



Office of Children and Family Services

Kathy Hochul
Governor

52 WASHINGTON STREET
RENSELAER, NY 12144

Sheila J. Poole
Commissioner

Administrative Directive

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To:	Commissioners of Social Services
Issuing Division/Office:	Division of Child Welfare and Community Services
Date:	December 23, 2021
Subject:	Changes to Administrative Appeals Challenging Indicated Reports of Child Abuse and Maltreatment
Suggested Distribution:	Local Department of Social Services Commissioners Directors of Social Services Child Protective Services Supervisors Legal Staff
Contact Person(s):	Cassandra Kelleher-Donnaruma, Senior Director, Office of Implementation, Community Affairs and Protective Practices
Attachment:	None

Filing References

Previous ADMs/INFs	Releases Cancelled	Dept. Regs.	Soc. Serv. Law and Other Legal Ref.	Manual Ref.	Misc. Ref.
21-OCFS-ADM-26		18 NYCRR Part 434	Part R of Chapter 56 of the Laws of 2020 Social Services Law (SSL) Title 6 of Article 6 SSL sections 422(8) and 424-a(1)(e) Family Court Act Articles 10 and 11 Article 78 of the Civil Practice Law and Rules <u>Valmonte v. Bane</u> , 895 F. Supp. 593 (S.D.N.Y. 1995)	<i>Child Protective Services Manual</i>	21-OCFS-LCM-13

I. Purpose

The purpose of this Administrative Directive (ADM) is to instruct local departments of social services (LDSSs) of changes to the procedures for the New York State Office of Children and Family Services (OCFS) processing of administrative appeals challenging indicated reports of child abuse and maltreatment maintained by the Statewide Central Register of Child Abuse and Maltreatment (SCR) due to the implementation of Part R of Chapter 56 of the laws of 2020 (commonly referred to as: “SCR reform legislation”).

II. Background

The enacted SCR reform legislation includes changes to the administrative appeal process for requests pursuant to Social Services Law (SSL) sections 422(8) or 424-a(1)(e) challenging a determination by child protective services (CPS) to indicate a report of child abuse and/or maltreatment when there has been a petition filed against the subject of the report pursuant to Article 10 of the Family Court Act (FCA) alleging child abuse and/or neglect on the basis of the same conduct. This important and complex issue is the focus of this ADM.

Legislative Intent

Part of the legislative intent behind SCR reform legislation is to align the outcomes of an administrative appeal challenging an indicated report of child abuse and/or maltreatment and the outcome of a proceeding pursuant to Article 10 of the FCA regarding the same allegations. The provisions of the SCR reform legislation relevant to this ADM were created to provide that the resolutions reached in family court have a consistent, logical and fair impact on the underlying CPS report as part of the administrative appeals process.

Reports of Child Abuse and/or Maltreatment

A report that is accepted by the SCR and forwarded to CPS for investigation may involve one or more allegations of child abuse or maltreatment. These reports may also involve one or more subjects who were alleged to have committed abuse and/or maltreatment against individual children. In the course of a CPS investigation, an LDSS must determine whether to substantiate or unsubstantiate each individual allegation against each subject in regard to each child. If any allegation against any subject is substantiated following the CPS investigation, the report will be indicated. If a subject has an indicated report, the existence of such report may be disclosed as part of a SCR database check that is conducted pursuant to SSL section 424-a regarding continued or potential employment or licensure in specified fields working with children or vulnerable adults.

Overview of the Administrative Appeals Process Challenging Indicated Reports of Child Abuse and Maltreatment

SSL sections 422(8) and 424-a(1)(e) both contain provisions affording subjects the right to request an administrative appeal to OCFS to challenge a determination by CPS that they committed child abuse and/or maltreatment.

Appeals Pursuant to SSL section 422(8)

Pursuant to SSL section 422(8), the subject has the right to request an administrative appeal within 90 days of receiving notice of the indication of the report.

Appeals Pursuant to SSL section 424-a(1)(e)

Pursuant to SSL section 424-a(1)(e), a subject may have a right to an administrative appeal to challenge an indicated report, if the existence of such report could be disclosed to a licensing or provider agency as part of an SCR database check. This opportunity for an administrative appeal is not available if the subject previously appealed the indicated finding pursuant to SSL sections 422(8) or 424-a(1)(e).

Concurrent Requests Pursuant to Both Sections 422(8) and 424-a(1)(e) of the SSL

In some instances, a request for an appeal pursuant to both SSL sections 422(8) and 424-a(1)(e) may occur concurrently, resulting in one appeal pursuant to both statutory provisions.

*Determinations Made at Administrative Appeal**Threshold Determination*

The first and threshold question at administrative appeal is the following:

Did the LDSS meet its burden to prove there is a fair preponderance of the evidence in the record to find that the subject committed the act(s) of child abuse or maltreatment?¹ This question is considered for each individual allegation that was substantiated against the appellant in an indicated report.

- If OCFS determines for a particular allegation that the LDSS did not meet its burden to prove that there is a fair preponderance of evidence in the record to find that the appellant committed the act(s) of child abuse or maltreatment, then that allegation will be unsubstantiated. If all the allegations against all the subjects of the report are unsubstantiated, the report will be amended to be unfounded and will be legally sealed.²

¹ Please note, OCFS has applied “a fair preponderance of the evidence” standard in administrative appeals since 1995, in accordance with the decision in *Valmonte v. Bane*, 895 F. Supp. 593 (S.D.N.Y. 1995). The enacted SCR reform legislation made conforming changes to the state statute. Additionally, as described in 21-OCFS-ADM-26, the legal standard of evidence required by CPS to indicate a report of child abuse and/or maltreatment has changed. Reports accepted by the SCR on or before December 31, 2021, can be indicated at a “some credible evidence standard.” However, for reports accepted on or after January 1, 2022, the standard is “a fair preponderance of the evidence.” Nevertheless, as the standard of evidence sets the minimum level of evidence that must be present to indicate a report, reports indicated prior to January 1, 2022, may also be supported by a fair preponderance of the evidence.

² Please note, if all allegations regarding the appellant that are contained in an indicated report are unsubstantiated, information on the existence of such report cannot be disclosed as part of an SCR database check conducted pursuant to SSL section 424-a for such person, even if the report remains indicated against other subjects.

- If OCFS determines the LDSS did meet its burden to prove that there is a fair preponderance of evidence in the record to find that the appellant committed the act(s) of child abuse or maltreatment, then the allegation will remain substantiated. Any substantiated allegation will result in the report being retained as indicated.

Relevant and Reasonably Related to Employment Reviews (“R&R Reviews”)

When a report of child abuse and/or maltreatment is retained, OCFS also determines whether the indicated report is “relevant and reasonably related to employment.” This process is known as an “R&R Review.” An “R&R review” will determine whether the existence of a particular indicated report may be disclosed as part of an SCR database check. Specifically, the existence of a report that is determined to be “relevant and reasonably related” (“R&R”) may be disclosed in an SCR database check, whereas disclosure of the existence of a report that is determined to be “not relevant and reasonably related to employment” (“Not R&R”) is prohibited.

The factors OCFS utilizes at an “R&R Review” to determine whether a subject’s conduct is relevant and reasonably related to employment are as follows:

- Extent or nature of the injury to the child
- Harmful effect on the child
- Events or circumstances surrounding what the subject did or did not do
- Subject’s and child’s age when the incident happened
- How much time has passed since the subject’s last CPS report
- Number of indicated reports the subject has
- If the allegations are related to a very serious injury or sexual abuse
- The act only occurred once
- Subject would respond differently if the same incident happened again
- Subject successfully participated in counseling, treatment, or a self-help group
- Since the report was indicated, the subject demonstrated success working in childcare

Two Steps in the Administrative Appeals Process

The administrative appeals process under SSL sections 422(8) and 424-a(1)(e) consists of two distinct steps, which are both administered by OCFS:

1. An “administrative review;” and
2. An “administrative hearing” (often referred to as a “fair hearing”).

Administrative Review

An administrative review is an analysis of the documentary evidence submitted by the LDSS and the subject, to determine whether there is a fair preponderance of the evidence in the record to support the CPS determination to substantiate the allegation(s) of child abuse and/or maltreatment. An administrative review is determined solely on the records received. There is no testimony by the parties.

If at administrative review it is determined that there is not a fair preponderance of the evidence in the record to find that a particular allegation of abuse or maltreatment occurred, then the allegation will be unsubstantiated.

If at administrative review it is determined that there is a fair preponderance of the evidence in the record to find that the alleged child abuse or maltreatment occurred, then the allegation will remain substantiated, and the report will be retained and remain indicated. If the report is retained, an "R&R Review" will be conducted. The appellant has the right to challenge a determination by OCFS at administrative review to retain the report and also if at the "R&R Review" the indicated report was deemed to be "R&R." As noted in 21-OCFS-LCM-13, if the report is retained at administrative review and deemed to be "R&R," the appellant will have an opportunity to challenge the "R&R Review" determination regardless of whether the request for the administrative appeal was made by the appellant pursuant to SSL sections 422(8) or 424-a(1)(e).

Administrative Hearing

An administrative hearing is a proceeding before an administrative law judge (ALJ) whereby the LDSS and the subject enter records and testimony into evidence to be considered by the ALJ regarding whether there is a fair preponderance of the evidence to support the decision to substantiate the allegation(s) contained in the indicated report. The LDSS has the burden of proof for establishing this at the administrative hearing. If the report is retained at the administrative hearing and was previously determined to be "R&R" at administrative review, the administrative hearing will also include an "R&R Review."

III. Program Implications

New Provisions

As noted above, indicated reports of child abuse and/or maltreatment may involve multiple children, subjects, and allegations. Similarly, petitions filed pursuant to Article 10 of the FCA can name multiple children and respondents and include various allegations that the LDSS is raising for the court's attention. Under the enacted SCR reform legislation, an administrative appeal challenging an indicated report will be affected by an Article 10 proceeding where there are the following commonalities:

- The subject of the indicated report is a respondent in the Article 10 proceeding;
- The respondent in the Article 10 petition is alleged to have committed act(s) of child abuse or neglect that align with a substantiated allegation of child abuse or maltreatment contained in the indicated report; and

- The allegation(s) in the Article 10 petition that align with those in the indicated report are in relation to the same child(ren).

Specifically, the SCR reform legislation amended SSL sections 422(8) and 424-a(1)(e), respectively, to require that when this commonality exists between an indicated report of child abuse and/or maltreatment that is subject to an administrative appeal, and a pending Article 10 proceeding in family court, that OCFS “stay” the administrative appeals process until the conclusion of the Article 10 proceeding. These amendments also direct OCFS to apply specified irrebuttable presumptions to the allegations of child abuse and/or maltreatment at administrative appeal, depending on the outcome of the related petition in family court.

Article 10 Related Stay

When an appellant submits a request to OCFS for an administrative appeal after January 1, 2022, OCFS must first determine if the indicated report being appealed is directly related to an Article 10 proceeding that has previously occurred or is in process. If OCFS confirms that an Article 10 petition has been filed, OCFS must next ascertain whether there is commonality between any allegations contained in the indicated report and the family court petition, as noted above. If any allegations in the indicated report for which an appeal was requested are also the basis for an Article 10 proceeding that is pending before the family court, OCFS is required by statute to stay the administrative appeal until the disposition of the Article 10 matter (see SSL sections 422(8)(a)(ii) and 424-a(1)(e)(ii) as amended by Part R of Chapter 56 of the Laws of 2020). OCFS defines the “disposition of the Article 10” to mean the conclusion of the Article 10 proceeding. This would include the period following any order of disposition and, if applicable, any attendant:

- Adjournment in Contemplation of Dismissal (ACOD);
- Suspended judgement; or
- Period of court-ordered supervision; and
- Appeal of an order issued by the family court relating to the Article 10 proceeding in accordance with Article 11 of the FCA.
 - If no appeal is filed, OCFS will lift the stay of the administrative appeal when the time to bring an appeal of the last court order issued in the Article 10 family court proceeding has passed.

Please note that If a report of child abuse and/or maltreatment is indicated on multiple allegations, and an Article 10 petition is filed against the subject of that report that contains some, but not all, of the allegations, OCFS will stay the administrative appeal for such report until the conclusion of the family court matter.

Additionally, if there is an SCR database check pursuant to SSL section 424-a in process, OCFS is prohibited from providing a response until the stay is lifted and the administrative appeal is resolved. Once the Article 10 matter has concluded as described above, OCFS will lift the stay and, if applicable, apply an irrebuttable presumption to specific allegations, as described below and/or afford the appellant an administrative appeal without applying an irrebuttable presumption based on the circumstances and application of the law.

Irrebuttable Presumptions

When OCFS Must Apply an Irrebuttable to Substantiate an Allegation

If the family court finds that the respondent did commit neglect or abuse regarding any allegation contained in an indicated SCR report that is undergoing an administrative appeal, OCFS is required to substantiate that allegation at the administrative appeal (SSL sections 422(8)(b)(ii)(A) and 424-a (1)(e)(vi)(A) as amended by Part R of Chapter 56 of the Laws of 2020). Therefore, when the stay is lifted, OCFS will retain any such allegation(s) as substantiated and afford the appellant an “R&R Review.”

When OCFS Must Apply an Irrebuttable to Unsubstantiate an Allegation

The enacted SCR reform legislation (SSL sections 422(8)(b)(ii)(B) and 424-a (1)(e)(vi)(B) as amended by Part R of Chapter 56 of the Laws of 2020) also requires that OCFS apply an irrebuttable presumption to unsubstantiate an allegation on the underlying CPS report once the stay is lifted if any of the events listed below occurred:

- CPS withdrew the Article 10 petition with prejudice;
- The family court found on the merits in favor of the respondent in the Article 10 proceeding; or
- The court dismissed the Article 10 petition.³

Applications of Stays and Irrebuttable Presumptions by OCFS

When OCFS is informed that an Article 10 petition has been filed on an allegation contained in an indicated report of child abuse or maltreatment at any time before the request for documents for the administrative review is complete, OCFS will apply any required stay or irrebuttable presumption at the administrative review stage. A challenge to OCFS’ determination to apply the irrebuttable presumption would not be considered at the administrative hearing but an appellant could seek to challenge such determination in a proceeding under Article 78 of the Civil Practice Law and Rules.

It is also important to note that an irrebuttable presumption can only be applied to an indicated report as part of an administrative appeal. For instance, if the family court issues a final determination in favor of the subject in an Article 10 proceeding, the court’s decision will have no impact on the related underlying CPS report indicated unless the subject requests an administrative appeal of that indicated report in a manner allowable under law, as described above. Furthermore, the new irrebuttable presumptions will not be applied retroactively to appeals completed prior to January 1, 2022. Indeed, the enacted SCR reform legislation does not provide subjects who were previously afforded due process an opportunity to request a new administrative appeal for the indication of a report that was previously challenged.

³ Please note, here the term “dismissed” does not refer to the procedural conclusion of the Article 10 proceeding, but rather this refers to when the family court “dismisses” an Article 10 petition without making a finding that respondent committed child abuse or neglect as was alleged in the petition.

Documents to Be Supplied by the LDSS

The enacted SCR reform legislation amends SSL sections 422(8)(a)(ii), 424-a(1)(e)(ii) to require LDSSs to submit to OCFS any current or previously filed Article 10 petitions and corresponding fact finding or dispositional court orders as part of their response to OCFS' requests for records. It is important for LDSSs to timely provide documentation regarding family court involvement to OCFS when there is an administrative appeal pending on a matter where there is commonality between the allegations in the Article 10 petition filed and the indicated report.

If an Article 10 petition is filed that contains allegations of alleged child abuse and/or neglect that correspond to any substantiated allegation contained in an indicated report that is subject to an administrative appeal, the LDSS must notify OCFS forthwith and send the petition in accordance with the instructions detailed in the "Required Action" portion of this ADM.

LDSSs are also required to provide all relevant information obtained during the investigation, such as any information not maintained in the CONENCTIONS record that was considered in determining whether to indicate the report. This includes evidence that was considered in favor of indicating the report as well as information that weighed against doing so. Such information may include, but is not necessarily limited to:

- That which may impact on the credibility of statements made during the investigation; and
- Records pertaining to medical, mental health and substance use disorders, including second or differing opinions.

In addition, LDSSs are required to provide all records, reports and other information that is in their possession, which may be pertinent to the "R&R Review." Such information may include, but is not necessarily limited to any relevant:

- Documentation of any services in which the subject has engaged, including classes, workshops or therapy;
- Results of drug testing;
- Mental health screenings, evaluations or records; and
- Court reports that address service planning, safety planning or the success of the subject's interactions with children.

Moreover, upon request, LDSSs must provide any records to a subject or the subject's attorney that they would be entitled to under law.

Application of Irrebuttable Presumptions and Court Settlements

If the Article 10 petition was disposed of as part of a settlement between the parties, the specific language used in the Article 10 petition, and any corresponding order of fact-finding or disposition

will be dispositive regarding whether OCFS must apply a stay to an administrative appeal and if OCFS must apply an irrebuttable presumption.

If OCFS cannot clearly draw a link between the allegations in the indicated report, the allegations in the Article 10 petition and the findings made by the family court in relation to the allegations in the Article 10 petition, OCFS will afford the appellant an administrative appeal without applying any irrebuttable presumption.

OCFS will apply the following rules when determining whether to apply an irrebuttable presumption to a matter where there was a settlement on an Article 10 proceeding:

- *Withdrawal Without Prejudice* - If an LDSS withdraws a petition without prejudice, no irrebuttable presumption will be applied to the allegations contained in that Article 10 petition, and the subject will be afforded an administrative appeal if otherwise eligible for such an appeal under law.
 - As discussed above, if an LDSS withdraws with prejudice, an irrebuttable presumption to unsubstantiate the allegation(s) will be applied.
- *ACOD* – Under the provisions that require OCFS to stay the administrative appeal during the pendency of the Article 10 proceeding, OCFS would stay the administrative appeal until the resolution of the ACOD and the conclusion of the Article 10 proceeding. OCFS may or may not apply an irrebuttable presumption in this scenario, depending on the wording of the Article 10 petition and/or orders of fact finding or disposition. An ACOD that is successfully resolved without a finding of neglect or abuse having been made regarding the respondent, or where a finding was made but was vacated, will result in an irrebuttable presumption being applied by OCFS to unsubstantiate the corresponding allegations that were contained in the indicated report. If the ACOD is not successfully resolved in favor of the respondent, or if a finding of abuse or neglect was made regarding the allegations substantiated, the irrebuttable presumption to unsubstantiate the corresponding allegations contained in the indicated report would not be applied.
- *Suspended Judgments* – Similar to ACODs, if a suspended judgment is issued during an Article 10 proceeding, the administrative appeal must be stayed until the suspended judgment has concluded and the petition has been resolved. To determine if an irrebuttable presumption applies, OCFS will examine the Article 10 petition and any order of fact finding, disposition or settlement to see if a finding was made by the court of abuse or neglect regarding any allegation that is also substantiated in the indicated report. If no such finding was made, or a finding was made but later vacated, and the matter was dismissed after the conclusion of the suspended judgement, OCFS would apply the irrebuttable presumption to unsubstantiate the applicable allegations. If the suspended judgment is not successfully resolved in favor of the respondent, or if a finding of abuse or neglect was made regarding the allegations during the proceeding, the irrebuttable presumption to unsubstantiate the corresponding allegations contained in the indicated report would not be applied.
- *Consent to a General Finding of Neglect* – If an Article 10 is resolved by the respondent consenting to a general finding of neglect that is not allegation specific, OCFS will examine the petition and corresponding court orders to see if a clear connection can

be made between the consent finding and a substantiated allegation in the indicated report. For instance, if there was only one allegation indicated in the report, and only one allegation alleged in the petition and there was clear commonality, OCFS would apply the irrebuttable presumption to substantiate the allegation. If this is not the case and the general consent finding of neglect cannot be linked to the specific substantiated allegations, OCFS will afford the appellant an administrative appeal on the indicated report and not apply any irrebuttable presumption.

- *Waiver of Irrebuttable Presumptions Will Not Be Applied* – OCFS is statutorily required to apply the irrebuttable presumptions under specific situations in an administrative appeal. No party to the appeal may waive the application of a required irrebuttable presumption by OCFS as part of a settlement of the Article 10 proceeding or the administrative appeal. If any such waiver is agreed upon between the parties, please be advised that OCFS will still act in accordance with the statutory mandates.

Specificity on Article 10 Petitions, Orders and Dispositions

LDSS attorneys and others involved with the drafting of Article 10 petitions, orders and dispositions are strongly encouraged to clearly identify how the allegations in the Article 10 petition relate to substantiated allegations contained in an indicated report. OCFS must be able to compare the substantiated allegations on the indicated CPS report with the family court's findings to determine the correct application of any applicable irrebuttable presumption for each allegation that was substantiated in the indicated report. If OCFS cannot determine the family court's decision on a substantiated allegation, the subject will be granted an administrative appeal for that allegation without any irrebuttable presumption being applied.

Changes to Letter Communications

In preparation for SCR reform, OCFS amended several letter communications that are provided to the subject of indicated reports of child abuse and/or maltreatment regarding their rights under the administrative appeals process. These letters are generated by OCFS in specific systems related to the administrative appeal process and LDSSs do not need to take any specific steps to implement their use. Changes to the letters reflect the new provisions in law and include revisions for the letters to read in plain language. Translated versions of these updated letters will also be available on the OCFS intranet and/or website. OCFS will begin use of these letters in communications with subjects for administrative appeals requested on or after January 1, 2022.

Email Box for Questions

OCFS has created a new email box for questions regarding administrative appeals and has included this as a resource for subjects of indicated reports, which is shared in several communication letters with subjects about administrative appeals. The email box address is:

AdministrativeAppealsQuestions@ocfs.ny.gov

Changes to Regulatory Provisions and the CPS Manual are Forthcoming

Please note that OCFS will be revising regulatory language contained in 18 NYCRR Parts 434 as well as the *Child Protective Services Manual*, consistent with this ADM, to conform with the statutory changes enacted by the SCR reform legislation.

IV. Required Action

Submission of Documentation and Information Regarding Article 10 Petitions

When OCFS receives a timely request for appeal, the LDSS is notified that it has 20 days to provide any documentation not maintained in CONNECTIONS that is relevant to the indicated report. That statutory provision has been expanded to include “a copy of any petition or court order based on the allegations that were indicated” (see SSL sections 422(8)(a)(ii) and 424-a(1)(e)(ii) as amended by Part R of Chapter 56 of the Laws of 2020). If a pertinent Article 10 petition already occurred or is pending, the LDSS must send the Appeals Processing Team the Article 10 petition and any order of fact finding or disposition and information regarding the status of the Article 10 proceeding as part of the response for the request for documentation.

In addition to updating CONNECTIONS after court appearance as is currently required, the LDSS must keep OCFS up to date on the status of the Article 10 including providing information to OCFS forthwith if there is legal activity on the Article 10 that may impact the stay or the application of an irrebuttable presumption in the administrative appeal. This includes, but may not necessarily be limited to the following:

- The LDSS withdraws the petition, with or without prejudice;
- The court dismisses the petition without a finding of abuse and/or neglect;
- The court issues a finding of abuse and/or neglect;
- The petition is amended to remove an allegation and/or to add a new allegation;
- An order of fact finding and/or disposition was issued by the court;
- An appeal of an order of fact finding or disposition was made;
- The outcome of any appeal;
- A finding of abuse or neglect was vacated by the court;
- An ACOD, suspended judgment or court ordered supervision was issued for a specified period of time; or
- A new Article 10 was filed against the subject of the report.

LDSSs must provide these updates to OCFS in writing via email. Specifically, all such updates should be sent by email to: ocfs.sm.it.prod.countyresponse@ocfs.ny.gov with “**Article 10**” in the subject line, with the correspondence including, at minimum, the Request ID.

New Data Entry in CONNECTIONS

For reports of alleged child abuse or maltreatment that are indicated on or after January 1, 2022, the CPS caseworker is prompted to enter specific information regarding whether an Article 10 petition was filed regarding the specific allegations substantiated against the subject that are contained in the indicated report. Entry of this data will not impact the ability of the LDSS to file an Article 10 petition on those allegations in the future, if appropriate.

V. Systems Implications

New fields have been added to CONNECTIONS to facilitate the implementation of the new Article 10 procedures.

- When any allegation is substantiated in CONNECTIONS, Article 10 information will be required.
- When an allegation is substantiated, CONNECTIONS will display a prompt which says, “Has an Article 10 been filed?” to which the user must enter “Yes” or “No.”
- If the user enters “Yes,” the user must select the correct designation from a drop-down menu. The options are the following:
 - Pending
 - Withdrawn with prejudice
 - Withdrawn without prejudice
 - Finding of abuse or maltreatment made
 - Dismissed
 - ACOD
 - Suspended Judgment
 - Other
- CONNECTIONS will not allow a user to save and close the screen until the questions have been answered.
- LDSSs may also update Article 10 information through local data maintenance in CONNECTIONS. Nonetheless, even if information is entered into CONNECTIONS, the LDSS is still required by statute to send OCFS the petition and pertinent court orders as described above whenever an administrative appeal is in process.

Detailed guidance will be provided in an upcoming CONNECTIONS Build Bulletin, and a tip sheet “Documenting Article 10 Information in CONNECTIONS” will be available within the “Helpful Information” tab in CONNECTIONS.

VI. Contacts

Office of Implementation, Community Affairs and Protective Practices – Cassandra Kelleher-Donnaruma (518) 402-3424

cassandra.kelleher@ocfs.ny.gov

Buffalo Regional Office – Amanda Darling (716) 847-3145

Amanda.Darling@ocfs.ny.gov

Rochester Regional Office – Christopher Bruno (585) 238-8201

Christopher.Bruno@ocfs.ny.gov

Syracuse Regional Office – Sara Simon (315) 423-1200

Sara.Simon@ocfs.ny.gov

Albany Regional Office – John Lockwood (518) 486-7078

John.Lockwood@ocfs.ny.gov

Westchester Regional Office – Sheletha Chang (845) 708-2498

Sheletha.Chang@ocfs.ny.gov

New York City Regional Office – Ronni Fuchs (212) 383-1788

Ronni.Fuchs@ocfs.ny.gov

Native American Services – Heather LaForme (716) 847-3123

Heather.LaForme@ocfs.ny.gov

VII. Effective Date

This ADM shall take effect January 1, 2022, and apply to administrative appeals challenging indicated reports of child abuse and maltreatment pursuant to SSL sections 422(8) or 424-a(1)(e) that are commenced on or after such date.

/s/ Lisa Ghartey Ogundimu, Esq.

Issued by:

Name: Lisa Ghartey Ogundimu, Esq.

Title: Deputy Commissioner

Division/Office: Division of Child Welfare and Community Services