

FACT SHEET: NY CHILD WELFARE



New York State

- *Maltreatment Reports.* The New York State Office of Children and Family Services maintains the Statewide Central Register (SCR, also known as the “hotline”) for reports of allegations of maltreatment. In 2017, there were over 166,000 SCR reports filed in New York State.ⁱ
- *Preventive Services in NYS.* In 2017, more than 49,000 children had preventive services authorized, including both mandated and non-mandated services, intended to preserve and strengthen families.ⁱⁱ The number of children authorized to receive these services increased 14% from 2016.ⁱⁱⁱ
- *Children Entering Foster Care.* In 2018, 8,323 children entered foster care in New York State.^{iv} This was a decrease of nearly 9% from 2017.^v Children of color remain overrepresented in the foster care system. In 2018, children of color accounted for 52% of the total child population^{vi} but 62% of children in foster care. While Black children make up only 15% of the child population^{vii}, they account for 40% of the children in foster care.^{viii}
- *Placement Types.* In 2018, there were 15,820 children in foster care.^{ix} The number is a 41% decrease from 2006.^x Of the 15,820 children in foster care in 2018, 56% were in family foster boarding homes, 26% were in kinship placements, 16% were in congregate care, and 3% were in other settings (including independent living).^{xi}
- *Congregate Care.* Children upstate were more likely to be placed in congregate care than children in NYC – 24% of children upstate were placed in congregate care compared to 13% of children in NYC. Children upstate were also less likely to be placed with kin: 23% of children upstate were placed in approved kinship compared with 31% of children in NYC.^{xii}
- *Children Leaving Foster Care.* In 2018, there were 8,968 children discharged from foster care.^{xiii} In 2018, only 425 children were discharged through the KinGAP program,^{xiv} which permits children to leave foster care and live with relatives while still receiving financial support.^{xv}

New York City^{xvi}

- *Maltreatment Reports.* In 2017, 55,340 SCR reports were filed in NYC. The majority of those reports were allegations of neglect.^{xvii}
- *Preventive Services in NYC.* In 2018, more than 44,000 children received preventive services.^{xviii}
- *Children Entering Foster Care.* During 2018, 3,724 children entered foster care in NYC.^{xix}
- *Children in Foster Care.* In March 2019, there were 8,279 children in foster care.^{xx} Consistent with data state-wide, children of color are also overrepresented in the City’s foster care system. While 71% of children in NYC are children of color^{xxi}, they represent 82% of children in care.^{xxii}
- *Placement Types.* Of the children in foster care in March 2019, 40% were in a family foster boarding home, 38% were in a kinship placement, 10% were in treatment foster care, 9% were in a residential placement, and 3% were in a special medical setting.^{xxiii}
- *Children Leaving Foster Care.* In 2018, 4,389 children were discharged from foster care.^{xxiv} The same year, 310 children left care and joined family through the KinGAP program.^{xxv}

2019/2020 Legislative Highlights

- *State Central Register Reform (A8060A/S6427A)*. Passed by the legislature during the final few days of the session, this law (if signed by the Governor) changes the standard of proof for an indicated case of maltreatment from “some credible evidence” to “a fair preponderance of the evidence.” It will also reduce the length of time a parent’s name remains on the Register following a neglect finding, and provides improved due process protections.
- *Preventive Funding*. State child welfare funding remains unchanged over the prior year at \$635 million. Despite advocacy to restore matching funds for local child welfare agencies, the final budget continues to reduce the State share to 62% from 65%, which is codified in state law.
- *Family First Transition Fund*. The budget includes \$3 million to help counties prepare for implementation of the new federal Family First Prevention Services Act by supporting foster parent and kinship recruitment, in an effort to reduce reliance on institutional care.
- *Foster Care Block Grant*. The final budget did not restore cuts to the block grant that finances foster care, and caps the State’s share of funds at \$383.5 million. Cost-of-living adjustments (COLAs) for the child welfare workforce were not included in the final budget.
- *Kinship Guardianship Assistance Program (KinGAP)*. Despite efforts by advocates to remove the KinGAP program from the Foster Care Block Grant, KinGAP remains part of capped funding for local child welfare departments, reducing the reach of the program.

Emerging Issues

- *The Family First Prevention Services Act*. The federal Family First Act passed in 2018, changing the dominant funding streams for child welfare. Intended to support families through preventive services and drive down congregate care for children, the law permits some federal foster care dollars to fund evidence-based preventive services, and creates new restrictions on payments for group homes. It also provides new federal funding for kin navigator programs.

New York has been approved to delay implementation until September 29, 2021. Over the next two years, the City and the State will engage in preparation for the law to go into effect, which includes developing a robust service array that meets federal standards, and planning for decreased support for institutional settings for children. This will likely result in the need for new legislative and regulatory actions, which present opportunities for advocates.

ⁱⁱOCFS Monitoring and Analysis Profiles With Selected Trend Data: 2014-2018, <https://ocfs.ny.gov/main/reports/maps/counties/New%20York%20State.pdf>, 4.

ⁱⁱⁱ OCFS 2017 Bright Spots Data Package, <https://ocfs.ny.gov/main/cfsr/data/brightspots/2017-Bright-Spots-Complete.pdf>, 7.

^{iv} OCFS 2016 Bright Spots Data Package, <https://ocfs.ny.gov/main/cfsr/data/brightspots/2016-Bright-Spots-Complete.pdf>, 7.

^v OCFS Monitoring and Analysis Profiles With Selected Trend Data: 2014-2018, <https://ocfs.ny.gov/main/reports/maps/counties/New%20York%20State.pdf>, 15.

^{vi} OCFS Aggregate MAPS Children Admitted to Foster Care by District 1995-2018, <https://ocfs.ny.gov/main/reports/maps/default#agg.asp>.

^{vii} The State of New York’s Children, Schuyler Center for Analysis and Advocacy Data Book, January 2019, <https://www.scaany.org/wp-content/uploads/2019/01/State-of-NY-Children-Data-Book-2019.pdf>, 2.

^{viii} Ibid, 2.

^{ix} OCFS Monitoring and Analysis Profiles With Selected Trend Data: 2014-2018, <https://ocfs.ny.gov/main/reports/maps/counties/New%20York%20State.pdf>, 7.

^x Ibid, 15.

^x The State of New York’s Children, Schuyler Center for Analysis and Advocacy Data Book, January 2019, <https://www.scaany.org/wp-content/uploads/2019/01/State-of-NY-Children-Data-Book-2019.pdf>, 11.

^{xii} OCFS Monitoring and Analysis Profiles With Selected Trend Data: 2014-2018, <https://ocfs.ny.gov/main/reports/maps/counties/New%20York%20State.pdf>, 11.

^{xiii} The State of New York’s Children, Schuyler Center for Analysis and Advocacy Data Book, January 2019, <https://www.scaany.org/wp-content/uploads/2019/01/State-of-NY-Children-Data-Book-2019.pdf>, 12.

^{xiv} OCFS Trends in Relative Placements: 2012-2018, <https://ocfs.ny.gov/main/reports/Trends-in-Relative-Placements-2012-18.pdf>, 15.

^{xv} OCFS Trends in Relative Placements: 2012-2018, <https://ocfs.ny.gov/main/reports/Trends-in-Relative-Placements-2012-18.pdf>, 7-8.

^{xvi} Report to the Governor and Legislature on Kinship Guardianship Assistance Program (KinGAP) April 1 – December 31, 2011, <https://ocfs.ny.gov/main/reports/KinGAP%20Report%202011.pdf>.

^{xvii} ACS Flash Monthly Indicator Report, May 2019, <https://www1.nyc.gov/assets/acs/pdf/data-analysis/flashReports/2019/05.pdf>.

^{xviii} Child Welfare Indicators Annual Report 2017, <https://www1.nyc.gov/assets/acs/pdf/data-analysis/2017/CityCouncilReport2017Annual.pdf>, 9.

^{xix} ACS Children Receiving Prevention Services by Home Borough, CY 2018, <https://www1.nyc.gov/assets/acs/pdf/data-analysis/2018/CWChildrenReceivingPreventiveServicesCY2018.pdf>

^{xx} ACS Flash Monthly Indicator Report, May 2019, <https://www1.nyc.gov/assets/acs/pdf/data-analysis/flashReports/2019/05.pdf>, 15. Placement counts include JDs and PINS.

^{xxi} Ibid, 16.

^{xxii} Citizens’ Committee for Children: Keeping Track Online, Child Population by Race/Ethnicity: <https://data.cccnewyork.org/data/map/98/child-population#11/99/3/18/25/a>.

^{xxiii} OCFS Monitoring and Analysis Profiles With Selected Trend Data: 2014-2018, <https://ocfs.ny.gov/main/reports/maps/counties/New%20York%20City.pdf>, 7. Note that 13% of children are identified as “unknown.”

^{xxiv} ACS Flash Monthly Indicator Report, May 2019, <https://www1.nyc.gov/assets/acs/pdf/data-analysis/flashReports/2019/05.pdf>, 16.

^{xxv} OCFS Monitoring and Analysis Profiles With Selected Trend Data: 2014-2018, <https://ocfs.ny.gov/main/reports/maps/counties/New%20York%20City.pdf>, 15.

^{xxvi} OCFS Trends in Relative Placements: 2012-2018, <https://ocfs.ny.gov/main/reports/Trends-in-Relative-Placements-2012-18.pdf>, 7-8.