinating Council on Children and Families**  
**October 15, 2014 | Buffalo & Erie County Public Library (Central Library)**

Appointed Members Present: Amber Dixon; David Rust; Jack Coyne; Mary Iwanenko; Emily Nelson-Gerken; Robert Bennett; Demone Smith; Tracy Sawicki; Nancy Smyth; Francisco Vasquez; James McDonald; Mary Murphy; Ellen Fischer

Appointed Members Absent: Anthony Bronner and Ayoka Tucker

Ex-Officio Members Present: Carol Dankert-Maurer; Gale Burstein; Brian McLaughlin; Deborah Goldman; Frank Cammarata

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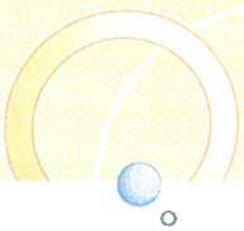
Definition of Child-Wellbeing: Safe and nurturing environment that creates hope and supports the development of children and families.

Identification of areas working well within our community:

- One-stop models where citizens can get all their needs met in one location, such as Family Justice Center or Child Advocacy Center. When it works, the facility turns into a “village”. It is unsustainable to have duplicative services.
- More agencies working collaboratively between themselves and their partners in government.
- Say YES Buffalo and Buffalo Promise Neighborhoods – Bringing multiple stakeholders to the table
- Numerous opportunities for young people to enjoy positive character-building activities
- Increased focus on children most at-risk to ensure they get the services they need.
- Elected officials paying more attention to these issues.
- Increased use of technology and data. Opportunities to expand this in the future.
- We have built numerous systems to solve mechanical problems – how to get children to school safely.
- People are beginning to treat children as people and not inconsequential.
- Economic outlook for the region is looking positive and children may take advantage of that in future.
- Availability of many types of services that many communities do not offer.
- Recognition among the professional clinicians within the community about the effect of trauma.
- Grass-roots community efforts: Parent network of disabled children helping other parents and MAD DADS.

Future Meetings:

- County Departments will provide an overview of their youth programs to the Council and identify areas where the Council can assist.
- Amber Dixon and Tracy Sawicki will chair next meeting at Buffalo Center for Arts and Technology.



**Presentation to the Erie County  
Community Coordinating Council  
on Children and Families  
The Child Welfare System in Erie County**



## **What is considered abuse in New York State?**

**When a parent (or other person legally responsible for a the care of a child) inflicts upon the child serious physical injury, creates a substantial risk of serious physical injury, or commits an act of sex abuse against the child.**



## **What is considered neglect in New York State?**

**When a parent (or other person legally responsible for the care of a child) harms a child, or places a child in imminent danger of harm by failing to exercise the minimum degree of care in providing the child with any of the following: food, clothing, shelter, education or medical care when financially able to do so.**



# Factors that Contribute to Abuse and Neglect

- Parent or caregiver factors
  - Personality Characteristics and Psychological Well-Being
  - Parental Histories and the Cycle of Abuse
  - Substance Abuse
  - Attitudes and Knowledge
  - Age
- Family factors
  - Family Structure
  - Marital Conflict and Domestic Violence
  - Stress
  - Parent-Child Interaction



# Factors that Contribute to Abuse and Neglect

- **Child factors**
  - Age
  - Disabilities
- **Environmental factors**
  - Poverty and Unemployment
  - Social Isolation and Social Support
  - Violent Communities



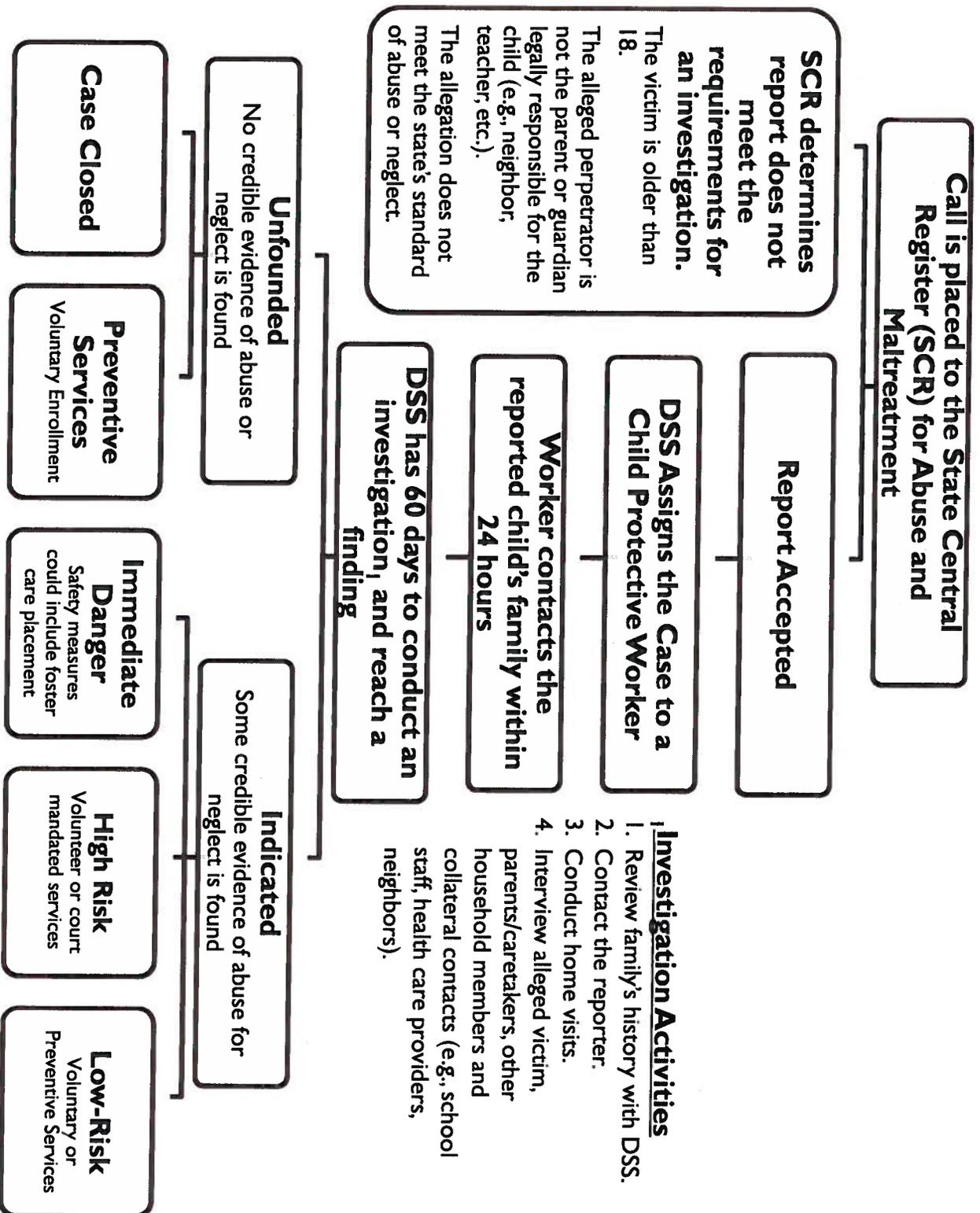
# Consequences of Child Abuse and Neglect

- **Physical Health Consequences**
  - Abusive Head Trauma
  - Impaired Brain Development
  - Poor Physical Health
- **Psychological Consequences**
  - Poor mental and emotional health
  - Cognitive difficulties
  - Social difficulties



# Consequences of Child Abuse and Neglect

- **Behavioral Consequences**
  - Difficulties during adolescence
  - Juvenile delinquency and adult criminality
  - Alcohol and other drug abuse
  - Abusive behavior
- **Societal Consequences**
  - **Direct costs:** The lifetime cost of child maltreatment and related fatalities in one year totals \$124 billion, according to a study funded by the CDC
  - **Indirect costs:** Costs associated with increased use of our health-care system, juvenile and adult criminal activity, mental illness, substance abuse, and domestic violence.





## How to make a report of child abuse or neglect?

- Persons who are required by law, or mandated, to report suspected cases of child abuse and maltreatment; and
- Non-mandated reporters (e.g., neighbors, concerned family members, etc.)



# Mandated Reporters

- Medical and hospital personnel
- School officials
- Social service workers
- Child care workers
- Residential care workers and volunteers
- Law enforcement personnel

\*This list is not all-inclusive.



## Statewide Central Registry

- When child abuse or neglect is suspected, mandated and non-mandated reporters call the Statewide Central Register of Child Abuse and Maltreatment (SCR).
- The SCR deems a call to be a report if it contains at least one allegation that, if true, would constitute a child being an abused or neglected child.



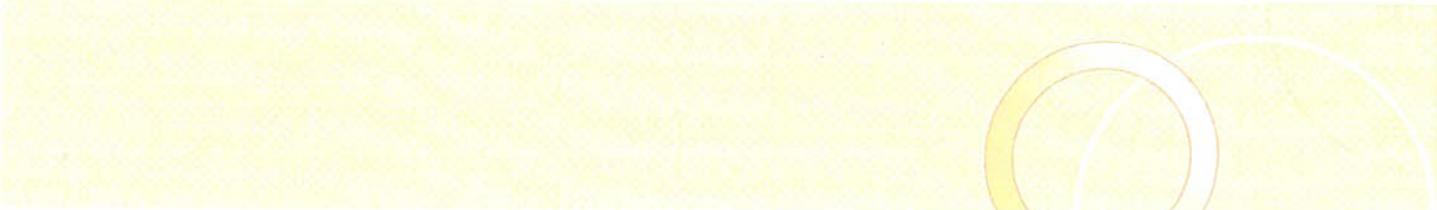
# Referral to the Department of Social Services

- Within 24-hours of receipt of SCR report, Erie County must begin an appropriate investigation to include:
  - A face-to-face contact or a telephone contact with the subjects and/or other persons named in the report, or
  - A face-to-face or telephone contact with other persons in a position to provide information about the child's safety, and
  - An evaluation of the environment and condition of each child named in the report and the determination of risk to them if they remain in the home.
- Review SCR records pertaining to all prior reports involving members of the family.



# CPS Investigation

- Home visit and face-to-face interviews with subjects of the report and family members of such subjects, including children named in the report;
- Obtain information from the reporting sources and other collateral contacts such as hospitals, schools, police and social service agencies;
- Review of reports and records from healthcare providers, law enforcement agencies and education facilities.



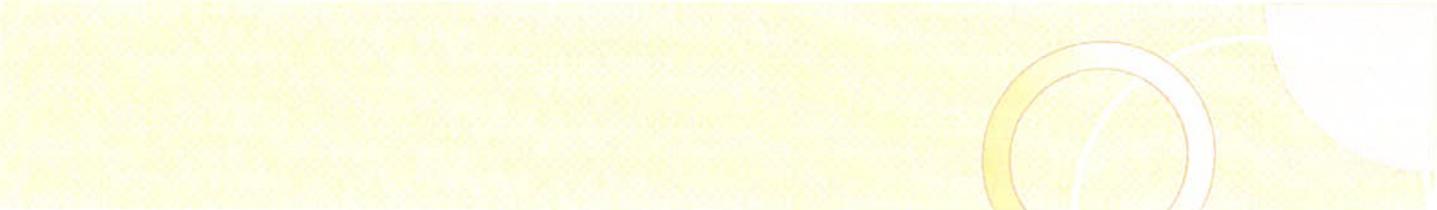
# CPS Determination

- The child protective worker determines within 60 days of the receipt of the report whether the report is indicated or unfounded.
- If the investigation reveals **some credible evidence** that abuse or maltreatment exists, the report is indicated.
- If the investigation does not find some credible evidence of abuse or maltreatment, the report is unfounded and sealed.



# Unfounded Report

**Unfounded reports are maintained at the SCR, but are sealed. The report is only available to police or DSS when investigating another report of child abuse or neglect involving the subject of the report or children named in the report. A sealed report is not available to employers or licensing agencies that deal with the care of children. A sealed case will be expunged (removed from SCR records) when the youngest child named turns 28.**



# Indicated Report

Indicated reports are kept at the SCR until the youngest child named is 28 years old. Child care employers, foster care and adoption agencies may be notified of indicated reports. An indicated report may affect a person's ability to obtain employment in child care, to become a foster parent, or to adopt. Law enforcement agencies, child welfare agencies, and the courts will have access to this information.

# Preventive Services

- If during the course of an investigation a family needs or wants services (e.g., substance abuse, mental health, domestic violence, vocational services, and child care), the child protective worker:
  - Can link the family to access voluntary services with an agency under contract or a Children's Services caseworker;
  - If necessary, go to Family Court and petition to get services mandated for the family;
  - In all situations where agencies provide services, Children's Services has a case oversight role.



## **Purpose of Preventive Services**

- **To provide services when a family is in need of help;**
- **To strengthen families;**
- **To help keep families together;**
- **To support families when children return from foster care; and**
- **To prevent child abuse and neglect.**

# Agencies Providing Preventive Services

- Baker Victory Services
- Buffalo Urban League
- Catholic Charities
- Child & Family Services
- Community Services for the Developmentally Disabled
- Family Help Center
- Gateway Longview
- Hillside Children Center
- Hispanics United
- Native American Community Services
- New Directions



## Standards to Remove a Child

- Evidence and information gathered during the investigation establish credible likelihood the abuse or maltreatment has occurred.
- Determination is made that current situation presents an “*imminent danger to the child’s life or health.*”
- CPS authorized to remove children and place them in safe home and make report to Family Court the next day.
- Standard of proof for removal is ***preponderance of the evidence.***



# Foster Care

- Children are placed in foster care either by order of a court (involuntary) or because their parents are willing to have them cared for temporarily outside the home (voluntary).
  - An involuntary placement occurs when a child has been abused or neglected (or may be at risk of abuse or neglect) by his or her parent.
  - A voluntary placement occurs when parents are temporarily unable to care for their child for reasons other than abuse or neglect.



# The Role of Foster Parents

- Provide temporary care for children, giving them a safe, stable, nurturing environment.
- Cooperate with the caseworker and the child's parents in carrying out a permanency plan, including participating in that plan.
- Understand the need for, and goals of, family visits and help out with those visits.
- Help the child cope with the separation from his or her home.
- Provide guidance, discipline, a good example, and as many positive experiences as possible.
- Encourage and supervise school attendance, participate in teacher conferences, and keep the child's caseworker informed about any special educational needs.



## Approving a Foster Home

- A home study evaluates the prospective foster parent's ability to address the child's health and safety.
- The prospective foster home must be evaluated and determined to meet basic physical, health, and safety requirements.
- Criminal background and SCR check.



# Foster Care Agencies

- Baker Victory Services
- Berkshire Farms
- Buffalo Urban League
- Catholic Charities
- Child & Family Services
- Erie County Department of Social Services
- Gateway-Longview
- Gustavus Adolphus Child and Family Services
- Hillside Children's Center
- KidsPeace
- New Directions Youth and Family Services
- Sarah Minnie Badger Foster Care Agency



# Therapeutic Foster Homes

Therapeutic foster boarding homes are specialized programs that care for children who would otherwise need to be served in group foster care, such as:

- Severely developmentally disabled infants and/or children;
- Adolescents with a documented history of acting out behavior and/or adjudication as PINs or Juvenile Delinquents;
- Severely emotionally disturbed children;
- Children with histories of group care placement or who are at risk of group care placement;
- Children with at least one failed foster boarding home placement; or
- Severely and/or multiply physically handicapped children.



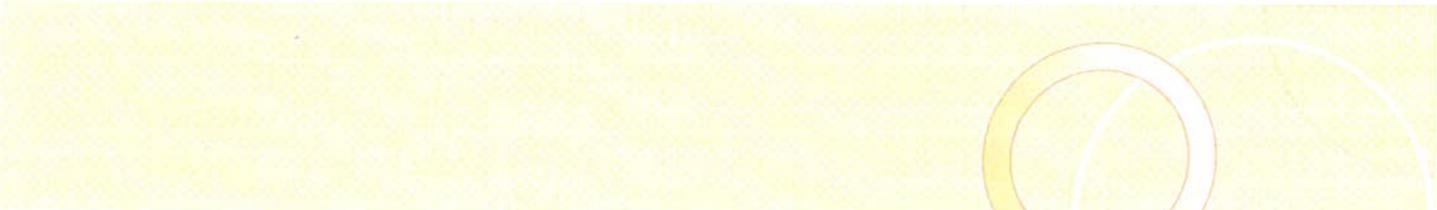
# Kinship Care

- Kinship care refers to the care of children by relatives.
- Relatives are the preferred resource for children who must be removed from their birth parents because it maintains the children's connections with their families.
- Keeping children with family members sustains their connection to their family roots; usually they are in close proximity to other relatives, including siblings, which allows them to receive family support that is unavailable or infrequent with non-kin placements.



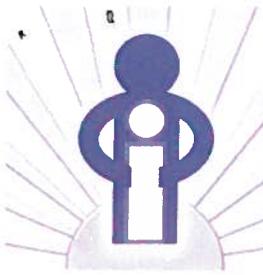
## Adoption from Foster Care

- When children in out-of-home care cannot be safely reunited with their birth families, adoption is often the most desirable goal. Adoption provides the most stable, legally binding relationship for these children and their adoptive parents.
- Foster parents adopt most children who are adopted from foster care; many other children are adopted by relatives. In some cases, child welfare professionals recruit potential adoptive families for specific children who are waiting for adoption.



## **How you can help.**

- **Help Recruit Foster Parents**
- **Advocate for Erie County's CPS Reform Legislation**
- **Speak up in the community about child abuse and neglect issues**



# Summary Guide for Mandated Reporters in New York State



New York State Office of Children & Family Services

This material provides mandated reporters with an overview of their obligations and some basic information about the New York State Child Protective Services (CPS) system.

## Who Are Mandated Reporters?

New York State recognizes that certain professionals are specially equipped to perform the important role of mandated reporter of child abuse or maltreatment. Those professionals include:

- \* Physician
- \* Registered physician's assistant
- \* Surgeon
- \* Medical examiner
- \* Coroner
- \* Dentist
- \* Dental hygienist
- \* Osteopath
- \* Optometrist
- \* Chiropractor
- \* Podiatrist
- \* Resident
- \* Intern
- \* Psychologist
- \* Registered nurse
- \* Social worker
- \* Emergency medical technician
- \* Licensed creative arts therapist
- \* Licensed marriage and family therapist
- \* Licensed mental health counselor
- \* Licensed psychoanalyst
- \* Hospital personnel engaged in the admission, examination, care, or treatment of persons
- \* Christian Science practitioner
- \* School official, including (but not limited to):
  - school teacher
  - school guidance counselor
  - school psychologist
  - school social worker
- school nurse
- school administrator or other school personnel required to hold a teaching or administrative license or certificate
- \* Social services worker
- \* Director of a children's overnight camp, summer day camp or traveling summer day camp
- \* Day care center worker
- \* School-age child care worker
- \* Provider of family or group family day care
- \* Employee or volunteer in a residential care facility for children
- \* Any other child care or foster care worker
- \* Mental health professional
- \* Substance abuse counselor
- \* Alcoholism counselor
- \* All persons credentialed by the NYS Office of Alcoholism and Substance Abuse Services
- \* Peace officer
- \* Police officer
- \* District attorney or assistant district attorney
- \* Investigator employed in the office of the district attorney
- \* Any other law enforcement official

The entire current list can be found in Article 6, Title 6, Section 413 of the New York Social Services Law, which can be accessed online through the New York State Legislature's Website ([public.leginfo.state.ny.us/menuf.cgi](http://public.leginfo.state.ny.us/menuf.cgi)). Click on Laws of New York to access Social Services Law.

## When Am I Mandated to Report?

Mandated reporters are required to report suspected child abuse or maltreatment when they are presented with a **reasonable cause** to suspect child abuse or maltreatment in a situation where a child, parent, or other person legally responsible for the child is before the mandated reporter when the mandated reporter is acting in his or her official or professional capacity. "Other person legally responsible" refers to a guardian, caretaker, or other person 18 years of age or older who is responsible for the care of the child.

Mandated reporters who are social services workers have expanded reporting requirements. Social services workers are

required to report when, in their official or professional role, they are presented with a reasonable cause to suspect child abuse or maltreatment where **any person** is before the mandated reporter and the mandated reporter is acting in his or her official or professional capacity.

## What is a Professional Role?

For example, a doctor examining a child in her practice who has a reasonable suspicion of abuse must report her concern. In contrast, the doctor who witnesses child abuse when riding her bike while off-duty is not mandated to report that abuse. The mandated reporter's legal responsibility to report suspected child abuse or maltreatment ceases when the 25M-8



reporter stops practicing his/her profession. **Of course, anyone may report any suspected abuse or maltreatment at any time and is encouraged to do so.**

### **Reasonable Cause to Suspect**

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.

### **What Is Abuse and Maltreatment?**

#### *Abuse*

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 (includes Neglect)*

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.

*Note: The definitions of abuse and maltreatment are different for children in residential facilities operated or licensed by the state.*

### **How Do I Recognize Child Abuse and Maltreatment?**

The list that follows contains some common indicators of abuse or maltreatment. This list is not all-inclusive, and some abused or maltreated children may not show any of these symptoms.

#### *Indicators of Physical Abuse Can Include:*

- \* Injuries to the eyes or both sides of the head or body (accidental injuries typically only affect one side of the body);
- \* Frequent injuries of any kind (bruises, cuts, and/or burns), especially if the child is unable to provide an adequate explanation of the cause. These may appear in distinctive patterns such as grab marks, human bite marks, cigarette burns, or impressions of other instruments;
- \* Destructive, aggressive, or disruptive behavior;
- \* Passive, withdrawn, or emotionless behavior;
- \* Fear of going home or fear of parent(s).

#### *Indicators of Sexual Abuse Can Include:*

- \* Symptoms of sexually transmitted diseases;
- \* Injury to genital area;
- \* Difficulty and/or pain when sitting or walking;
- \* Sexually suggestive, inappropriate, or promiscuous behavior or verbalization;
- \* Expressing age-inappropriate knowledge of sexual relations;
- \* Sexual victimization of other children.

#### *Indicators of Maltreatment Can Include:*

- \* Obvious malnourishment, listlessness, or fatigue;
- \* Stealing or begging for food;
- \* Lack of personal care—poor personal hygiene, torn and/or dirty clothes;
- \* Untreated need for glasses, dental care, or other medical attention;
- \* Frequent absence from or tardiness to school;
- \* Child inappropriately left unattended without supervision.



## Where Do I Call to Make a Report?

As soon as you suspect abuse or maltreatment, you must report your concerns by telephone to the New York Statewide Central Register of Child Abuse and Maltreatment (SCR). The SCR is open 24 hours a day, seven days a week, to receive your call. The timeliness of your call is vital to the timeliness of intervention by the local department of social services' Child Protective Services (CPS) unit. You are not required to notify the parents or other persons legally responsible either before or after your call to the SCR. In fact, in some cases, alerting the parent may hinder the local CPS investigation and adversely affect its ability to assess the safety of the children.

The telephone numbers to report abuse or maltreatment are:

**Mandated Reporter (800) 635-1522**

**Public Hotline (800) 342-3720**

Two counties run child abuse hotlines that may be used instead of the SCR:

**Onondaga County (315) 422-9701**

**Monroe County (585) 461-5690**

Oral reports to the SCR from a mandated reporter must be followed within 48 hours by a written report to the local department of social services' CPS unit on form LDSS-2221A. A copy of this form and the local mailing address can be obtained by contacting your local department of social services, or by visiting the New York State Office of Children and Family Services (OCFS) website at [ocfs.ny.gov](http://ocfs.ny.gov). Click on "Forms" and then "Child Protective Services" to access LDSS-2221A. Click on "contact us" and scroll down to "Contacting Your Local Department of Social Services" for addresses.

## What Happens When I Call the SCR?

There may be times when you have very little information on which to base your suspicion of abuse or maltreatment, but this should not prevent you from calling the SCR. A trained specialist at the SCR will help to determine if the information you are providing can be registered as a report. The LDSS-2221A mandated reporter form can be used to help you organize the identifying or demographic information you have at your disposal.

Be sure to ask the SCR specialist for the "Call I.D." assigned to the report you have made.

If the SCR staff does not register the child abuse or maltreatment report, the reason for the decision should be clearly explained to you. You may also request to speak to a supervisor, who can help make determinations in difficult or unusual cases.

## Local CPS Role and Responsibilities

When a report is registered at the SCR, the local department of social services is immediately notified for investigation and follow-up. A local CPS caseworker will initiate an investigation within 24 hours.

CPS intervention consists of an evaluation of the child and other children in the home and the development of a plan to meet the needs of the child and family. If there is an immediate threat to the child's life or health, CPS may remove the child from the home.

Upon request, CPS may obtain from the mandated reporter those records that are essential to a full investigation of alleged child abuse and maltreatment for any report made by the mandated reporter. The mandated reporter must determine which records are essential to the full investigation and provide those records to CPS when requested to do so.

Within 60 days of initiating the investigation, CPS will determine whether the report is indicated or unfounded. Mandated reporters may ask to be informed of the outcome of the report.

## Law Enforcement Referrals

If a call to the SCR provides information about an immediate threat to a child or a crime committed against a child, but the perpetrator is not a parent or other person legally responsible for the child, the SCR staff will make a Law Enforcement Referral (LER). The relevant information will be recorded and transmitted to the New York State Police Information Network or to the New York City Special Victims Liaison Unit. This is not a CPS report, and local CPS will not investigate.

## What Protection or Liability Do I Have?

### Source Confidentiality

The Social Services Law provides confidentiality for mandated reporters and all sources of child abuse and maltreatment reports. OCFS and local CPS are not permitted to release to the subject of the report any data that would identify the source of a report unless the source has given written permission for them to do so. Information regarding the source of the report may be shared with court officials, police, and district attorneys, but only in certain circumstances.

### Immunity from Liability

If a mandated reporter makes a report with earnest concern for the welfare of a child, he or she is immune from any criminal or civil liability that might result. This is referred to as making a report in "good faith."

### Protection from Retaliatory Personnel Action

Section 413 of the Social Services Law specifies that no medical or other public or private institution, school, facility or agency shall take any retaliatory personnel action against an employee who made a report to the SCR. Furthermore, no school, school official, child care provider, foster care provider, or mental health facility provider shall impose any conditions, including prior approval or prior notification, upon a member of their staff mandated to report suspected child abuse or maltreatment.

### Penalties for Failure to Report

Anyone who is mandated to report suspected child abuse or maltreatment—and fails to do so—could be charged with a Class A misdemeanor and subject to criminal penalties. Further, mandated reporters can be sued in a civil court for monetary damages for any harm caused by the mandated reporter's failure to make a report to the SCR.

## Who Provides Training for Mandated Reporters?

The New York State Education Department (SED) Office of the Professions oversees the training requirements for mandated reporters. Some categories—including teachers, many medical professionals, and social workers—need this training as part of their licensing requirement. The training may be included in their formal education program.

The New York State Office of Children and Family Services (OCFS) is proud to be a certified provider authorized by SED to offer mandated reporter training, and has developed a comprehensive curriculum with content customized to medical professionals, educators, law enforcement personnel, day care providers, and human services staff. OCFS has shared this well-

received curriculum with other certified providers of mandated reporter training, as well as with colleges and universities across the state that provide educational programming in the fields covered by the mandated reporter statute.

OCFS provides mandated reporter training through a contractual agreement with the Center for Development of Human Services (CDHS), part of the Research Foundation of SUNY, Buffalo State College.

OCFS offers a Self-Directed Online Training for mandated reporters. This 2-hour web-based online training course is available 24/7 and is accessible at [www.nysmandatedreporter.org](http://www.nysmandatedreporter.org). There is no cost to the participant.

**Special Note:** Mandated Reporters who require licensure or certification through the New York State Department of Education (NYSED) are required to take mandated reporter training from a trainer who has been approved by the New York State Education Department. For more information, please go to [www.op.nysed.gov](http://www.op.nysed.gov) or contact the New York State Education Department at [OPPLEUCA@mail.NYSSED.gov](mailto:OPPLEUCA@mail.NYSSED.gov).

## Conclusion

Protecting children and preventing child abuse and maltreatment does not begin or end with reporting. Efforts to prevent child abuse and maltreatment can only be effective when mandated reporters and other concerned citizens work together to improve the safety net in their communities.

To be most effective, your local CPS needs strong partnerships within your community. By getting to know the staff in your local CPS unit, you will gain a better understanding of how your local program is structured, and CPS will better understand how to work more effectively with you.

By working together, we can better protect our vulnerable children.

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## New York State Office of Children & Family Services

Capital View Office Park, 52 Washington Street  
Rensselaer, New York 12144

Visit our website at:  
[ocfs.ny.gov](http://ocfs.ny.gov)

To report child abuse  
and neglect, call:  
**1-800-342-3720**

For information on the Abandoned  
Infant Protection Act, call:  
**1-866-505-SAFE (7233)**

Mandated Reporters Hotline for making  
child abuse and maltreatment reports:  
**1-800-635-1522**

For additional copies of this pamphlet visit our  
website at: [ocfs.ny.gov](http://ocfs.ny.gov) and click on "Publications" (Rev. 2/2014)



  
[youtube.com/TheNYSOCFS](http://youtube.com/TheNYSOCFS)

  
[twitter.com/NYSOCFS](http://twitter.com/NYSOCFS)

  
[twitter.com/NYSOCFS\\_espanol](http://twitter.com/NYSOCFS_espanol)

**NEW YORK STATE  
OFFICE OF CHILDREN AND FAMILY SERVICES  
REPORT OF SUSPECTED  
CHILD ABUSE OR MALTREATMENT**

Report Date	Case ID	Call ID
Time : <input type="checkbox"/> AM <input type="checkbox"/> PM	Local Case #	Local Dist/Agency

SUBJECTS OF REPORT										
List all children in household, adults responsible and alleged subjects.										
Line #	Last Name	First Name	Aliases	Sex (M, F, Unk)	Birth day or Age Mo/Day/ Yr	Race Code	Ethnicity (Ck Only if Hispanic/Latino)	Relation Code	Role Code	Lang. Code
1.							<input type="checkbox"/>			
2.							<input type="checkbox"/>			
3.							<input type="checkbox"/>			
4.							<input type="checkbox"/>			
5.							<input type="checkbox"/>			
6.							<input type="checkbox"/>			
7.							<input type="checkbox"/>			

MORE

List Addresses and Telephone Numbers (Using Line Numbers From Above)	(Area Code) Telephone No.

**BASIS OF SUSPICIONS**

Alleged suspicions of abuse or maltreatment. Give child(ren)'s line number(s). If all children, write "ALL".

<input type="checkbox"/> DOA/Fatality	<input type="checkbox"/> Child's Drug/Alcohol Use	<input type="checkbox"/> Swelling/Dislocation/Sprains
<input type="checkbox"/> Fractures	<input type="checkbox"/> Poisoning/Noxious Substances	<input type="checkbox"/> Educational Neglect
<input type="checkbox"/> Internal Injuries (e.g., Subdural Hematoma)	<input type="checkbox"/> Choking/Twisting/Shaking	<input type="checkbox"/> Emotional Neglect
<input type="checkbox"/> Lacerations/Bruises/Welts	<input type="checkbox"/> Lack of Medical Care	<input type="checkbox"/> Inadequate Food/Clothing/Shelter
<input type="checkbox"/> Burns/Scalding	<input type="checkbox"/> Malnutrition/Failure to Thrive	<input type="checkbox"/> Lack of Supervision
<input type="checkbox"/> Excessive Corporal Punishment	<input type="checkbox"/> Sexual Abuse	<input type="checkbox"/> Abandonment
<input type="checkbox"/> Inappropriate Isolation/Restraint (Institutional Abuse Only)	<input type="checkbox"/> Inadequate Guardianship	<input type="checkbox"/> Parent's Drug/Alcohol Misuse
<input type="checkbox"/> Inappropriate Custodial Conduct (Institutional Abuse Only)	<input type="checkbox"/> Other (specify) _____	

State reasons for suspicion, including the nature and extent of each child's injuries, abuse or maltreatment, past and present, and any evidence or suspicions of "Parental" behavior contributing to the problem. (If known, give time/date of alleged incident)

MO  
DAY  
YR

Time :  AM  PM

Additional sheet attached with more explanation. |  The Mandated Reporter Requests Finding of Investigation  YES  NO

CONFIDENTIAL		SOURCE(S) OF REPORT		CONFIDENTIAL	
NAME	(Area Code) TELEPHONE	NAME	(Area Code) TELEPHONE		
ADDRESS		ADDRESS			
AGENCY/INSTITUTION		AGENCY/INSTITUTION			

**RELATIONSHIP**

Med. Exam/Coroner    Physician    Hosp. Staff    Law Enforcement    Neighbor    Relative    Instit. Staff

Social Services    Public Health    Mental Health    School Staff    Other (Specify) \_\_\_\_\_

<b>For Use By Physicians Only</b>	Medical Diagnosis on Child	Signature of Physician who examined/treated child	(Area Code) Telephone No.
	Hospitalization Required: <input type="checkbox"/> None <input type="checkbox"/> Under 1 week <input type="checkbox"/> 1-2 weeks <input type="checkbox"/> Over 2 weeks		
Actions Taken Or	<input type="checkbox"/> Medical Exam	<input type="checkbox"/> X-Ray	<input type="checkbox"/> Removal/Keeping
About To Be Taken	<input type="checkbox"/> Photographs	<input type="checkbox"/> Hospitalization	<input type="checkbox"/> Returning Home
Signature of Person Making This Report:		Title	Date Submitted Mo Day Yr.

X

**TO ACCESS A COPY OF THE LDSS-2221A FORM:** Via Internet: <http://www.ocfs.state.ny.us/main/forms/cps/>  
Via Intranet: <http://ocfs.state.nyenet/admin/forms/SCR/> OR

**TO ORDER A SUPPLY OF FORMS ACCESS FORM (OCFS-4627) Request for Forms and Publications**, from either site above, fill it out and send to: **Office of Children and Family Services, Resource Distribution Center, 11 Fourth Ave, Rensselaer, NY 12144.**  
If you have difficulty accessing this form from either site, you can call **The Forms Hot Line at 518-473-0971.** Leave a detailed message including your name, address, city, state, the form number you need, the quantity and a phone number in case we need to contact you.

**NEW YORK STATE OFFICE OF CHILDREN AND FAMILY SERVICES**

RACE CODE	ETHNICITY CODE	RELATION CODES FAMILIAL REPORTS <i>(Choose One)</i>		ROLE CODE <i>(Choose One)</i>	LANGUAGE CODE <i>(Choose One)</i>	
AA: Black or African-American	<i>(Check Only If Hispanic/Latino)</i>	AU: Aunt/Uncle	XX: Other	AB: Abused Child	CH: Chinese	KR: Korean
AL: Alaskan Native		CH: Child	PA: Parent	MA: Maltreated Child	CR: Creole	MU: Multiple
AS: Asian		GP: Grandparent	PS: Parent Substitute	AS: Alleged Subject (Perpetrator)	EN: English	PL: Polish
NA: Native American		FM: Other Family Member	UH: Unrelated Home Member	NO: No Role	FR: French	RS: Russian
PI: Native Hawaiian/Pacific Islander		FP: Foster Parent	UK: Unknown	UK: Unknown	GR: German	SI: Sign
WH: White		DC: Daycare Provider			HI: Hindi	SP: Spanish
XX: Other		<b>IAB REPORTS ONLY</b>			HW: Hebrew	VT: Vietnamese
UNK: Unknown		AR: Administrator	IN: Instit. Non-Prof		IT: Italian	XX: Other
		CW: Child Care Worker	IP: Instit. Pers/Vol.		JP: Japanese	
		DO: Director/Operator	PI: Psychiatric Staff			

**Abstract of Sections from Article 6, Title 6, Social Services Law**

**Section 412. Definitions**

- Definition of Child Abuse.** (see also N.Y.S. Family Court Act Section 1012(e))  
An "abused child" is a child less than eighteen years of age whose parent or other person legally responsible for his care:
  - 1) Inflicts or allows to be inflicted upon the child serious physical injury, or
  - 2) Creates or allows to be created a substantial risk of physical injury, or
  - 3) Commits sexual abuse against the child or allows sexual abuse to be committed.
- Definition of Child Maltreatment.** (see also N.Y.S. Family Court Act, Section 1012(f))  
A "maltreated child" is a child under eighteen years of age whose physical, mental or emotional condition has been impaired or is in imminent danger of becoming impaired as a result of the failure of his parent or other person legally responsible for his care to exercise a minimum degree of care:
  - 1) in supplying the child with adequate food, clothing, shelter, education, medical or surgical care, though financially able to do so or offered financial or other reasonable means to do so; or
  - 2) in providing the child with proper supervision or guardianship; or
  - 3) by unreasonably inflicting, or allowing to be inflicted, harm or a substantial risk thereof, including the infliction of excessive corporal punishment; or
  - 4) by misusing a drug or drugs; or
  - 5) by misusing alcoholic beverages to the extent that he loses self-control of his actions; or
  - 6) by any other acts of a similarly serious nature requiring the aid of the Family Court; or
  - 7) By abandoning the child.

**Section 415. Reporting Procedure.** Reports of suspected child abuse or maltreatment shall be made immediately by telephone and in writing within 48 hours after such oral report.

**Submit the written paper copy of the LDSS-2221A form originally signed to: the County Department of Social Services (DSS) where the abused/maltreated child resides. To locate your local DSS, visit this site <http://www.ocfs.state.ny.us/main/localdss.asp>.**

**Residential Institutional Abuse Reports:** Submit a paper copy of form, LDSS 2221A, originally signed. It must be submitted directly to the Office of Children and Family Services (OCFS) Regional Office, associated with the county in which the abused/maltreated child is in care.

**NYS CHILD ABUSE AND MALTREATMENT REGISTER: 1-800-635-1522 (FOR MANDATED REPORTERS ONLY)  
1-800-342-3720 (FOR PUBLIC CALLERS)**

**Section 419. Immunity from Liability.** Pursuant to Section 419 of the Social Services Law, any person, official, or institution participating in good faith in the making of a report of suspected child abuse or maltreatment, the taking of photographs, or the removal or keeping of a child pursuant to the relevant provisions of the Social Services Law shall have immunity from any liability, civil or criminal, that might otherwise result by reason of such actions. For the purpose of any proceeding, civil or criminal, the good faith of any such person, official, or institution required to report cases of child abuse or maltreatment shall be presumed, provided such person, official or institution was acting in discharge of their duties and within the scope of their employment, and that such liability did not result from the willful misconduct or gross negligence of such person, official or institution.

**Section 420. Penalties for Failure to Report.**

1. Any person, official, or institution required by this title to report a case of suspected child abuse or maltreatment who willfully fails to do so shall be guilty of a class A misdemeanor.
2. Any person, official, or institution required by this title to report a case of suspected child abuse or maltreatment who knowingly and willfully fails to do so shall be civilly liable for the damages proximately caused by such failure.



## How will I know what happens after I make a report?

You may not know, except by seeing changes in the child and family. Our laws require CPS to work under very strict confidentiality rules, for the protection of everybody involved. The workers cannot share information about the report.

You can be assured that if the hotline took your report, CPS is responding to the situation. The law requires that CPS must investigate all reports taken by the hotline. If you think the situation has not changed, or if you know of another incident of abuse or neglect, you may and should make another report to the hotline.

## What else can I do if I think a parent I know is abusing or neglecting a child?

You can let the parent know that you are concerned about her or him. Realize the parent may be under stress, feeling lonely and isolated or inadequate as a parent. Offer your support. For example, give her or him a break by taking care of the children for awhile. Encourage the parent to seek other help. For example, encourage a parent who is having difficulty dealing with their children to attend a parenting class or support group.

## What if I see a child being mistreated in a public place?

Don't give the parent dirty looks or make snide remarks. That may increase the parent's anger and make things worse. There are positive, supportive things you can say and do. For example, "It looks as if it's been a long day for both of you." "Children can wear you out, can't they? Is there something I can do to help?" Strike up a conversation with the adult; see if you can direct the parent's attention away from the child. Praise the child and parent at the first opportunity.

## How can I find out more about child abuse and neglect?

For information about child abuse and neglect, for referrals to local organizations that help parents and children, and to find out what you can do to prevent child abuse, call Prevent Child Abuse New York's Parent Helpline. **The Parent Helpline can be reached from anywhere in New York State, toll-free, from 9 a.m. until 10 p.m. (after-hours calls are forwarded to an answering service): 1-800-CHILDREN.**

## To report suspected child abuse or neglect, call the New York State Child Abuse Hotline:

**1-800-342-3720**



Prevent Child Abuse New York  
134 South Swan Street | Albany, NY 12210  
1-800-CHILDREN | 518-445-1273  
www.preventchildabuseny.org  
info@preventchildabuseny.org



New York State Office of Children & Family Services  
52 Washington Street | Rensselaer, NY 12144  
ocfs.ny.gov  
info@ocfs.ny.gov

NYC Administration for Children's Services  
NYC Administration for Children's Services  
150 William Street | New York, NY 10038  
www.nyc.gov/acs

# Recognizing & Reporting Child Abuse & Neglect

Questions often asked  
by friends, neighbors and relatives



## What is child abuse? How do I recognize it?

Child abuse includes physical abuse, physical neglect, sexual abuse, and emotional abuse of a child under 18 years of age by a parent or other caretaker.

**Physical abuse** is a non-accidental injury to a child by a parent or caretaker. You may see frequent and unexplained bruises, burns, cuts or injuries; the child may be overly afraid of the parent's reaction to misbehavior.

**Physical neglect** is a parent's failure to give the child food, clothing, hygiene, medical care, or supervision. You may see a very young child routinely left alone at home. You may know that a severe illness or injury is not being medically treated. A neighbor's child may frequently turn up at your door—inadequately dressed for the weather—saying his or her parent told him or her to stay away. Physical neglect can be hard to determine: Sometimes what you see is simply poor judgment, but not neglect; sometimes what you see is the result of poverty, and not parental neglect.

**Sexual abuse** ranges from non-touching offenses, such as exhibitionism, to fondling, intercourse, or using the child for pornographic materials. You may see sexual behavior far beyond what is expected for the child's age; a young child might have sudden, unusual difficulty with toilet habits; there may be pain, itching, bruises or bleeding in the genital area. The child might tell you.

**Emotional abuse** includes severe rejection, humiliation and actions intended to produce fear or extreme guilt in a child. You may see a parent who verbally terrorizes the child, who continually and severely criticizes the child, or who fails to express any affection or nurturing.

## Why should I make a report if I suspect child abuse or neglect?

The reason to make a report is to get help for the child and the family. The Child Abuse and Maltreatment Reporting Center ("the Child Abuse Hotline") will notify the local Child Protective Services (CPS), which is part of the county Department of Social Services. In New York City, the Administration for Children's Services (ACS) will be notified. CPS will investigate and take needed action to protect the child and to help the parent solve problems that are leading to abuse or neglect. For example, the family may be referred to day care or homemaker services to help relieve the pressures of parenthood. CPS might suggest counseling, participation in a drug or alcohol program, or a parenting education program.

## Will the child be taken away from the home if I report?

Only if the child is in immediate danger will she or he be taken into "protective custody." Removing the child from the home is not a routine occurrence. Unless the child is in serious danger, the goal is to keep the family together.

## Then what does happen?

Within 24 hours of receiving a report, CPS begins an investigation. Within 60 days they must determine whether the reported suspicion is "indicated" or "unfounded." Indicated means there is evidence that the children have been abused or neglected. If abuse or maltreatment is indicated, CPS will recommend a plan for the family to protect the child and to help the parents solve problems that are leading to abuse or neglect.

## Should I be certain? What if I make a mistake?

You need to have a *reasonable suspicion* of child abuse, not to prove it or be absolutely certain. You might be mistaken, but it is better to err on the side of the child. Not reporting your suspicions may mean that abuse will continue. If you make a report in good faith, you are immune from civil or criminal liability.

## Do I have to give my name? If I do, will it be confidential?

Reports may be made anonymously. Although you don't have to give your name, we recommend that you do so. The CPS caseworker who will investigate the situation is not the same person—or even the same office—that takes your report. The caseworker may want to talk to you for additional information or clarification. Giving your name will assure that the worker can contact you, and that important information will not be forgotten or lost. Your name will be kept confidential. By law, CPS may not release the name of the person who made the report to the family who was reported.

