



2024 ANNUAL OUT-OF-STATE PLACEMENT COMMITTEE REPORT

Submitted pursuant to New York State Social Services Law §483-d



**Council on Children
and Families**

2024 ANNUAL OUT-OF-STATE PLACEMENT COMMITTEE REPORT

Developed By:

New York State Council on Children and Families

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The Out-of-State Placement Committee (Committee) operates within the New York State Council on Children and Families (CCF) to monitor the placement of youth with complex needs in out-of-state residential programs and schools. The Committee was established in 2005 in response to concerns about the quality, safety, and cost of placing New York’s youth in out-of-state residential programs and schools. At the time that the Committee was formed, there were approximately 1,400 youth placed out-of-state. Since then, out-of-state placements have decreased dramatically.

“Out-of-state placements” refer to situations in which youth are placed in residential programs or schools outside of New York by a local department of social service (LDSS) or by a Committee on Special Education (CSE) through a school district. These placements typically involve youth with complex medical, behavioral health, developmental, and educational needs.

The Committee plays a critical role in monitoring and improving New York’s approach to residential placement. It collects and analyzes cross-system data to inform service infrastructure, reduce reliance on out-of-state programs, and support system-wide and statewide improvements. This year’s report includes updated data to better align the reporting cycles and the data collected.

Chaired by the executive director of CCF, the Committee includes representatives from the following state agencies: the Office of Children and Family Services (OCFS), State Education Department (SED), Office of Mental Health (OMH), Office for People With Developmental Disabilities (OPWDD), Office of Addiction Services and Supports (OASAS), Department of Health (DOH), Division of Criminal Justice Services (DCJS), and Justice Center for the Protection of People with Special Needs (JC).

As outlined in this report, LDSSs and school districts work closely with state agencies to serve New York State youth at home, and, in the limited instances when residential placement is necessary, to serve them as close to their home communities as possible. However, in certain instances, out-of-state residential placements are needed.

Annually, pursuant to the New York State Social Services Law § 483-d in collaboration with the state agencies that comprise the Committee, CCF submits a report to the Governor and Legislature on out-of-state placements.

This year's annual report has been revised to include several updates for the current reporting cycle. These changes are intended to enhance the clarity, consistency, and utility of the report for stakeholders across the child-serving systems. Key revisions to the 2024 Report include:

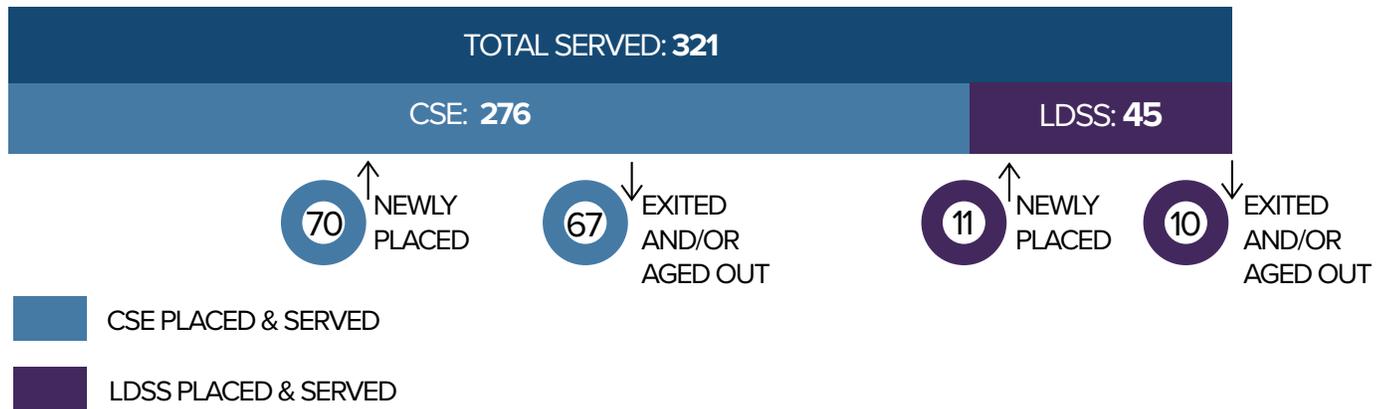
- **New Reporting Cycle** updated to align with the academic school year, from **July 1, 2023 through June 30, 2024**.
 - **Better Defined and Aligned Cohorts*** *Note: These are not exclusive categories
 - **Newly-placed** includes youth who were placed in an out-of-state program during the reporting period, July 1, 2023 through June 30, 2024.
 - **Exited** includes youth who exited an out-of-state program during the reporting period, July 1, 2023 through June 30, 2024.
 - **Served** includes youth newly-placed in an out-of-state program during the reporting period and those served for at least one day in an out-of-state program during the reporting period. Youth are included if their program entry date was on or before June 30, 2024, and their exit date was either null (indicating ongoing care) or on or after July 1, 2023.
- **Standardized Terminology** to ensure consistency in data interpretation and reporting across agencies.
- **Standardized Demographics** to support better cross-agency comparisons and analyses.
- **Map of out-of-state programs serving New York youth** placed by CSE and LDSS.
- **OCFS Health Condition Data Elements** to capture information on the health conditions of youth in out-of-state programs and provide insights into their physical and behavioral health needs.

These enhancements are part of an ongoing effort to improve data quality and transparency and support more informed planning and decision-making related to residential placement for youth with complex needs. It is important to note that these enhancements limit the ability to trend this year's data with data from previous years.

Out-of-State Placements (July 1, 2023 – June 30, 2024)

Since the creation of the Committee, the number of New York youth served out-of-state has declined dramatically, from a high of approximately 1,400 youth in 2006 to 321 youth in this most recent reporting period. As **Figure 1** shows and as described below, from July 1, 2023 through June 30, 2024, 276 CSE-placed students were served in out-of-state residential schools and 45 LDSS-placed youth were served in out-of-state congregate care residential programs. While these counts are higher than those reported in the 2023 Annual Out-of-State Placement Committee Report, this can be attributed to changes in the methodology to count out-of-state placements. For example, in 2023, the number of LDSS youth only included those newly admitted to out-of-state placements, as opposed to the total number served out-of-state during the reporting period. **Figure 1** also shows the number of youth who exited an out-of-state program during the reporting period.

**FIGURE 1: Total Unique Youth Count of Out-of-State Placements
July 1, 2023 - June 30, 2024**



SED approved 276 applications for tuition and maintenance reimbursement for CSE placements in an approved out-of-state residential school. Placement refers to enrollment pursuant to a contract between the out-of-state approved school and the school district for the provision of special education programs and services in accordance with a student’s individualized education program (IEP). Seventy students were newly placed and 67 exited out-of-state residential schools during the reporting period. For school district placements, the student’s residence continues to be with the parent or guardian and not the out-of-state setting. The data reflect any student approved for tuition reimbursement at any point during the school year reporting period even if the placement is just for one day. Profiles of these 276 students are provided in **Figures 3** and **5-8**.

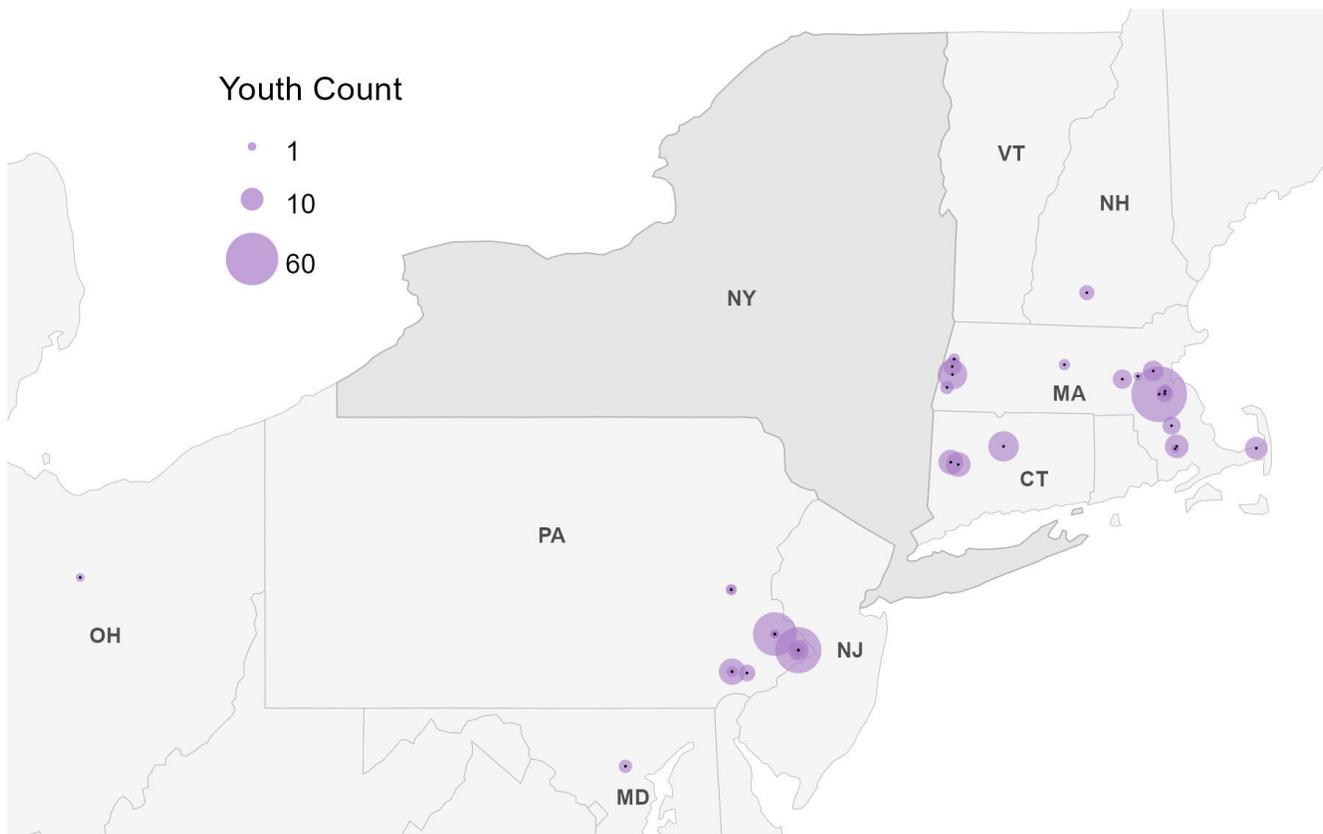
OCFS reported that 45 youth in foster care were served in an out-of-state institutional (congregate care) setting for one day or more during the reporting period. Twenty-six youth were in an out-of-state placement at the start of the school year and remained out-of-state for the entire reporting period. The remaining 19 youth spent some portion of the school year in an out-of-state institutional care setting, entering, exiting, or both during the reporting period. Eleven youth were newly placed and 10 youth exited out-of-state residential programs during the period, with two youth captured in both groups, beginning and ending their stay during the same year.

Youth entering out-of-state institutions came from a variety of settings. Three were admitted to out-of-state programs upon admission to foster care. Four were step-ups from a lower level of care, with three stepping up from an out-of-state foster home, and one entering following a return from trial discharge. The remaining four transferred from a New York State congregate care residential program. Profiles of these 45 youth are provided in **Figures 4-8**.

Figure 2 maps the placement of the 321 youth served in out-of-state programs. As illustrated, most New York youth placed in out-of-state programs and schools are located in neighboring states.

Additional details on New York youth served out-of-state are provided in **Table 2** of the Appendix to this report. These details include out-of-state program names with the number of youth served in each program.

FIGURE 2: Youth Served in Out-of-State Programs
July 1, 2023 - June 30, 2024



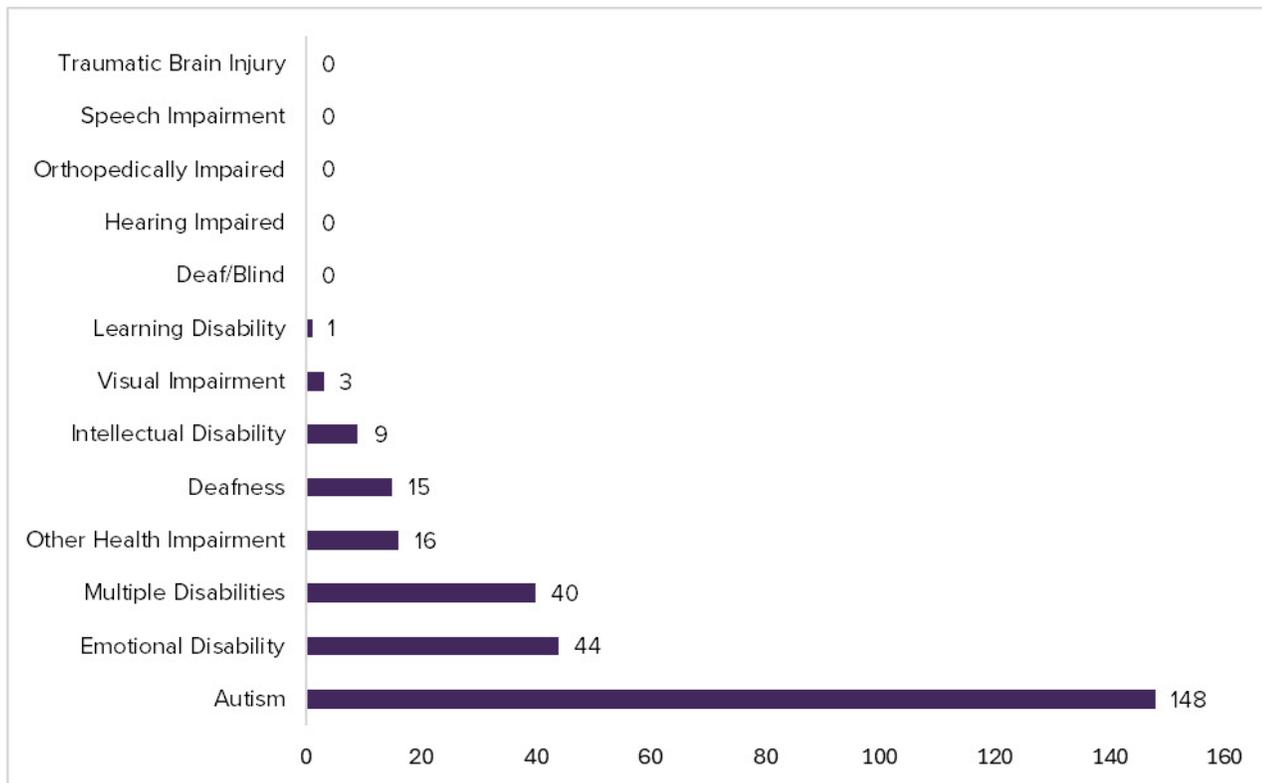
Youth Profiles

SED uses student profiles as part of the application process for school districts to apply for approval of state reimbursement of tuition costs for each student placed in an out-of-state residential school by the school district’s CSE.

Disability Details

The data (in **Figure 3**) list an unduplicated count of the disability classification reflected on each student’s IEP served in an out-of-state residential school at the time the annual reimbursement request was approved by SED. Each student has one primary disability classification for their primary need. As indicated below, more than half of the students served out-of-state have an “autism” classification. In prior years, this has also been the largest disability classification for students placed out-of-state.

**FIGURE 3: IEP Disability Classification* of 276 NY Students Served Out-of-State (Placed by CSE)
July 1, 2023 - June 30, 2024**

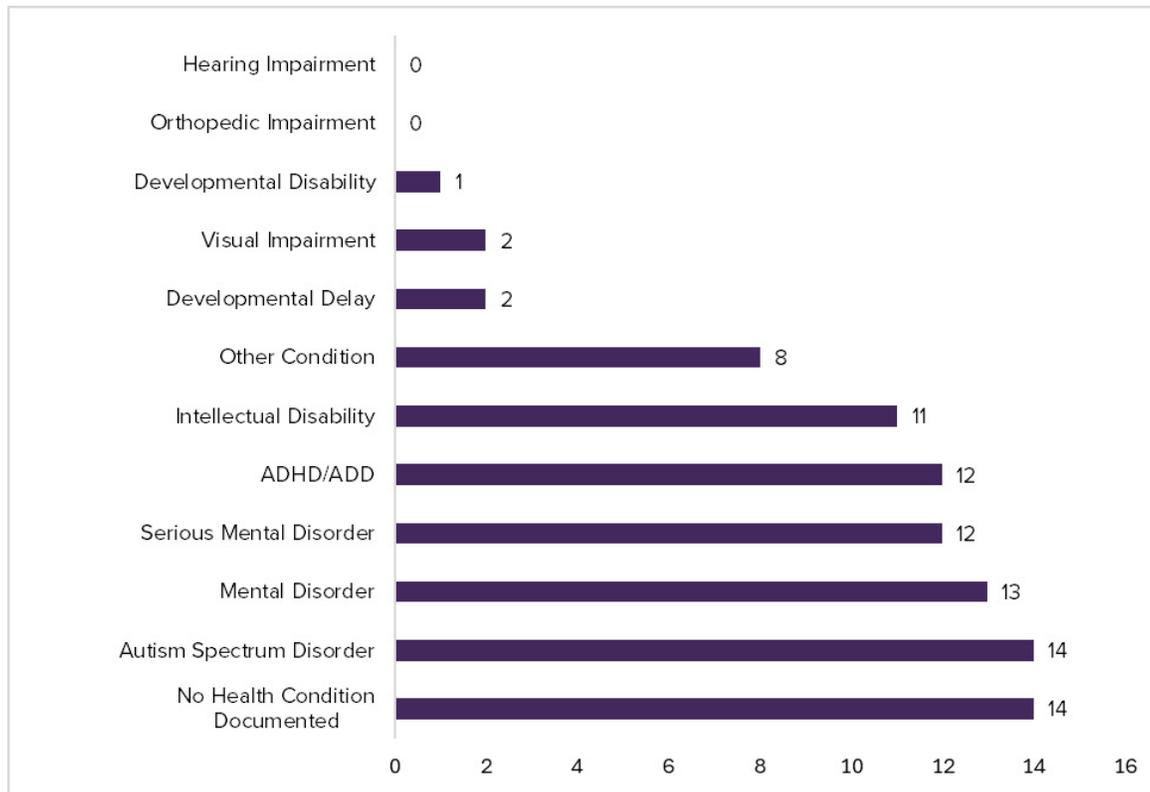


*Disability classifications and definitions are set forth in Part 200 Education Regulations, 8 NYCRR 200.1 (zz).
<https://www.nysed.gov/special-education/new-york-state-laws-and-regulations-related-special-education-and-students>

Figure 4 presents descriptive information on the health conditions of the 45 youth in congregate foster care served out-of-state during the reporting period. This data is based on the Adoption and Foster Care Analysis and Reporting System (AFCARS) case-level information that OCFS collects. Notably, this is the first time this data has been reported in the Out-of-State Placement Committee Annual Report.

A few additional notes about this data. First, while these health conditions may impact the need for a youth to be placed in an out-of-state program, they are not the reason for the youth’s placement. Secondly, youth with multiple diagnoses were counted in each applicable category, so some youth may be counted more than once. Lastly, the “other condition” data element indicates whether a youth in foster care currently has or was previously diagnosed with any condition (such as a chronic illness) requiring special care that is not covered in the other categories (for example, youth who have asthma may be included in this category). The most frequent diagnoses for youth in foster care served out-of-state are "Autism Spectrum Disorder" and "mental disorders" (e.g., mood, anxiety, personality, conduct disorder), followed by serious mental disorders (e.g., bipolar, schizophrenia, psychotic disorder). Notes: 1) The health condition terminology comes directly from AFCARS. 2) About one-third of the youth served did not have a health condition noted in the state’s foster care health record.

**FIGURE 4: Health Condition of 45 Youth in Foster Care Placed Out-of-State (Placed by LDSS)
July 1, 2023 - June 30, 2024**



*Data collected by OCFS for AFCARS. Descriptions of health conditions can be found in Appendix B: <https://www.acf.hhs.gov/sites/default/files/documents/cb/afcars-tb-20.pdf>.

Demographics

The following demographic data (in **Figures 5-8**) are reported to SED on the 276 students served in out-of-state residential schools and the 45 youth in foster care served by out-of-state programs during the reporting period. Significantly more males than females were placed by CSEs and served out-of-state, while a roughly equal number by LDSSs. Half of all youth placed out-of-state were less than 18 years old on July 1, 2023, and roughly half were Non-Hispanic whites. Most CSE-placed students in out-of-state residential schools were from the New York City region (148 students), with the Mid-Hudson region being the next highest placing region (54 students).

FIGURE 5: Gender
July 1, 2023 - June 30, 2024

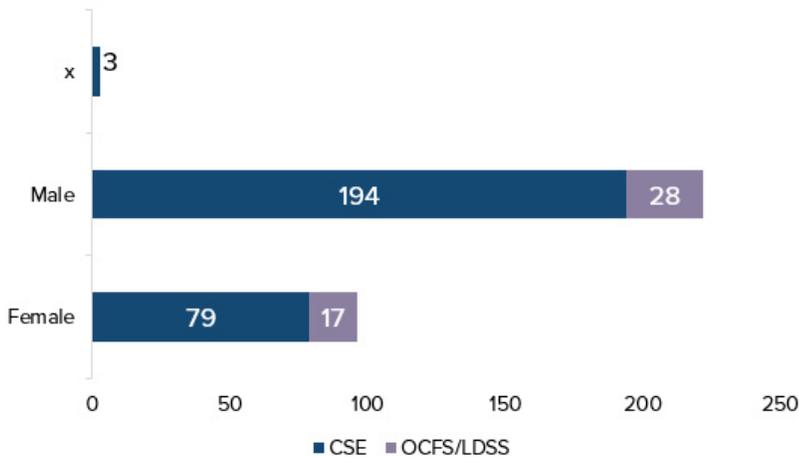
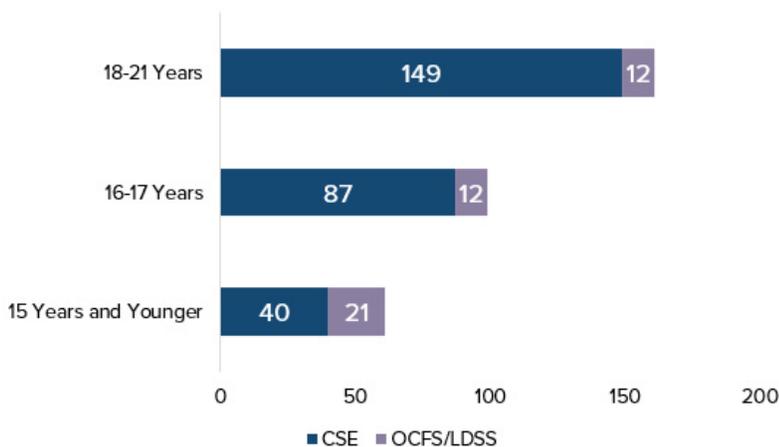


FIGURE 6: Age Range as of July 1, 2023



This is the first year that the SED and OCFS regions are aligned. The regions are standardized based on New York’s ten Regional Economic Development Regions. <https://www.governor.ny.gov/sites/default/files/atoms/files/RegionalCouncilMap.pdf>.

FIGURE 7: Placing/Paying Region

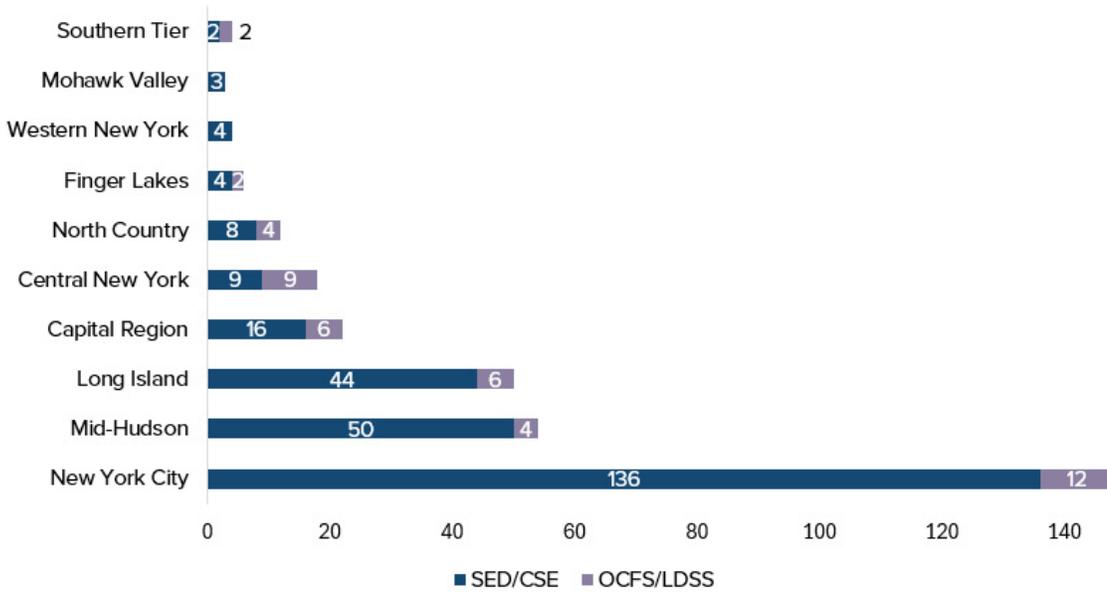
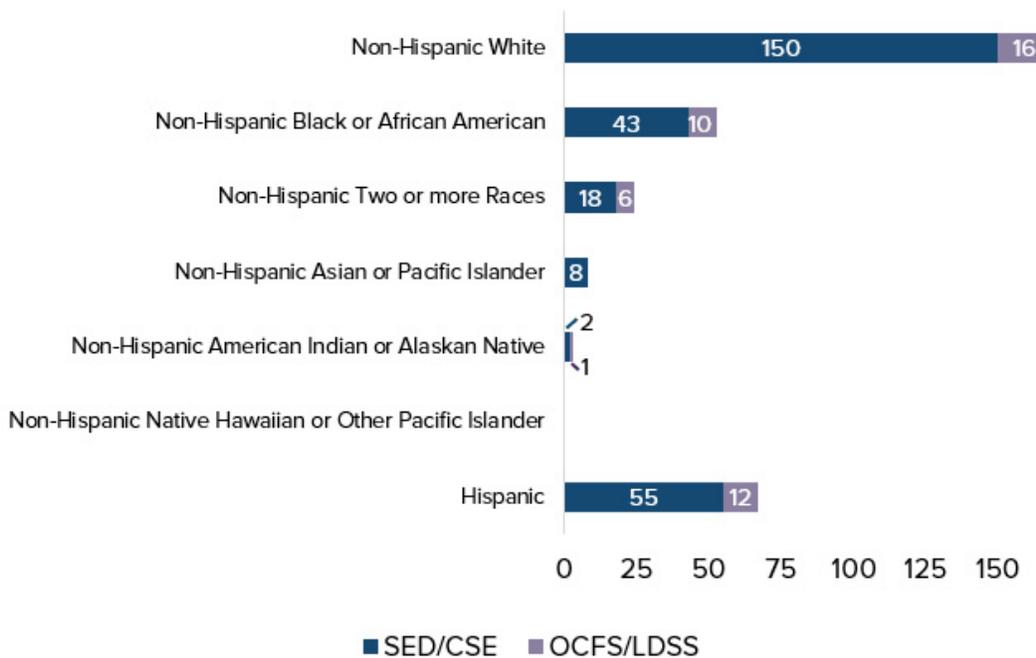


FIGURE 8: Race/Ethnicity

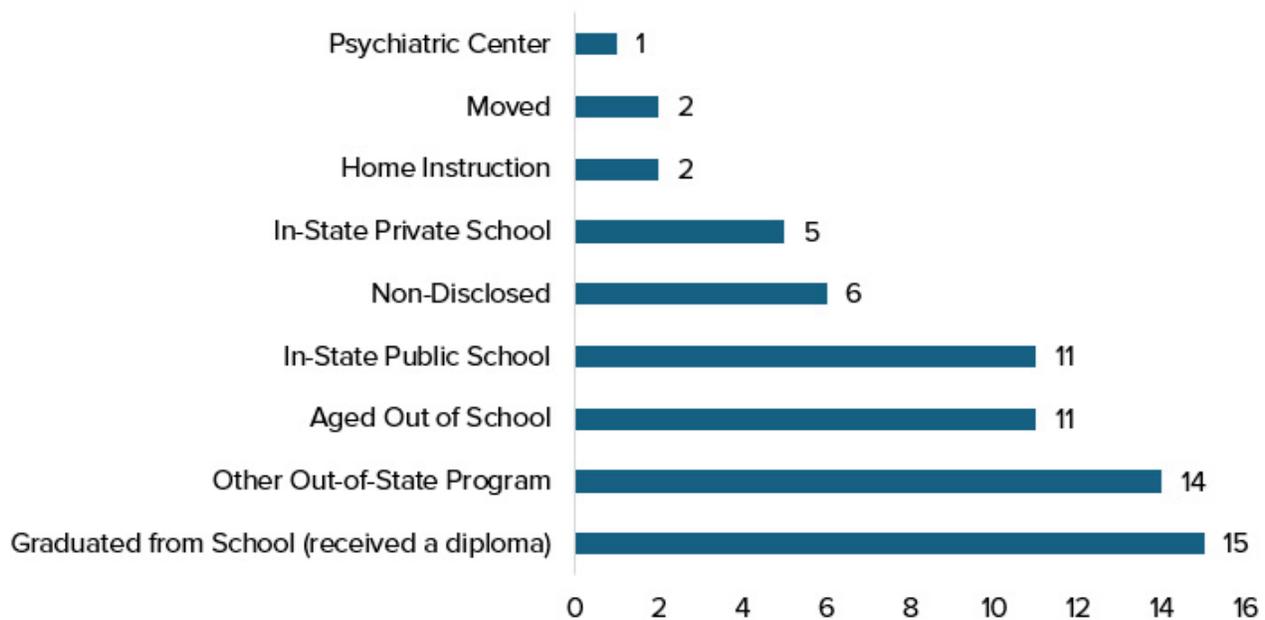


Youth Exiting Out-of-State Placements

Below are two figures indicating where youth went upon discharge from their out-of-state placement. **Figure 9** provides this information for CSE-placed youth, and **Figure 10** for LDSS-placed youth. SED collects data from approved out-of-state residential schools for students placed by their CSE who are returning from an out-of-state residential school. About one-quarter of all youth placed out-of-state by CSEs and LDSSs were discharged from their out-of-state program or aged out of their care or educational placement during the reporting period. It is important to note that SED students can remain eligible for services through the school year in which they turn age 22, whereas youth in foster care age out when they turn 21.

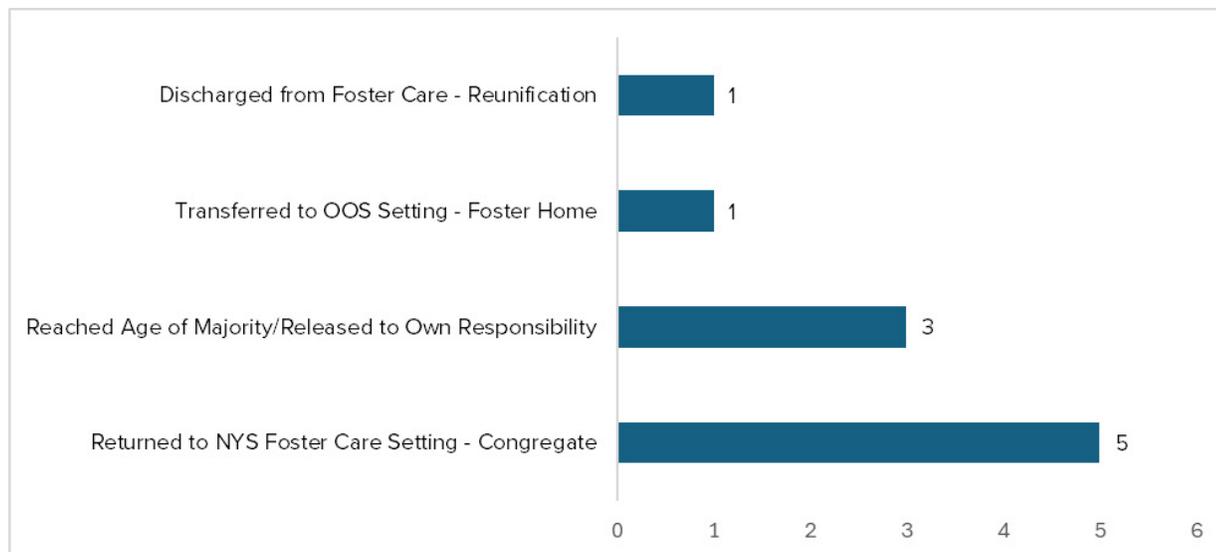
- Of the 276 students, 67 exited the out-of-state residential school in which they were placed by their CSE during the 2023-24 school year. Exiting occurred for multiple reasons including but not limited to, the student transferring to another in-state or out-of-state school, receiving a diploma, reaching the age of non-eligibility for education services, and exiting at the end of the school year, or for noncompulsory-aged students electing to end education services. **Figure 9** provides the placements of these 67 students.

FIGURE 9: Where 67 CSE-placed Students Went Upon Exit
(Exited cohort July 1, 2023 - June 30, 2024)



- Of the 45 youth in foster care, 10 exited out-of-state institutional programs during the school year, including two who entered and exited within the year. Five youth returned to a New York State institutional foster care setting, one exited to an out-of-state foster home, one discharged from foster care to be reunified with their parent, and three reached the age of majority. **Figure 10** lists the placements of these 10 youth.

FIGURE 10: Reason for 10 Youth in Foster Care Exiting Out-of-State Institutional Programs (July 1, 2023 - June 30, 2024)



MONITORING AND QUALITY ASSURANCE

State agencies (SED/OCFS), and the local placing entities are responsible for monitoring and quality assurance for out-of-state residential schools and programs serving New York State children and youth. In addition, the Justice Center may visit these out-of-state programs and schools, and audit corrective action plans created in response to an allegation of abuse or neglect.

Summary of Actions

New York State Education Department (SED)

The SED Office of Special Education Non-District Unit is responsible for overseeing all New York State approved in-state and out-of-state residential schools to ensure compliance with applicable federal and New York State laws and regulations for the education of students with disabilities. The Non-District Unit performs monitoring functions including reviewing protocols to evaluate compliance with approved schools' policies, procedures, and practices. The most frequently utilized review protocols include monitoring of the following compliance categories:

- Delivery of Special Education Programs and Services;
- Behavioral Interventions;
- Suspension;
- Operation of the School Program; and
- Protection of Students from Abuse and Neglect, consistent with the provisions of the New York State Protection of People with Special Needs Act.

During the 2023-24 school year, SED conducted monitoring reviews of ten New York State approved out-of-state residential schools. The names and locations of these schools, followed by details of the monitoring reviews, are below.

1. Hillcrest Education Centers - Brookside Intensive Treatment Unit (Massachusetts)
2. Hillcrest Education Centers - High Point (Massachusetts)
3. American School for the Deaf (Connecticut)
4. Frederick L. Chamberlain (Massachusetts)
5. Devereux Advanced Behavioral Health - School for Integrated Learning (Pennsylvania)
6. Devereux Advanced Behavioral Health - Brandywine Campus (Pennsylvania)
7. Devereux Advanced Behavioral Health- Glenholme Campus (Connecticut)
8. Woods Services (Pennsylvania)
9. Foundations Behavioral Health (Pennsylvania)
10. Latham Centers (Massachusetts)

1. Hillcrest – Brookside Intensive Treatment Unit (Massachusetts): In March 2024, SED conducted a focused review in the areas of the Delivery of Special Education Programs and Services, and the Operation of the School Program. This review assessed the school’s policies, procedures and practices to ensure students with disabilities receive instruction to address their unique needs and have access to the general education curriculum and to verify the required number of days and hours of instruction are provided in a safe environment. On April 4, 2024, SED issued a report indicating compliance with all items associated with the two areas of the focused review.

2. Hillcrest - High Point (Massachusetts): In March 2024, SED conducted a focused review in the areas of the Delivery of Special Education Programs and Services, and the Operation of the School Program. This review assessed the school’s policies, procedures, and practices to ensure students with disabilities receive instruction to address their unique needs and have access to the general education curriculum, and to verify the required number of days and hours of instruction are provided in a safe environment. On April 4, 2024, SED issued a report and compliance assurance plan that identified the following area of noncompliance: lack of full individualized education program (IEP) implementation. The school addressed all concerns and was in full compliance with the regulatory item cited as of June 20, 2024.

3. American School for the Deaf (Connecticut): In February 2024, SED conducted a focused review in the area of the Delivery of Special Education Programs and Services. This review assessed the school’s policies, procedures, and practices to ensure students with disabilities receive instruction to address their unique needs and have access to the general education curriculum. On April 12, 2024, SED issued a report indicating that all items associated with the focused review were in compliance.

4. Frederick L. Chamberlain (Massachusetts): In April 2024, SED conducted a focused review in the area of the Operation of the School Program. This review assessed the school’s policies, procedures, and practices to ensure students with disabilities receive the appropriate number of days and hours of instruction in a safe environment. On April 25, 2024, SED issued a report and compliance assurance plan that identified the following area of noncompliance: the school lacked a student code of conduct. The school addressed this concern and was in full compliance with the regulatory item cited as of May 20, 2024.

5. Devereux Advanced Behavioral Health - School for Integrated Learning (Pennsylvania): In November 2023, SED conducted a focused review in the area of the Delivery of Special Education Programs and Services. This review assessed the school's policies, procedures, and practices to ensure students with disabilities receive instruction to address their unique needs and have access to the general education curriculum. On November 28, 2023, SED issued a report indicating that all items associated with the focused review were in compliance.

6. Devereux Advanced Behavioral Health - Brandywine Campus (Pennsylvania): In November 2023, SED conducted a focused review in the area of the Delivery of Special Education Programs and Services. This review assessed the school's policies, procedures, and practices to ensure students with disabilities receive instruction to address their unique needs and have access to the general education curriculum. On November 28, 2023, SED issued a report indicating that all items associated with the focused review were in compliance.

7. Devereux Advanced Behavioral Health- Glenholme Campus (Connecticut): In April 2024, SED conducted a focused review in the area of the Delivery of Special Education Programs and Services. This review assessed the school's policies, procedures, and practices to ensure students with disabilities receive instruction to address their unique needs and have access to the general education curriculum. On April 12, 2024, SED issued a report indicating compliance with all items associated with the focused review.

8. Woods Services (Pennsylvania): In October 2023, SED conducted a focused review in the area of the Delivery of Special Education Programs and Services, and a separate monitoring review which also included selected citations from the Behavioral Interventions module. These reviews assessed the school's policies, procedures, and practices to ensure students with disabilities receive instruction to address their unique needs and have access to the general education curriculum and receive appropriate behavioral supports and services to address behaviors that impede learning, including the use of timeout rooms and physical restraint. On December 22, 2023, SED issued a report and compliance assurance plan that identified the following areas of noncompliance: lack of full IEP implementation and inconsistent progress monitoring of student behavior plans progress. On March 6, 2024, SED issued a report indicating compliance with all items associated with the monitoring review. On July 8, 2024, SED issued a report indicating compliance with all items associated with the focused review.

9. Foundations Behavioral Health (Pennsylvania): In December 2023, SED conducted a focused review in the area of the Delivery of Special Education Programs and Services. This review assessed the school's policies, procedures, and practices to ensure students with disabilities receive instruction to address their unique needs and have access to the general education curriculum. On January 23, 2024, SED issued a report indicating compliance with all items associated with the focused review.

10. Latham Centers (Massachusetts): In September 2023, SED conducted a focused review in the area of the Delivery of Special Education Programs and Services. This review assessed the school's policies, procedures, and practices to ensure students with disabilities receive instruction to address their unique needs and have access to the general education curriculum. On November 27, 2023, SED issued a report indicating compliance with all items associated with the focused review.

New York State Office of Children and Family Services (OCFS)

OCFS conducted on-site reviews of ten programs in 2024.

1. Brandon Residential Treatment Center, Inc. (Massachusetts)
2. Devereux Kanner Center (Pennsylvania)
3. Foundations for Living (Ohio)
4. Hillcrest Educational Center (Massachusetts)
5. Seven Hills at Crotched Mountain (New Hampshire)
6. Seven Hills-Stetson School (Massachusetts)
7. The Children's Home (Maryland)
8. The Whitney Academy (Massachusetts)
9. Universal Health Doylestown (Pennsylvania)
10. Woods Services (Pennsylvania)

These reviews included assessments of program compliance with good standards of practice to best support achieving positive outcomes for youth and their families. Specifically, OCFS reviewed policies related to training of staff, use of restraints, investigations, and reporting of restraints and abuse or significant incidents. OCFS also reviewed case records of all LDSS youth placed at each program, examined physical plant fire safety documents, and conducted interviews with administration, staff, and all LDSS placed youth. Recommendations were made, as warranted.

As a part of the out-of-state review conducted by OCFS, each program was assessed to determine alignment with the federal Qualified Residential Treatment Program (QRTP) requirements. A QRTP is a type of congregate care facility that must meet specific federal requirements to qualify for federal IV-E child welfare reimbursement. A QRTP must be licensed by the appropriate state authority and accredited by one of the following:

- The Commission on Accreditation of Rehabilitation Facilities
- The Joint Commission on Accreditation of Healthcare Organizations
- The Council on Accreditation
- Other independent, not-for-profit organizations approved by the U.S. Department of Health and Human Services (DHHS)

A QRTP is required to:

- Utilize a trauma-informed model of care
- Have registered/licensed nursing staff and other licensed clinical staff available 24/7
- Facilitate family member participation in the youth's treatment program when appropriate and in the youth's best interest
- Facilitate outreach to family members, document how the outreach was made, and maintain contact information for relatives
- Document how family members are integrated into the treatment process (including post-discharge) and how sibling connections are maintained
- Implement treatment plan identified in the 30-day assessment
- Provide aftercare support for at least six months post-discharge from the QRTP

Two programs serving New York youth were designated as QRTPs by the state of location (Foundations for Living in Ohio and Woods Services in Pennsylvania). Two programs have QRTP accreditation certificates from a recognized independent federal accrediting body to deliver QRTP services, however these agencies are not recognized by their licensing states as a QRTP setting (The Children's Home in Maryland and Whitney Academy in Massachusetts). Six agencies were not approved as QRTPs: three in Massachusetts (Brandon Residential Treatment Center, Hillcrest, and Seven Hills-Stetson School), one in New Hampshire (Seven Hills at Crotched Mountain), and two in Pennsylvania (Devereux and Universal Health Doylestown). Note, one of these six agencies was "in the process" of becoming a licensed QRTP (Hillcrest in Massachusetts).

1. Brandon Residential Treatment Center, Inc. (Massachusetts): OCFS conducted its review between November 14, 2024 and December 15, 2024. The agency was found to be in compliance with Massachusetts licensing regulations and the Massachusetts' licensor reported that the agency was in good standing. As New York youth had not been placed at the agency in the past, OCFS provided information on reporting requirements for the New York State Justice Center and encouraged the agency to follow up with any questions or concerns.

2. Devereux Kanner Center (Pennsylvania): OCFS conducted an out-of-state review on August 26, 2024. The agency was found in compliance with Pennsylvania licensing regulations and the Pennsylvania licensor reported that the agency was in good standing.

3. Foundations for Living (Ohio): OCFS conducted a review between September 23, 2024 and December 15, 2024. The Ohio licensor reported that the agency was in good standing. OCFS advised the agency that its efforts to achieve permanency needed to be documented more thoroughly and that agency staff would benefit from additional training in delivering trauma-informed care. OCFS will be following up with the LDSSs that have placed youth at the agency.

4. Hillcrest Educational Centers (Massachusetts): OCFS conducted a review between October 30, 2024 and December 15, 2024 of four Hillcrest sites (Hillcrest Autism Spectrum Disorder, Hillcrest Highpoint, Hillcrest Academy, and Hillcrest Intensive Treatment Unit). The agency was found in compliance at all four sites with Massachusetts licensing regulations and the Massachusetts' licensor reported that the agency was in good standing.

5. Seven Hills at Crotched Mountain (New Hampshire): OCFS conducted a review between October 9, 2024 and December 15, 2024. The agency was found in compliance with New Hampshire licensing regulations and the New Hampshire licensor reported that the agency was in good standing.

6. Seven Hills Stetson School (Massachusetts): OCFS conducted a review between October 2, 2024 and December 15, 2024. The agency was found in compliance with Massachusetts' licensing regulations and the Massachusetts licensor reported that the agency was in good standing.

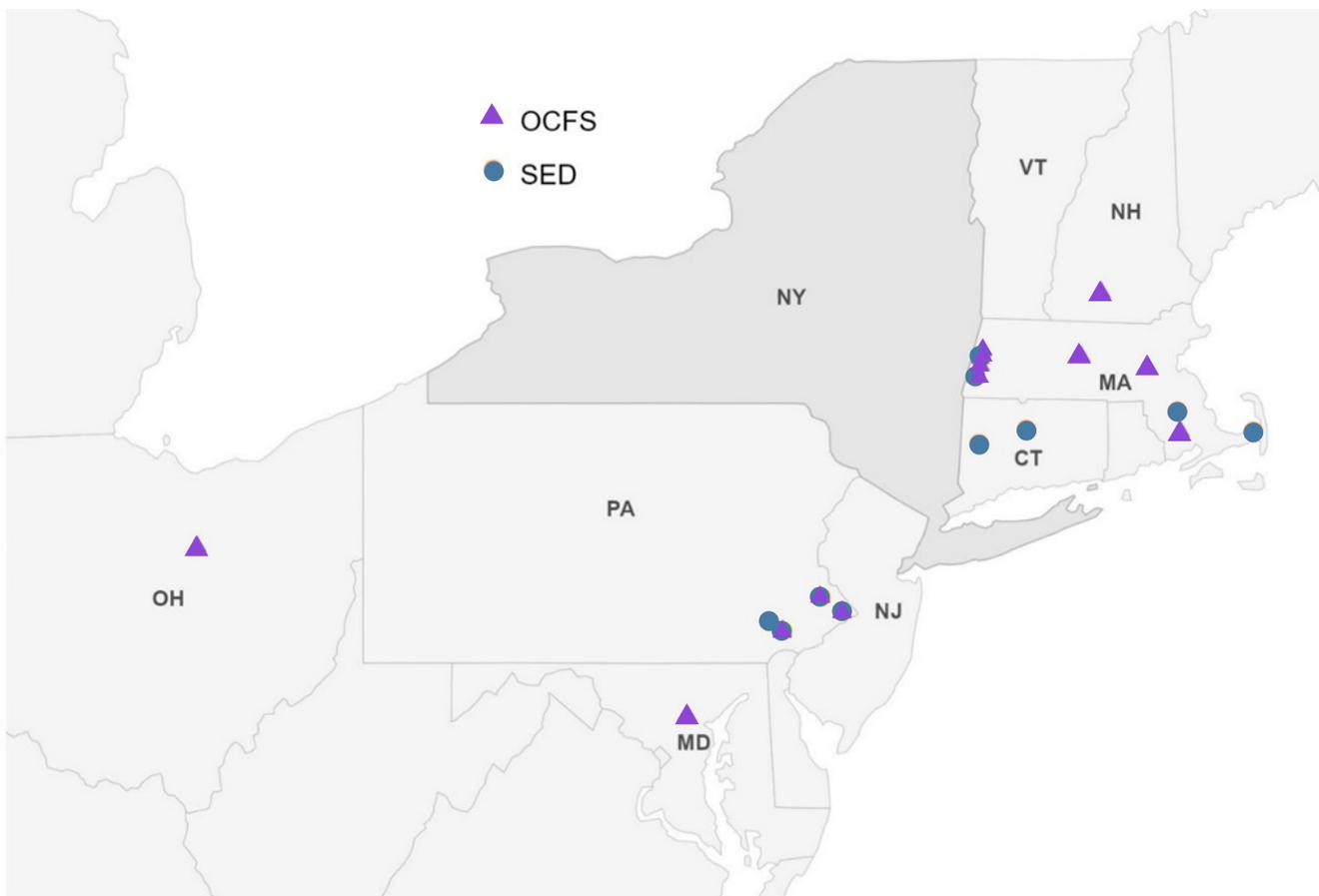
7. The Children's Home (Maryland): OCFS conducted a review between October 10, 2024 and December 15, 2024. The agency was found in compliance with Maryland licensing regulations and the Maryland licensor reported that the agency was in good standing. The agency was advised that its efforts to achieve permanency needed to be documented more thoroughly. Also, while the agency was in compliance with Maryland fire/safety regulations, which are different than New York State regulations, OCFS recommended the agency develop a policy to adhere to any additional fire/safety regulations from a youth's home state that exceed the Maryland requirements.

8. The Whitney Academy (Massachusetts): OCFS conducted a review between October 3, 2024 and December 15, 2024. The agency was found in compliance with Massachusetts’ licensing regulations and the Massachusetts licensor reported that the agency was in good standing.

9. Universal Health Doylestown (Pennsylvania): OCFS conducted a review between October 8, 2024 and December 15, 2024. The agency was found in compliance with Pennsylvania’s licensing regulations and the Pennsylvania licensor reported that the agency was in good standing. OCFS also learned that the youth was in need of an updated vision exam, and that the agency will address this need. OCFS will be following up with the LDSS about this need.

10. Woods Services (Pennsylvania): OCFS conducted a review between November 14, 2024 and December 15, 2024. The agency was found in compliance with Pennsylvania’s licensing regulations and the Pennsylvania licensor reported that the agency was in good standing. The agency was advised that their efforts to develop independent living skills need to be more robust to ensure a successful transition to adulthood. OCFS will be following up with the LDSS about this recommendation.

FIGURE 11: Mapping of Out-of-State Program Monitoring Reviews



New York State Justice Center for the Protection of People with Special Needs: Protection of Youth Placed Out-of-State

The Justice Center provides New York State with the strongest standards and practices in the nation for protecting the safety of individuals with special needs. In addition to its authority to investigate allegations of abuse and neglect involving individuals receiving services in certain New York State-operated, certified, or licensed facilities and programs, the Justice Center investigates allegations of abuse and neglect in approved or contracted out-of-state residential schools and programs in which a New York State youth is placed. Further, the Justice Center, in partnership with the relevant state oversight agency, monitors corrective action plans created by the in- or out-of-state program in response to the investigation findings, and provides support to victims and families impacted by abuse or neglect.

The Justice Center's Hotline Number is: 1-855-373- 2122. To learn more about the Justice Center, visit its website at: <https://www.justicecenter.ny.gov>.

Registry of Out-of-State Residential Schools and Programs Where New York Youth are Placed***New York State Education Department (SED)***

A list of SED approved out-of-state schools is published, along with contact information, on the SED website at: <https://www.NYSED.gov/special-education/approved-out-state-programs>.

SED's approved out-of-state Tuition Reimbursement Approval also is published on its website at: <http://www.NYSED.gov/special-education/out-state-tuition-reimbursement-approval>.

New York State Office of Children and Family Services (OCFS)

The OCFS Out-of-State Placement Oversight Office maintains a database, which contains a list of all LDSS youth placed out-of-state. OCFS does not maintain a list of approved out-of- state residential programs. It is the responsibility of the LDSS to determine if the out-of-state residential program is licensed by the state where the program is located.

STATE AGENCY INITIATIVES:***New York State Office of Children and Family Services (OCFS)***

Since 2021, OCFS has been implementing the Family First Prevention Services Act (FFPSA). This sweeping law continues to transform New York State's foster care system by supporting interventions that promote foster placement with family or close friends (kin) rather than in group homes or institutions. The FFPSA prioritizes family-based family care over residential care by creating financial disincentives for placing children and youth in settings that are not family-based. As of May 8, 2025, 137 programs statewide were approved as QRTPs. The congregate care facilities are trending in the direction of a smaller residential footprint across New York State, with an overall decrease of 23 facilities since FFPSA has been in effect, indicating that the financial disincentive may be working as designed. Among other services, QRTPs offer trauma-informed care and require family participation in treatment and family-based aftercare support for at least six months after discharge.

New York State Education Department (SED)

Currently, SED is developing an online application for tuition reimbursement for students placed in out-of-state residential schools. This will be accompanied by updated guidance for CSE considerations for students at risk of residential placement and the applicable regulatory requirements to ensure students with disabilities receive special education programs and services in the least restrictive environment.

SED is supportive of expanding the existing Children’s Residential Project opportunities that have been lost due to program reductions or closures and to strengthen in-state residential opportunities for students with significant intellectual or developmental disabilities. SED continues to provide technical assistance to school districts on the residential placement process and the school district’s responsibility to provide education and related services in the least restrictive environment.

Additionally, guidance and an application are available on SED’s website at: [Out-of-State Tuition Reimbursement Approval | New York State Education Department \(https://www.nysed.gov/special-education/out-of-state-tuition-reimbursement-approval\)](https://www.nysed.gov/special-education/out-of-state-tuition-reimbursement-approval). The guidance document also includes frequently asked questions to assist school districts when considering a student for residential placement. SED continues to verify that a CSE has exhausted all appropriate in-state placement options before an application for tuition reimbursement for an out-of-state placement is approved. Upon request, the SED Office of Special Education Non-District Unit provides technical assistance to school district CSEs to identify potential residential programs for students who, because of their educational needs, require a residential placement. SED’s website links to the approved private out-of-state schools so that school districts can easily obtain information about potential appropriate residential placements to assist in the referral and placement process.

Prior to authorization of reimbursement of state aid for out-of-state residential school placements, SED applies specific criteria consistent with Education Law § 4405(j) and 8 NYCRR 200.6(j). Supporting documentation and criteria include, but are not limited to, evidence of rejection letters from appropriate in-state options, proposed plan and timetable for enabling the student to return to a less restrictive environment, and a statement of assurance submitted by the school district of the following:

- Certification that the student is of school age, has a disability or combination of disabilities, has a current IEP, and that the nature or severity of the student’s disability is such that appropriate public facilities for instruction are not available; and
- Certification that when a student was first determined to be at risk of residential placement, the school district sought parental consent (or consent of the student if age 18 or older or a LDSS if the student was in foster care) to invite county or New York State agency representatives to the CSE meeting to make recommendations concerning the appropriateness of residential placement and other programs and placement alternatives and upon receipt of parental (or student) consent, other agency representative(s) were invited to the CSE meeting.

In an effort to serve students in the least restrictive environment, SED continues to work with approved in-state providers to develop programs specifically designed to support students with acute complex needs who may have been otherwise placed out-of-state, and to provide opportunities for students to return to New York State programs.

New York State Office for People with Developmental Disabilities (OPWDD)

Actions taken by OPWDD, from July 1, 2023 to June 30, 2024, to reduce the need for out-of-state residential placements included:

- Continuing to work with and encourage school districts to identify students early and alert OPWDD about students who may be at risk of being referred to out-of-state residential schools. Early identification enables OPWDD to assess the need for wrap-around services and supports for students to help prevent the need for out-of-home referrals.
- Ongoing work with residential schools and CSEs to talk with students and families about OPWDD adult services and obtaining consent to invite the student’s care manager and/or OPWDD staff to participate in a student’s IEP meeting when more restrictive or out-of-home placements are being discussed. To ensure that the student and their family understand that the residential school placement is intended to support the student while they are in school, and that transition planning will be discussed at the student’s IEP meeting.
- Ongoing work with residential schools and CSEs to invite a Residential School Transition Coordinator (RSTC) to a student’s IEP meeting where transition planning should be discussed. This also provides an opportunity to ensure that the student and their family understand that the residential school placement is intended to support the student while they are in school, and that transition planning will be discussed at the student’s IEP meeting.
- Providing technical assistance and support to OPWDD regional offices and voluntary providers to facilitate and expedite the development of appropriate adult service opportunities.
- Issuing emergency funding, as needed, to ensure the current setting can maintain the individual and provide support while OPWDD continues to work on securing an appropriate adult services transition plan.

Additional information on transition resources available from OPWDD can be found on the agency’s website at: <https://opwdd.ny.gov/access-supports/school-transition>.

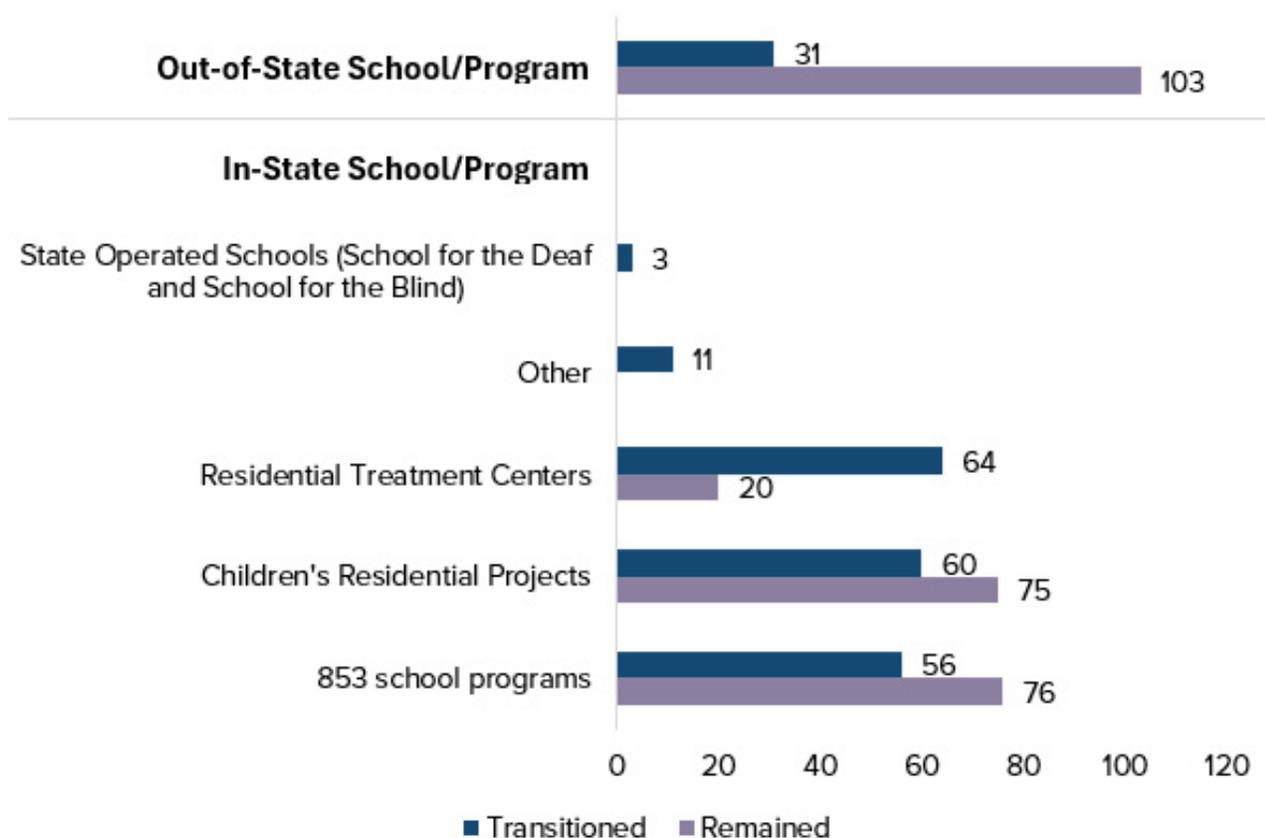
As described, OPWDD continues to implement supports to assist individuals transitioning to adult services. Figure 12 provides the number of individuals, served in-state and out-of-state who either: 1) transitioned from a residential program for youth to OPWDD adult services (residential services or home with day services); or 2) remained in the residential school program after completing their education program as of June 30, 2024.

During the 2024 reporting period, a total of 225 individuals transitioned to OPWDD adult services including both graduates when they completed their education receiving a Regents or Local Diploma and postgraduates when their educational entitlement ended. The 11 individuals who transitioned from the “Other” In-State School/Program represent those in the custody of New York City’s Administration for Children’s Services (ACS) who are being planned for via the residential school process due to ongoing litigation between ACS and OPWDD. These youth can be in a regular foster care placement, a foster care group home, and/or ACS Children’s Center, but they must have Another Planned Living Arrangement (APPLA) goal to be OPWDD eligible. APPLA is a permanency planning goal to assist foster care youth in

their transition to self-sufficiency by connecting the youth to an adult permanency resource, equipping the youth with life skills, and, upon discharge, connecting the youth with any needed community and/or specialized services (see 18 NYCRR § 430.12(f)).

A total of 274 eligible individuals remained on OPWDD Emergency Funding/Transitional Funding in Residential Education Programs after completing their education program including 171 in-state and 103 out-of-state. There are a multitude of reasons why they remain. Late notification of a student in need of OPWDD services (limiting the time to plan for that student), student not yet OPWDD eligible including students who don't have eligibility when OPWDD is notified, students with complex needs, students not ready for transition to community settings, parents declining adult community placements, delays in construction of new certified programs, and program staffing shortages.

FIGURE 12: OPWDD Transitioned and Remained Aged Out Youth (July 1, 2023 - June 30, 2024)



New York State Office of Mental Health (OMH)

OMH has made historic investments to expand resources available at home for youth with complex needs and to broaden the accessibility of community-based care. New and expanded programs have included Home Based Crisis Intervention, Youth Assertive Community Treatment, Children's Community Residence, Children's Crisis Residence, Certified Community Behavioral Health Clinic, Clinic and Children's Day Treatment programming, and Youth Safe Spaces.

COMMITTEE ACCOMPLISHMENTS

In 2024, the Committee and New York State have made significant progress on the recommendations outlined in the 2023 annual report including:

1. Achieving the alignment of data collection time periods.
2. Expanding and enhancing in-state services for youth at risk of out-of-state residential placements through major investments in critical Time Intervention Teams, Home Based Crisis Intervention, Clinical Assessment Hubs, and Certified Community Behavioral Health Clinics, as well as actively planning the development and implementation of Comprehensive Adult Transition Homes and Specialty Hospital Expansion.
3. Supporting transition-age youth placed out-of-state to allow timely return to New York State through the initial implementation of Comprehensive Adult Transitional Homes.

COMMITTEE RECOMMENDATIONS

For the upcoming year, the Committee recommends continuing investments in previously identified priority areas while expanding efforts to strengthen oversight, improve coordination, and enhance in-state service capacity. In addition, the following new measures are recommended to further improve the out-of-state placement process and ensure better outcomes for youth:

4. Expand and strengthen in-state services, with a targeted focus on increasing the availability and quality of residential and community-based services for youth at risk of out-of-state placements, particularly those with autism spectrum disorders and complex needs.
5. Align data collection processes across agencies to support more accurate monitoring, trend analysis, and timely interventions aimed at reducing unnecessary out-of-state placements.
6. Improve interagency coordination for oversight by coordinating the schedule of out-of-state program monitoring visits and reviews between SED and OCFS.
7. Establish a single, comprehensive registry of approved out-of-state residential programs that have been approved by one or more Committee member agencies to support placement decisions and enhance transparency.
8. Improve transition planning and support for older youth placed out-of-state to ensure timely coordination of services to support their return to New York State and promote successful transitions to adulthood.
9. Increase public awareness and technical assistance to build local and regional capacity to provide guidance and support to counties, schools, and providers to improve service coordination, access to community-based and in-state residential services, and prevent unnecessary out-of-state placements through earlier interventions.

These efforts aim to ensure that New York youth with complex needs receive the services they require closer to home and within their communities.

Governor Hochul's investments in the development and expansion of in-state programs represent a critical step toward building New York State's capacity to serve its most vulnerable youth. With sustained support and strategic implementation of these recommendations, the state will be better equipped to meet the complex needs of its youth, reducing reliance on out-of-state placements, and improving long-term outcomes.

Appendix Tables

Table 1: Total Unique Youth Count of Out-of-State Placements

Time Period	Served Cohort			Newly Placed Cohort			Exited and Aged Out Cohort		
	SED/CSE	OCFS/LDSS	Total	SED/CSE	OCFS/LDSS	Total	SED/CSE	OCFS/LDSS	Total
7/1/2023-6/30/2024	276	45	321	70	11	81	67	10	77

Table 2: Youth Served by Out-of-State Program (July 1, 2023 – June 30, 2024)

Program	Youth Served (SED / CSE / OCFS / LDSS)
American School for the Deaf	19
Boston Higashi	5
Brandon Residential Treatment Center	1
Devereux Advanced Behavioral Health - School for Integrated Learning	14
Devereux Glenholme	12
Devereux Kanner Center	2
Foundations Behavioral Health	41
Foundations for Living	1
Frederick L. Chamberlain Center	6
Hillcrest Academy	2
Hillcrest Educational Centers - ASD Program	18
Hillcrest Educational Centers - Brookside Intensive Treatment Unit	3
Hillcrest Educational Centers - High Point	6
Judge Rotenberg Educational Center	68
Kidspace Intensive Orefield	2
Kidspace Therapeutic Orefield	1
Latham Centers	10
May Center School for Autism and Developmental Disabilities	3
Melmark	5
New England Center for Children	7
Perkins School for the Blind	8
Seven Hills Foundation at Crotched Mountain	4
Seven Hills Stetson School	2
The Children's Home	3
The Whitney Academy	5
Universal Health High Fidelity Program	1
Universal Health Doylestown	1
Wellspring	12
Whitney Academy Intensive Residential Program	3
Woods School	8
Woods Services	46
Woods Services Woodlands Res	3
Total unique youth	321

**Table 3: IEP Disability Classification* of 276 NY Students Served Out-of-State
(July 1, 2023 – June 30, 2024)**

Disability Classification	Number of Students
Autism	148
Emotional Disability	44
Multiple Disabilities	40
Other Health Impairment	16
Deafness	15
Intellectual Disability	9
Visual Impairment	3
Learning Disability	1
Deaf/Blind	0
Hearing Impaired	0
No Disability Documented	0
Orthopedically Impaired	0
Speech Impairment	0
Traumatic Brain Injury	0

* Disability classifications and definitions are set forth in 8 NYCRR 200.1(zz):

<https://www.nysed.gov/special-education/new-york-state-laws-and-regulations-related-special-education-and-students>

**Table 4: Health Conditions of 45 Youth Served in Out-of-State Foster Care
(July 1, 2023 – June 30, 2024)**

Health Condition*	Number of Youth
Autism Spectrum Disorder	14
No Disability Documented	14
Mental Disorder	13
ADHD/ADD	12
Serious Mental Disorder	12
Intellectual Disability	11
Other Condition	8
Visual Impairment	2
Developmental Delay	2
Developmental Disability	1
Hearing Impairment	0
Orthopedic Impairment	0

*Data collected by OCFS for AFCARS. Descriptions of health conditions can be found in Appendix B: <https://www.acf.hhs.gov/sites/default/files/documents/cb/afcars-tb-20.pdf>.

**Table 5: Demographics of NY Children and Youth Served Out-of-State
(July 1, 2023 – June 30, 2024)**

Demographics	SED/CSE		OCFS/LDSS		Total	
	Number	Percentage	Number	Percentage	Number	Percentage
Gender						
Female	79	29%	17	38%	96	30%
Male	194	70%	28	62%	222	69%
X	3	1%	0	0%	3	1%
Age Range (as of July 1, 2023)						
18-21 Years	149	54%	12	27%	161	50%
16-17 Years	87	32%	12	27%	99	31%
15 Years and Younger	40	14%	21	47%	61	18%
Placing/paying Region						
New York City	136	49%	12	27%	148	46%
Mid-Hudson	50	18%	4	9%	54	17%
Long Island	44	16%	6	13%	50	16%
Capital Region	16	6%	6	13%	22	7%
Central New York	9	3%	9	20%	18	5%
North Country	8	3%	4	9%	12	4%
Finger Lakes	4	1.5%	2	4%	6	2%
Western New York	4	1.5%	0	0%	4	2%
Mohawk Valley	3	1%	0	0%	3	1%
Southern Tier	2	1%	2	4%	4	2%
Race and Ethnicity						
Hispanic	55	20%	12	27%	67	21%
Non-Hispanic Native Hawaiian or other Pacific Islander	0	0	0	0%	0	0%
Non-Hispanic American Indian or Alaskan Native	2	1%	1	2%	3	1%
Non-Hispanic Asian or Pacific Islander	8	3%	0	0%	8	3%
Non-Hispanic Two or more Races	18	7%	6	13%	24	8%
Non-Hispanic Black or African American	43	16%	10	22%	53	17%
Non-Hispanic White	150	54%	16	36%	166	51%
Total Unique Youth Served	276	100%	45	100%	321	100%

**Table 6: Where 67 CSE-placed Youth Went Upon Exit
(Exited cohort July 1, 2023 – June 30, 2024)**

Destination Upon Exit	Number of Youth
Graduated from School (received a diploma)	15
Other Out-of-State Program	14
Aged Out of School*	11
In-State Public School	11
Non-Disclosed	6
In-State Private School	5
Home Instruction	2
Moved	2
Psychiatric Center	1
Correctional Facility	0
Developmental Center	0
Dropped Out of School	0

* Students can age out before graduating.

**Table 7: Reason for 10 Youth in Foster Care Exiting OOS Institutional
Foster Care Setting (July 1, 2023 - June 30, 2024)**

Placement	# Unique Youth
Transferred to OOS Foster Home	1
Returned to NYS Foster Care Setting	5
Home-Based	0
Congregate	5
Other	0
Trial Discharge	0
Discharged from Foster Care	1
Reunification	1
Relative/Other Permanency Resource	0
Other Facility (e.g. mental health)	0
Other	0
Reached Age of Majority/Released to Own Responsibility	3

Table 8. Summary of Out-of-State Program Monitoring Reviews

State	Program	SED (July 2023-June 2024)	OCFS (September 2023 -September 2024)
Connecticut	American School for the Deaf	X	
Massachusetts	Brandon Residential Treatment Center, Inc.		X
Pennsylvania	Devereux Kanner Center		X
Pennsylvania	Devereux Advanced Behavioral Health - Brandywine Campus	X	
Pennsylvania	Devereux Advanced Behavioral Health - School for Integrated Learning	X	
Connecticut	Devereux Advanced Behavioral Health- Glenholme Campus	X	
Pennsylvania	Foundations Behavioral Health	X	
Ohio	Foundations for Living		X
Massachusetts	Frederick L. Chamberlain Center	X	
Massachusetts	Hillcrest - Brookside Intensive Treatment Unit	X	
Massachusetts	Hillcrest - High Point	X	
Massachusetts	Hillcrest Educational Centers (four sites)		X
Massachusetts	Latham Centers	X	
New Hampshire	Seven Hills Foundation at Crotched Mountain		X
Massachusetts	Seven Hills Stetson School		X
Maryland	The Children's Home		X
Massachusetts	The Whitney Academy		X
Pennsylvania	Universal Health Doylestown		X
Pennsylvania	Woods Services	X	X

Table 9: OPWDD Transitioned and Remained Aged Out Youth (7/1/2023 - 6/30/2024)

In-State School/Program	Transitioned	Remained
853 school programs	56	76
Children's Residential Projects	60	75
Residential Treatment Centers	64	20
Other	11	0
State Operated Schools (School for the Deaf and School for the Blind)	3	0
Residential Treatment Facilities	0	0
Total	194	171
Out-of-State Programs	Transitioned	Remained
Total	31	103