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## Local Commissioners Memorandum

<b>Transmittal:</b>	07-OCFS-LCM-09
<b>To:</b>	Local District Commissioners
<b>Issuing Division/Office:</b>	Bureau of Training
<b>Date:</b>	June 15, 2007
<b>Subject:</b>	Guidelines for Compliance with CPS Training Requirements
<b>Contact Person(s):</b>	Peter D. Miraglia, Director, Bureau of Training Donna Willette at (518) 473-8343 or <a href="mailto:donna.willette@ocfs.state.ny.us">donna.willette@ocfs.state.ny.us</a> Deb Shave at (518) 473-8387 or <a href="mailto:deb.shave@ocfs.state.ny.us">deb.shave@ocfs.state.ny.us</a>
<b>Attachments:</b>	1. Laws of 2006 Chapter 525 2. Codified version at Social Services Law Section 421
<b>Attachment Available Online:</b>	Yes

### I. Purpose

Chapter 525 of the Laws of 2006 (attached) enacted new training requirements for child protective services (CPS) supervisors and caseworkers. The purpose of this LCM is to provide guidelines for meeting the new training requirements and to respond to questions raised by local districts.

### II. Background

Chapter 525 of the Laws of 2006 requires that *all persons* employed as a supervisor or caseworker by a child protective service must complete at least six hours of in-service training annually beginning in the second year of their employment. Additionally, all persons assigned to provide case supervision to child protective services workers *after April 1, 1986*, must have been trained in the fundamentals of child protection mandated for child protective services

caseworkers. For CPS supervisors outside of New York City who were on staff before 2000, this means they must have completed the Cornell University “Child Protective Services Training Institute” (CPSTI). For NYC supervisors on staff before 2000, the previously approved NYC CPS training will suffice. For those supervisors hired in 2000 or later, the required training consists of the “Common Core” training followed by the “Child Protective Services Response Training” (CPSRT).

The law further requires that current CPS supervisors complete by November 2007 CPS supervisory training, and that newly hired CPS supervisors complete this training within three months of being hired thereafter. To fulfill this requirement, the Office of Children and Family Services (OCFS) has revised the former “Supervisory Core” training program. The new Supervisory Core training program will have two modules. “Module I” is a foundations supervision training program for all child welfare supervisors. “Module II” has two versions: “Module IIA” for CPS supervisors, and “Module IIB” for all other child welfare supervisors.

Finally, Chapter 525 requires all child protective workers and supervisors to complete a minimum of 6 hours of annual in-service training beginning in the second year of their assignment to CPS.

### **III. Program Implications**

#### ***Current CPS Supervisors***

CPS supervisors who have never attended basic CPS training (either the CPSTI or the Common Core and the CPSRT) will be required to complete the basic CPS training sequence. Currently, the basic CPS training sequence is the Common Core *and* the CPSRT. Supervisors who have completed “Core Essentials Skills for Experienced Caseworkers” or “Supervisory Core” will not be required to attend Common Core. However, they must still attend the CPSRT.

In addition, current CPS supervisors who have completed the previous version of the Supervisory Core will not be required to complete Module I, but must attend Module IIA of the new CPS Supervisory Core training program.

Finally, those CPS supervisors who have not taken Supervisory Core will need to complete the new Module I and Module IIA of the revised Supervisory Core training program.

### ***New CPS Supervisors***

All new CPS supervisors will be required to complete or have previously completed an approved basic CPS training program such as the Cornell University “Child Protective Services Training Institute” (CPSTI) before 2000 or “Common Core,” or “Core Essential Skills for Experienced Workers,” and CPSRT. New CPS supervisors must also attend both Module I and Module IIA of the new Supervisory Core training program.

New CPS supervisors who have transferred from another supervisory position where they completed the previous version of the Supervisory Core must complete the new Module IIA CPS Supervisory Core training program. They will also need to complete the CPSRT if they have not already done so.

### ***Guidelines describing the definition of a CPS supervisor who must attend the training are as follows:***

In determining who must attend the training required by the new law, OCFS has developed the following definition:

*Any supervisor employed in a local department of social services (either part time or full time) who has direct oversight of CPS caseworkers responsible for investigating reports of child abuse/maltreatment, conducting safety and risk assessments, and/or managing the provision of services to a family that is currently under investigation or receiving on-going child protective services is required to attend the mandated CPS supervisor training, including the basic CPS training (Common Core and CPSRT) and the new CPS Supervisory Core training program.*

For full-time CPS supervisors, it is clear that the above-described training requirements apply. However, there are many different organizational structures and service delivery arrangements across the state, many including “on-call” assignments and other rotational assignments. It is each district’s responsibility to review the job functions of any supervisors assigned to “cover” a CPS caseload or to supervise after-hours response to new reports in order to determine whether the new training requirements apply to that individual.

In general, if the individual in question regularly or routinely provides case guidance and case supervision to a child protective services worker, he/she must complete the new required CPS supervisory training sequence. Administrators such as commissioners or directors of services, who only occasionally or infrequently serve in an “on-call” capacity and who have access to other trained supervisory personnel in emergency situations, are not required to participate in the complete child protective worker and supervisory training. OCFS Bureau of Training staff are available to assist districts in

determining if a supervisor is required to attend the new CPS supervisory training sequence. Should any questions arise, please see the contact information provided in the last paragraph of this memorandum.

***Monitoring/Tracking Compliance with the CPS Supervisor Training Requirement***

All CPS supervisors must complete the above described required basic training program by November 2007. Training will be offered regionally and will be announced on Statewide Training Automated Registration System (STARS). Compliance with the basic training program will be monitored using the existing CPSRT compliance procedure. An e-mail generated compliance report will be sent to the Staff Development Coordinator (SDC) to notify the district of any supervisor who has not attended the required training. If the identified supervisor (identified by the SDC) does not directly supervise CPS caseworkers and is exempt from participating in the training, it should be noted in the comment section of the compliance report.

***Annual In-Service Requirements: CPS Supervisors and Caseworkers***

Chapter 525 requires all CPS caseworkers and supervisors to participate in a minimum of six hours of “in-service” training annually beginning in the second year of their CPS employment. The law states that such training shall include, but not be limited to:

- Training that provides a review of the protocols for identifying child abuse and/or maltreatment.
- Training that provides a review of the protocols for conducting child abuse and/or maltreatment investigations.
- Training regarding the laws affecting CPS work and/or updates on legal developments that affect CPS work.
- Training on treatment and/or prevention of child abuse and/or maltreatment.
- Training focusing on the review and analysis of field experiences of CPS workers.

Additional suggestions for training that would qualify as meeting the requirements are:

- Training that enhances the understanding or develops skills that assist the caseworker or supervisor in carrying out responsibilities related to CPS.

Districts should use the above list to determine if training that is obtained locally and/or locally administered qualifies as CPS in-service training.

***Training Programs Currently Offered that Fulfill the CPS In-Service Training Requirement***

The OCFS training listed below will fulfill the six-hour annual in-service training requirement. As there is an OCFS-provided training program for each of these topics, local districts may not substitute their own locally provided training for any of them:

- Sexual Abuse Interviewing for CPS Caseworkers
- Sexual Abuse Training for CPS Caseworkers
- Domestic Violence Training for CPS Caseworkers
- On-Call Training for CPS
- The CPS Response Training
- CPS Safety and Risk Refresher
- Structured Decision Making in CPS Legal Issues for CPS
- Critical Thinking for CPS
- Investigation Stage and Family Assessment and Service Plan Documentation Training
- Working with Substance Abusing Families

***Monitoring the In-Service Requirement***

OCFS will monitor local district compliance with the six-hour annual in-service requirement through STARS. Tracking of individual compliance with the new mandated training will be monitored via the employee's training history in STARS. As such, it is imperative that any locally contracted or administered CPS training be entered in STARS. An e-mail generated report similar to the current CPSRT compliance report will be issued to staff development coordinators periodically as a notification when CPS staff are out of compliance.

***Contact Information***

Questions on the new CPS training requirements may be directed to Deb Shave at (518) 473-8387 or [deb.shave@ocfs.state.ny.us](mailto:deb.shave@ocfs.state.ny.us) at OCFS Bureau of Training.

*/s/ Peter D. Miraglia*

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**Issued By:**

Name: Peter D. Miraglia

Title: Director

Division/Office: Bureau of Training

NEW YORK 229TH ANNUAL LEGISLATIVE SESSION  
Cal. No. 1101

CHAPTER 525

SENATE BILL 7816

2006 N.Y. ALS 525; 2006 N.Y. LAWS 525; 2005 N.Y. S.N. 7816

**SYNOPSIS:** AN ACT to amend the social services law, in relation to qualifications for child protective services workers and requiring child protective service supervisors to complete a course of instruction in the fundamentals of child protection

**NOTICE:**

[A> UPPERCASE TEXT WITHIN THESE SYMBOLS IS ADDED <A]

[D> Text within these symbols is deleted <D]

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

[\*1] Section 1. Subdivision 4 of section 421 of the social services law, as amended by chapter 718 of the laws of 1986, is amended to read as follows:

4. [A> (A) <A] after consultation with the local child protective services, promulgate regulations relating to staff qualifications for [D> the <D] [A> NON-SUPERVISORY <A] child protective services [A> WORKERS <A] , prescribing any baccalaureate or equivalent college degree and/or relevant human service experience as requirements. Such requirements shall not apply to persons currently employed by such child protective services who were hired before January first, nineteen hundred eighty-six.

[A> (B) AFTER CONSULTATION WITH THE LOCAL CHILD PROTECTIVE SERVICES, PROMULGATE REGULATIONS RELATING TO STAFF QUALIFICATIONS FOR THOSE ASSIGNED TO BE SUPERVISORS OF CHILD PROTECTIVE SERVICES, PRESCRIBING ANY BACCALAUREATE OR EQUIVALENT COLLEGE DEGREE AND/OR RELEVANT HUMAN SERVICES EXPERIENCE AS REQUIREMENTS. PROVIDED, HOWEVER, THAT SUCH REGULATIONS SHALL AT A MINIMUM PROVIDE THAT THOSE ASSIGNED TO BE SUPERVISORS OF CHILD PROTECTIVE SERVICES HAVE EITHER A BACCALAUREATE DEGREE OR THREE YEARS OF RELEVANT WORK EXPERIENCE IN A HUMAN SERVICES FIELD. SUCH REQUIREMENTS SHALL NOT APPLY TO PERSONS CURRENTLY ASSIGNED TO BE A CHILD PROTECTIVE SERVICES SUPERVISOR WHO WERE HIRED BEFORE DECEMBER FIRST, TWO THOUSAND SIX. <A]

[\*2] Section 2. Paragraph (b) of subdivision 5 of section 421 of the social services law, as amended by chapter 718 of the laws of 1986, is amended to read as follows:

(b) promulgate regulations setting forth training requirements which shall specify, among other things, that all persons hired by a child protective service on or after April first, nineteen hundred eighty-six shall have satisfactorily completed a course approved by the department within the first three months of employment, in the fundamentals of child protection. Such course shall include at least basic training in the principles and techniques of investigations, including relationships with other investigative bodies, legal issues in child protection, and methods of remediation, diagnosis, treatment and prevention. [A> SUCH REGULATIONS SHALL ALSO SPECIFY THAT ALL PERSONS EMPLOYED BY A CHILD PROTECTIVE SERVICE ON OR AFTER DECEMBER FIRST, TWO THOUSAND SIX SHALL SATISFACTORILY COMPLETE SIX HOURS OF ANNUAL IN SERVICE TRAINING, BEGINNING IN THEIR SECOND YEAR OF

EMPLOYMENT. SUCH ANNUAL IN SERVICE TRAINING SHALL INCLUDE, BUT IS NOT LIMITED TO, REVIEW OF THE PROTOCOLS FOR IDENTIFICATION AND INVESTIGATION OF CHILD ABUSE AND MALTREATMENT, ANY DEVELOPMENTS IN LEGAL, TREATMENT AND PREVENTION ISSUES IN CHILD PROTECTION, AND REVIEW AND ANALYSIS OF FIELD EXPERIENCES OF CHILD PROTECTIVE SERVICES WORKERS. <A]

[\*3] Section 3. Paragraph (c) of subdivision 5 of section 421 of the social services law is relettered paragraph (d) and a new paragraph (c) is added to read as follows:

[A] (C) REQUIRE ALL PERSONS ASSIGNED TO BE A SUPERVISOR BY A CHILD PROTECTIVE SERVICE ON OR AFTER APRIL FIRST, NINETEEN HUNDRED EIGHTY-SIX, SHALL HAVE SATISFACTORILY COMPLETED, WITHIN THE FIRST THREE MONTHS OF EMPLOYMENT AS A SUPERVISOR OR WITHIN THREE MONTHS OF THE EFFECTIVE DATE OF THIS PARAGRAPH, WHICHEVER SHALL OCCUR FIRST, A COURSE IN THE FUNDAMENTALS OF CHILD PROTECTION DEVELOPED BY THE OFFICE OF CHILDREN AND FAMILY SERVICES. SUCH TRAINING COURSE SHALL, AMONG OTHER THINGS, STRENGTHEN AND EXPAND CURRENT TRAINING PROCEDURES FOR CHILD PROTECTIVE SERVICE SUPERVISORS; PROVIDE THE SKILLS, KNOWLEDGE AND STANDARDS TO PRACTICE EFFECTIVE CASE PLANNING AND CASE MANAGEMENT; PROVIDE COMPREHENSIVE ASSESSMENT TOOLS NEEDED IN CRITICAL DECISION MAKING; REQUIRE PARTICIPATION IN THE EXISTING COMMON CORE TRAINING REQUIRED BY CHILD PROTECTIVE SERVICE CASEWORKERS; STRENGTHEN RECOGNITION AND RESPONSE TO SAFETY AND RISK INDICATORS; IMPROVE SKILLS TO PROMOTE CONSISTENT IMPLEMENTATION OF TRAINING AND PRACTICE; PROVIDE THE NECESSARY TOOLS AND ASSISTANCE TO BUILD THE ABILITY TO COACH AND MONITOR CHILD PROTECTIVE SERVICE CASEWORKERS AND MODEL EFFECTIVE INVESTIGATION PRACTICE; INCREASE CULTURAL COMPETENCY AND SENSITIVITY; AND ESTABLISH AN ANNUAL IN SERVICE TRAINING PROGRAM SPECIFICALLY FOCUSED ON CHILD PROTECTIVE SERVICE SUPERVISORS. <A]

[\*4] Section 4. This act shall take effect on the ninetieth day after it shall have become a law; provided however, that the office of children and family services shall have the authority to phase in the training, required pursuant to paragraph (c) of subdivision 5 of section 421 of the social services law, by regions, or as they deem necessary, for all such training to be completed within one year of such effective date.

**HISTORY:**

Enacted August 16, 2006

**SPONSOR:** Introduced by Sen. SPANO -- read twice and ordered printed, and when printed to be committed to the Committee on Social Services, Children and Families -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading

SOCIAL SERVICES LAW  
ARTICLE 6. CHILDREN  
TITLE 6. CHILD PROTECTIVE SERVICES

§ 421. Responsibility of the department

The department shall:

1. in conjunction with local departments, both jointly and individually, within the appropriation available, conduct a continuing publicity and education program for local department staff, persons and officials required to report including district attorneys, assistant district attorneys, police officers, peace officers, investigators employed in the office of a district attorney, and any other appropriate persons to encourage the fullest degree of reporting of suspected child abuse or maltreatment. Such program shall be developed and implemented in coordination with those established pursuant to section 31.06 of the mental hygiene law, section twenty-eight hundred five-n of the public health law, section thirty-two hundred nine-a of the education law and sections two hundred fourteen-a and eight hundred forty of the executive law. The program shall include but not be limited to responsibilities, obligations and powers under this title and chapter as well as the diagnosis of child abuse and maltreatment, the procedures of the child protective service, the family court and other duly authorized agencies and the prevention, treatment and remediation of abuse and maltreatment of children in residential care.

2.

(a) provide technical assistance to local social services departments regarding case planning and provision of services and performance of other responsibilities pursuant to this title. Such assistance shall be provided on a regular, ongoing basis and shall also be made available as needed, upon request of any such local department.

(b) issue guidelines to assist local social services departments in evaluating and establishing investigative priorities for reports describing situations or events which may pose a clear and present danger to the life, health or safety of a child and which require immediate, personal contact between the local child protective service and the subject of the report, the subject's family, or any other persons named in the report.

(c) issue guidelines to assist local child protective services in the interpretation and assessment of reports of abuse and maltreatment made to the statewide central register described in section four hundred twenty-two of this article. Such guidelines shall include information, standards and criteria for the identification of credible evidence of alleged abuse and maltreatment required to determine whether a report may be indicated.

3. promulgate regulations setting forth requirements for the performance by local social services departments of the duties and powers imposed and conferred upon them by the provisions of this title and of article ten of the family court act. Such regulations shall establish uniform requirements for the investigation of reports of child abuse or maltreatment under this title. The department shall also issue guidelines which shall set forth the circumstances or conditions under which:

(a) personal contact shall be made with the child named in the report and any other children in the same household, including interviewing such child or children absent the subject of the report whenever possible and appropriate;

(b) photographs of visible physical injuries or trauma of children who may be the victims of abuse or maltreatment shall be taken or arranged for;

(c) medical examination of a child who may be a victim of abuse or maltreatment and documentation of findings of such examination, shall be required.

The department shall promulgate regulations to establish standards for intervention, criteria for case closings, criteria for determining whether or not to initiate a child protective proceeding, and criteria for the formulation of treatment plans and for the delivery of child protective services including specification of the services to be classified as child protective services, which shall also apply to any society for the prevention of cruelty to



children which has entered into a currently valid contract with a local department of social services to investigate child abuse or maltreatment reports. The department shall promulgate regulations establishing minimum standards and practices for the delivery of child protective services in connection with monitoring and supervising respondents and their families as ordered by a family court pursuant to section ten hundred thirty-nine and paragraphs (i), (iii), (iv) and (v) of subdivision (a) of section ten hundred fifty-two of the family court act. Such regulations shall also require local child protective services to comply with notification requirements of the family court act in connection with such monitoring and supervisory responsibilities.

4. (a) after consultation with the local child protective services, promulgate regulations relating to staff qualifications for [fig 1] non-supervisory child protective services workers, prescribing any baccalaureate or equivalent college degree and/or relevant human service experience as requirements. Such requirements shall not apply to persons currently employed by such child protective services who were hired before January first, nineteen hundred eighty-six.

(b) after consultation with the local child protective services, promulgate regulations relating to staff qualifications for those assigned to be supervisors of child protective services, prescribing any baccalaureate or equivalent college degree and/or relevant human services experience as requirements. Provided, however, that such regulations shall at a minimum provide that those assigned to be supervisors of child protective services have either a baccalaureate degree or three years of relevant work experience in a human services field. Such requirements shall not apply to persons currently assigned to be a child protective services supervisor who were hired before December first, two thousand six.

5. (a) directly or through the purchase of services, implement, subject to the amounts appropriated therefor, an ongoing, statewide training program for employees of the department and of each local department of social services employed in the provision and supervision of child protective services or in other activities required in accordance with the provisions of this title.

(b) promulgate regulations setting forth training requirements which shall specify, among other things, that all persons hired by a child protective service on or after April first, nineteen hundred eighty-six shall have satisfactorily completed a course approved by the department within the first three months of employment, in the fundamentals of child protection. Such course shall include at least basic training in the principles and techniques of investigations, including relationships with other investigative bodies, legal issues in child protection, and methods of remediation, diagnosis, treatment and prevention. Such regulations shall also specify that all persons employed by a child protective service on or after December first, two thousand six shall satisfactorily complete six hours of annual in service training, beginning in their second year of employment. Such annual in service training shall include, but is not limited to, review of the protocols for identification and investigation of child abuse and maltreatment, any developments in legal, treatment and prevention issues in child protection, and review and analysis of field experiences of child protective services workers.

(c) require all persons assigned to be a supervisor by a child protective service on or after April first, nineteen hundred eighty-six, shall have satisfactorily completed, within the first three months of employment as a supervisor or within three months of the effective date of this paragraph, whichever shall occur first, a course in the fundamentals of child protection developed by the office of children and family services. Such training course shall, among other things, strengthen and expand current training procedures for child protective service supervisors; provide the skills, knowledge and standards to practice effective case planning and case management; provide comprehensive assessment tools needed in critical decision making; require participation in the existing common core training required by child protective service caseworkers; strengthen recognition and response to safety and risk indicators; improve skills to promote consistent implementation of training and practice; provide the necessary tools and assistance to build the ability to coach and monitor child protective service caseworkers and model effective investigation practice; increase cultural competency and sensitivity; and establish an annual in service training program specifically focused on child protective service supervisors.

(d) withhold reimbursement, otherwise payable to social services districts, for the salaries of employees of child protective services who do not comply with the background review, educational, experience or training requirements of this title.

6. promulgate regulations which require social services districts to make local procedural manuals and service directories available to employees of a child protective service, service providers and other professionals

involved in the prevention of child abuse and maltreatment.

7. take all reasonable and necessary actions to assure that the local departments of social services are kept apprised on a current basis of the laws, regulations and policies of the department concerning child abuse and maltreatment.

8. monitor and supervise the performance of the local departments of social services