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I N   S E N A T E

February 13, 2014

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Introduced by Sens. HOYLMAN, LATIMER -- read twice and ordered printed,  
and when printed to be committed to the Committee on Children and  
Families

AN ACT to amend the executive law, in relation to expanding the duties  
of the office of children and family services concerning lesbian, gay,  
bisexual, and transgender runaway and homeless youth

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

1     Section 1. Section 532-e of the executive law, as amended by chapter  
2     182 of the laws of 2002, are amended to read as follows:  
3     S 532-e. Powers and duties of the office of children and family  
4     services. The office of children and family services shall: [(a)] 1.  
5     visit, inspect and make periodic reports on the operation and adequacy  
6     of approved runaway programs and transitional independent living support  
7     programs;  
8     [(b)] 2. certify residential facilities providing care to runaway  
9     and/or homeless youth, provided, however, that no certification shall be  
10    issued or renewed until it can be demonstrated that a program operated  
11    pursuant to this article has consistent with appropriate collective  
12    bargaining agreements and applicable provisions of the civil service  
13    law, developed and implemented a procedure for reviewing and evaluating  
14    the backgrounds of and the information supplied by any person applying  
15    to be an employee, volunteer or consultant, which shall include but not  
16    be limited to the following requirements: that the applicants set forth  
17    his or her employment history, provide personal and employment refer-  
18    ences and sign a sworn statement indicating whether the applicant, to  
19    the best of his or her knowledge, has ever been convicted of a crime in  
20    this state or any other jurisdiction;  
21    [(c)] 3. maintain a register of approved runaway programs, transi-  
22    tional independent living support programs and runaway and homeless  
23    youth service coordinators;  
24    [(d)] 4. submit to the governor and legislature an annual report  
25    detailing the numbers and characteristics of runaway and otherwise home-  
26    less youth throughout the state and their problems and service needs;

EXPLANATION--Matter in *ITALICS* (underscored) is new; matter in brackets  
[ ] is old law to be omitted.

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1 [(e)] 5. develop and promulgate in consultation with county youth  
2 bureaus and organizations or programs which have had past experience  
3 dealing with runaway and homeless youth, regulations concerning the  
4 coordination and integration of services available for runaway and  
5 otherwise homeless youth and prohibiting the disclosure or transferal of  
6 any records containing the identity of individual youth receiving  
7 services pursuant to this section, without the written consent of the  
8 youth; [and]

9 [(f)] 6. develop and promulgate regulations in consultation with the  
10 office of temporary and disability assistance concerning the provision  
11 of services by transitional independent living support programs consist-  
12 ent with the provisions of this article[.];

13 [(g)] 7. REQUIRE ALL EMPLOYEES OF APPROVED PROGRAMS PROVIDING CARE TO  
14 RUNAWAY AND/OR HOMELESS YOUTH TO COMPLETE TRAINING AS SET FORTH IN REGU-  
15 LATIONS PROMULGATED BY THE OFFICE. SUCH TRAINING SHALL REQUIRE ALL  
16 EMPLOYEES OF SUCH RESIDENTIAL FACILITIES TO RECEIVE INSTRUCTION AS SPEC-  
17 IFIED BY THE OFFICE IN THE REGULATIONS AND SHALL, AT A MINIMUM, INCLUDE  
18 INSTRUCTION IN ISSUES PERTAINING TO LESBIAN, GAY, BISEXUAL, AND TRANS-  
19 GENDER YOUTH WITH PARTICULAR EMPHASIS ON:

20 (A) APPROPRIATE TERMINOLOGY;

21 (B) PARTICULAR CHALLENGES FOR LESBIAN, GAY, BISEXUAL, AND TRANSGENDER  
22 RUNAWAY AND HOMELESS YOUTH, INCLUDING WHY LESBIAN, GAY, BISEXUAL, AND  
23 TRANSGENDER YOUTH ARE DISPROPORTIONATELY HOMELESS;

24 (C) HOW TO ADDRESS HOMOPHOBIA OR TRANSPHOBIA FROM OTHER YOUTH AT THE  
25 SHELTER;

26 (D) CONFIDENTIALITY IN THE CASES OF LESBIAN, GAY, BISEXUAL, AND TRANS-  
27 GENDER YOUTH; AND

28 (E) HOW TO ADDRESS THE FAMILIES OF LESBIAN, GAY, BISEXUAL, AND TRANS-  
29 GENDER YOUTH; AND

30 8. in conjunction with the commissioner of education, develop and  
31 annually review a plan to ensure coordination and access to education  
32 for homeless children, in accordance with the provisions of section  
33 thirty-two hundred nine of the education law, and monitor compliance of  
34 residential programs for runaway and homeless youth with such plan.

35 S 2. This act shall take effect on the first of January next succeed-  
36 ing the date upon which it shall have become a law.