



# Office of Children and Family Services

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## Local Commissioners Memorandum

<b>Transmittal:</b>	22-OCFS-LCM-02
<b>To:</b>	Local Departments of Social Services
<b>Issuing Division/Office:</b>	Office of Strategic Planning and Policy Development
<b>Date:</b>	January 18, 2022
<b>Subject:</b>	<b>Child Protective Services Manual Updates</b>
<b>Contact Person(s):</b>	See section IV.
<b>Attachments:</b>	<p>New York State Child Protective Services Manual Chapters:</p> <ul style="list-style-type: none"> <li>Chapter 1, Introduction to Child Protective Services</li> <li>Chapter 3, Statewide Central Register Responsibilities</li> <li>Chapter 4, Special Circumstances in Report Processing</li> <li>Chapter 6, Child Protective Services Investigations</li> <li>Chapter 7, Investigations in Foster Homes and Child Day Care Programs</li> <li>Chapter 12, Notifications</li> <li>Chapter 14, Appendices</li> <li>Chapter 15, Glossary of Terms</li> </ul>

### I. Purpose

The purpose of this Local Commissioners Memorandum (LCM) is to advise local departments of social services (LDSSs) of updates to the [New York State Child Protective Services Manual](https://ocfs.ny.gov/programs/cps/manual/) (CPS Manual; January 2022).<sup>1</sup> These updates replace prior iterations of the manual and are intended to reflect the most recent law, regulations, and policy.

<sup>1</sup> <https://ocfs.ny.gov/programs/cps/manual/>

## II. Background

The *New York State Child Protective Services Manual* provides a comprehensive resource that incorporates current law, regulations, relevant guidelines, and procedures in child protective services, and guidance to CPS workers in putting those laws, regulations, and policies into operation. The manual is the principal source for CPS training and contains a glossary of terms and an appendix that includes useful tools for CPS workers.

The Office of Children and Family Services (OCFS) has made biannual updates to the CPS Manual as needed since 2017. This is the first update since the 2019 edition.

The material in this update is primarily intended to reflect the changes made relevant to Part R of Chapter 56 of the Laws of 2020 (commonly referred to as “SCR reform legislation”). Among other amendments, this new law changes the standard of evidence that CPS must utilize in determining whether to indicate a report of alleged child abuse or maltreatment that is accepted by the SCR on or after January 1, 2022, from “some credible evidence” to “a fair preponderance of the evidence.” In November 2021, OCFS published 21-OCFS-ADM-26, which provides detailed guidance and case examples to the field in implementing this evidentiary standard.

In prior LCMs making updates to the manual, the new pages were attached as page replacements. Due to the high number of pages affected by the language in the SCR reform legislation, this LCM does not include attachments to each page where the language is changed; however, the new language is provided in yellow highlight in the manual. Where language has been removed, it is shown in strikethrough text.

The chapters with changes include:

- Chapter 1, Introduction to Child Protective Services, Section C
- Chapter 3, Statewide Central Register Responsibilities, Section C
- Chapter 4, Special Circumstances in Report Processing, Sections B, D
- Chapter 6, Child Protective Services Investigations, Sections B, O
- Chapter 7, Investigations in Foster Homes and Child Day Care Programs, Sections B, C
- Chapter 12, Notifications, Section A
- Chapter 14, Appendices, Sections C, F, O (new)
- Chapter 15, Glossary of Terms

OCFS expects to continue to issue CPS Manual updates, as warranted by changes in law, regulations, policy, relevant guidelines, and procedures in child protective services. It is anticipated that at the beginning of each calendar year, a new complete version incorporating all recent updates and absent any markup will be issued. Prior versions of the manual will be archived and will be available on the OCFS intranet and internet.

## III. Program Implications

LDSSs and voluntary authorized agencies should access the most current version of the manual when using it as a resource.

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