

A Parent's Guide To Child Protective Service in New York City

Reach out to the ACS Office of Advocacy

- If your problem or concern is not resolved by talking with your CPS or their Supervisors, please contact the ACS Office of Advocacy's Parents and Children's Rights Unit Helpline at (212) 676-9421, or meet with us between 10 AM and 5 PM at 150 William Street, First floor, New York, NY 10038. Office of Advocacy staff will work with you, the CPS, and the Supervisors to address your concerns.
- Services for families are available in every NYC neighborhood. If you need help finding counseling, child care, treatment for substance abuse or any other program that will help you care for your children, you can call 311 and ask for the nearest **Preventive Services** agency in your community. Or, you can call the Prevention and Parent Helpline at 1-800-CHILDREN.



www.acs.nyc.gov

Will my child be taken from me?

- ACS makes efforts to keep families together, including referrals for **Preventive Services** such as counseling, parent skills training, drug treatment, and other services to keep children safe and prevent the need for them to be removed from your care.
- If the CPS determines that your child is at immediate risk of harm, the CPS will ask a Family Court judge to remove the child.
- The CPS will only remove your child from your care without asking a judge if he or she determines that the harm or risk to the child is immediate. If the CPS removes your children without asking a judge, the CPS must file a petition in Family Court the very next business day.
- If the CPS removes your child, you may ask a judge to have your child immediately returned. However, a judge must hold a hearing in order to make that decision. If the Court determines that you are unable to afford an attorney, the judge will assign you an attorney free of charge.
- If your child needs to be removed from your home, ACS will ask you if any relatives or close friends might be able to temporarily care for your child. After a background check and a home assessment, your child may be placed with a family member or close friend. If they are not available, or if the individuals you identify do not pass a safety clearance, your child may be placed in a foster home.

- In some cases, the CPS may ask a Family Court judge for "Court-Ordered Supervision." This means that your child will not enter foster care. The Court can order supervision of the home of a friend or relative who is temporarily caring for your child, or of your home while your child remains at home and will give specific instructions that you must follow. For example, the Court may require you to take classes or see a counselor and will order ACS to continue to monitor your child's safety for a specific period of time.



“ The New York City Administration for Children's Services (ACS) protects New York City's children from abuse and maltreatment. Along with our community partners, ACS provides neighborhood-based services to help children grow up in safe, permanent homes with strong families. Over 50,000 reports of possible abuse and maltreatment are investigated each year by ACS Child Protective Specialists (CPS). ”

What happens if the investigation is Unfounded?

- You will receive a letter from the State Central Register stating that the investigation was **Unfounded**.
- The **Unfounded** report will be closed but will stay in the database and can be reviewed by a CPS if there is a future SCR concern.
- **Unfounded** reports must be expunged (removed from the database) 10 years after the date received by the SCR.
- Even if the investigation is **Unfounded**, your CPS may recommend or refer you for one or more of the following services: counseling, parenting skills training, or a drug treatment program.

What happens if the investigation is Indicated?

- You will receive a letter from the CPS stating that the investigation was **Indicated**. The letter will explain that you may ask for a review of that decision and provide instructions for how to do so.
- To receive a copy of the report or to request that the decision be changed you can write directly to the Office of Children and Family Services at:

State Central Register
P.O. Box 4480
Albany, NY 12204

- **Indicated** records must be expunged 10 years after the youngest child named in the report turns age 18.
- If your **indicated** report results in Family Court involvement, a Court judge may require you to take parenting skills training, drug treatment, or go to counseling. Your CPS can help you find these services.

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Administration for Children's Services



Bill de Blasio
Mayor

Gladys Carrión, Esq.
Commissioner

What is the New York City Administration for Children’s Service (ACS)?

The New York City Administration for Children’s Services (ACS) protects New York City’s children from abuse and neglect. Along with our community partners, ACS provides services in neighborhoods all over the city to help children grow up in safe, permanent homes with strong families. ACS receives over 50,000 reports of possible abuse and neglect each year. We hope this guide provides helpful information about what happens when ACS receives a concern about a child in your care.

Why has an ACS Child Protective Specialist (CPS) contacted me?

You have been contacted because ACS has received a concern from the New York State Central Register (SCR) of Child Abuse and Maltreatment that a child in your care may not be safe. A child is not safe when he or she is abused (hurt) or neglected (not taken care of) by his or her parent, guardian or person responsible for the child’s care. ACS is required by law to investigate all reports of possible abuse or neglect that we receive from the SCR.

A Child Protective Specialist (CPS) is an ACS employee who has been trained to work with families to assess the safety of children and help family members in obtaining assistance.

If you would prefer to communicate with your CPS in a language other than English, CPS will provide a free interpreter. You may also request that documents containing important information about your case be provided to you in your preferred language. If documents in your language are not available, the CPS will have an interpreter explain them to you in your language. You may also receive interpretation services if you are deaf or hearing-impaired.

What is child abuse?

Abuse occurs when a child’s body is being harmed and may include: physical abuse, such as punching, kicking, bruising, burning or breaking bones and/or it may include sexual abuse, such as sexual activity with a child, using a child for prostitution, or involving a child in pornography.

What is child neglect?

Neglect occurs when a child does not receive what he or she needs and may include a parent failing to provide: adequate supervision, sufficient food, appropriate medical care, appropriate clothing, or access to education. Neglect could also include leaving a child alone or with an inappropriate caretaker, insulting a child or making the child feel afraid, taking drugs or drinking alcohol to the point of not being able to adequately take care of a child.

Why would someone report a concern to the SCR?

Any person who believes that a child is unsafe may call in a concern of abuse or neglect to the SCR. Some people, such as doctors, nurses, school teachers, or social workers, are required by law to call the SCR if they think that a parent or caregiver is abusing or neglecting their child. Some reasons that people call the SCR may include:

- A child has unexplained injuries
- A young or special needs child who is left alone
- A child has health needs that are not being met
- A child is frequently absent from school without a valid excuse

Anyone can report a concern to the SCR. ACS is required by law to investigate all reports made to the SCR, whether or not the concerns turnout to be true. If someone intentionally reports a false concern to the SCR, this is considered a crime; the person making a false report may be prosecuted.

Will I be told who made the complaint?

No. The law does not permit ACS to let you know the identity of the person who reported the concern. The person’s identity is kept confidential. You will be told what was said, but not who reported it.

What happens after a concern is reported?

When ACS receives a report from the SCR, a CPS must assess the concerns to find out if they are true.

- The CPS will begin an investigation **within 24 hours** of receiving the report. He or she will give you a letter that says that you are being investigated for possible abuse or neglect. The CPS may make an unannounced visit to your home and will meet with you, your child, and other people in your household. During the visit, the CPS will assess your home to make sure that you are meeting the needs of the child who lives there (for example if the home is free of hazards or you have enough food).
- During the investigation, the CPS may also speak with teachers, visit your child’s school or day care, and speak with others who know you or your family including neighbors, and health care providers.
- Within 60 calendar days, the CPS will complete the investigation. If the CPS finds enough proof that the child has been abused or neglected, the investigation will be “**Indicated**.” If the CPS does not find proof that the child has been abused or neglected, the investigation will be “**Unfounded**”. You will be notified of the final decision via postal mail.
- If the CPS determines that your children are at risk of harm, the CPS will schedule a Child Safety Conference (CSC). You will be asked to attend and you may bring family members or others who can support you. You will also be offered the services of a Parent Advocate. At the Conference, the CPS will share his or her concerns about your child’s safety, and all participants will discuss what can be done to help keep your child safe.



Who Can I Talk With To Get More Information?

Talk first to the CPS and, if necessary, their Supervisors.

If you are the subject of a report of abuse or neglect, please talk with your CPS about any concerns or questions about your case. If you still have questions or concerns, you should reach out to the CPS’ Supervisor. If the Supervisor is unable to resolve your concerns, you should contact the Child Protective Manager. The Supervisor must provide you his/her contact information.

CPS Name

CPS Telephone Number

CPS Supervisor’s Name

CPS Supervisor’s Number

CPS Protective Manager’s Name

CPS Protective Manager’s Number