

RESOLUTION NO. 480 -2020, ADOPTING LOCAL LAW NO. 31-2020, A LOCAL LAW TO SET CASELOAD STANDARDS FOR CERTAIN EMPLOYEES WITHIN THE DEPARTMENT OF SOCIAL SERVICES (“Part Five of the CPS Transformation Act”)

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on March 17, 2020, a proposed local law entitled, "**A LOCAL LAW TO SET CASELOAD STANDARDS FOR CERTAIN EMPLOYEES WITHIN THE DEPARTMENT OF SOCIAL SERVICES**"; (“Part Five of the CPS Transformation Act”) and said local law in final form is the same as when presented and introduced; now, therefore be it

RESOLVED, that the said local law be enacted in form as follows:

LOCAL LAW NO. 31-2020, SUFFOLK COUNTY, NEW YORK

A LOCAL LAW TO SET CASELOAD STANDARDS FOR CERTAIN EMPLOYEES WITHIN THE DEPARTMENT OF SOCIAL SERVICES (“Part Five of the CPS Transformation Act”)

BE IT ENACTED BY THE COUNTY LEGISLATURE OF THE COUNTY OF SUFFOLK, as follows:

Section 1. Legislative Intent.

This Legislature hereby finds and determines that the New York State Office of Children and Family Services recommends that a Caseworker handling child welfare cases handle no more than 12 active cases per month, and defines a “high caseload” to be 15 or more cases.

This Legislature further finds and determines that it is in the best interest of the children and families served by the Suffolk County Department of Social Services if it adheres to the New York State recommendations for Suffolk County Caseworkers handling child welfare cases.

Therefore, the purpose of this local law is to establish caseload standards for Suffolk County Caseworkers handling child welfare cases and to establish a process by which additional personnel are hired to maintain compliance with the established standards.

Section 2. Amendments.

Article X of the SUFFOLK COUNTY ADMINISTRATIVE CODE is hereby amended and a new section is added as follows:

**Article X.
Department of Social Services**

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§ A10-3. Definitions.

A.

As used in this Article, the following terms shall have the meanings indicated:

Average – shall mean the total number of active cases assigned divided by the number of Caseworkers carrying a caseload, calculated on a monthly basis.

Autism Spectrum Disorder – shall mean a group of conditions characterized by difficulty in social functioning and repetitive behaviors or stereotyped interests.

Case – shall mean a report or consolidated reports of alleged child abuse, neglect and/or maltreatment received by the Department of Social Services.

Caseworker – shall mean Caseworker, Caseworker Trainee, Senior Caseworker or any other successive title occupied by an employee within Child Protective Services who is charged with investigating reports made to Child Protective Services.

Child Protective Services (CPS) – shall mean the Family and Children Services Administration within the Department of Social Services or any successive unit or division.

Commissioner – shall mean the Commissioner of the Suffolk County Department of Social Services.

CPS Special Needs Unit – shall mean a designated unit within CPS consisting of Caseworkers, Caseworker Trainees and Casework Supervisors who have completed the requisite education and/or training process to develop a level of expertise in handling cases involving children with autism spectrum disorder and/or other developmental disabilities.

Mandated Reporter – shall mean persons and officials required to report cases of suspected child abuse, neglect and/or maltreatment as defined in New York State Social Services Law.

Report – shall mean any account of suspected child abuse, neglect and/or maltreatment received by the Department of Social Services.

School – shall mean any institution providing educational instruction as recognized by the New York State Department of Education.

Senior Supervisor – shall mean any title which is organizationally above Casework Supervisor.

Developmental Disabilities – shall mean conditions including but not limited to intellectual disability, autism, cerebral palsy, epilepsy, familial dysautonomia, and neurological impairment (injury, malformation, or disease involving the Central Nervous System) or another special condition that may occur anytime from before a baby's birth, up until the age of 22, which may cause a child to develop more slowly all along, or to

have physical difficulties and limitations, or have trouble learning and growing like other children in general.

Sustained Period – shall mean a period of four consecutive months, as documented in reports submitted to the Suffolk County Legislature as required by Resolution 183-2019.

B. Caseload Standards

(1) No Caseworker who is eligible for a caseload shall be assigned more than 15 active cases per month, unless approved by a Senior Supervisor with notification to the Commissioner.

(2) The average caseload per Caseworker shall not exceed 12 cases.

C. Non-Compliance

(1) If Child Protective Services is out of compliance with the caseload standards established herein for a sustained period. The Commissioner of the Department of Social Services shall submit a corrective action plan which shall include the number of additional Caseworkers necessary for Child Protective Services to come into compliance and the estimated time it will take to achieve compliance to the County Executive and the Presiding Officer of the Suffolk County Legislature within 15 days.

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Section 3. Applicability.

This law shall apply to all actions occurring on or after the effective date of this law.

Section 4. Severability.

If any clause, sentence, paragraph, subdivision, section, or part of this law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of this law, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

Section 5. SEQRA Determination.

This Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Section 617.5(c)(26), and/or (33) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection. The Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this law.

Section 6. Effective Date.

This law shall take effect immediately upon its filing with the Secretary of State.

[] Brackets denote deletion of language.

___ Underlining denotes addition of new language

DATED: June 23, 2020

APPROVED BY:

/s/ Steven Bellone
County Executive of Suffolk County

Date: July 9, 2020

After a public hearing duly held on July 6, 2020
Filed with the Secretary of State on July 23, 2020