S T A T E O F N E W Y O R K

3907

2009-2010 Regular Sessions

I N A S S E M B L Y

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Introduced by M. of A. ENGLEBRIGHT, MARKEY, MILLMAN, COLTON, J. RIVERA, MAISEL, ABBATE, PHEFFER, BROOK-KRASNY, CLARK, LUPARDO, MAGNARELLI, ALESSI, GUNTHER, BOYLAND, BRADLEY, DINOWITZ -- Multi-Sponsored by -- M. of A. BENEDETTO, CHRISTENSEN, DESTITO, EDDINGTON, GOTTFRIED, JACOBS, LATIMER, McENENY, OAKS, PAULIN, REILLY, STIRPE, SWEENEY -- read once and referred to the Committee on Aging

AN ACT to amend the elder law, in relation to establishing an intergenerational educational and mentoring service program

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

Section 1. The elder law is amended by adding a new article 4 to read as follows:

ARTICLE IV
INTERGENERATIONAL EDUCATIONAL
AND MENTORING SERVICE
PROGRAM

SECTION 401. DEFINITIONS.
402. LOCAL INTERGENERATIONAL EDUCATIONAL AND MENTORING SERVICE PROGRAMS.
403. DUTIES OF THE DIRECTOR.
404. FUNDING.
405. REPORT.

S 401. DEFINITIONS. AS USED IN THIS SECTION:

1. "ADVISORY COMMITTEE" SHALL MEAN THE ADVISORY COMMITTEE FOR THE AGING ESTABLISHED PURSUANT TO SECTION TWO HUNDRED TEN OF THIS CHAPTER.

2. "DESIGNATED AGENCY" SHALL HAVE THE SAME MEANING AS IS ASCRIBED TO SUCH TERM BY PARAGRAPH (A) OF SUBDIVISION ONE OF SECTION TWO HUNDRED FOURTEEN OF THIS CHAPTER.

3. "DIRECTOR" SHALL MEAN THE DIRECTOR OF THE OFFICE FOR THE AGING.

4. "INTERGENERATIONAL EDUCATIONAL AND MENTORING PROGRAM" SHALL MEAN A STATEWIDE PROGRAM ADMINISTERED BY THE DIRECTOR, IN CONSULTATION WITH THE

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

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COMMISSIONER OF EDUCATION, THAT COORDINATES A NETWORK OF LOCAL INTERGENERATIONAL EDUCATIONAL AND MENTORING SERVICE PROGRAMS.

5. "LOCAL INTERGENERATIONAL EDUCATIONAL AND MENTORING SERVICE PROGRAM" SHALL MEAN A LOCAL PROJECT THAT IS SELECTED BY THE DIRECTOR TO BE THE LEAD AGENCY IN EACH COMMUNITY TO COORDINATE THE DELIVERY OF SUPPORT SERVICES BY MEMBERS IN LOCAL ELEMENTARY SCHOOLS.

6. "MEMBER" SHALL MEAN AN INDIVIDUAL FIFTY-FIVE YEARS OF AGE OR OLDER WHO VOLUNTEERS AND PARTICIPATES IN THE ACTIVITIES OF A LOCAL INTERGENERATIONAL EDUCATIONAL AND MENTORING SERVICE PROGRAM ASSISTING STUDENTS. PROVIDED THAT NO PERSON, WHO REPLACES ANY WORKER PROVIDING SUCH SERVICES UNDER A CONTRACT WITH A COLLECTIVE BARGAINING UNIT, SHALL BE DEEMED TO BE A MEMBER.

7. "OFFICE" SHALL MEAN THE OFFICE FOR THE AGING.

S 402. LOCAL INTERGENERATIONAL EDUCATIONAL AND MENTORING SERVICE PROGRAMS. THE OFFICE, THROUGH THE INTERGENERATIONAL EDUCATIONAL AND MENTORING SERVICE PROGRAM, SHALL PROVIDE ALL SUPPORT AND ASSISTANCE TO LOCAL INTERGENERATIONAL EDUCATIONAL AND MENTORING SERVICE PROGRAMS NECESSARY TO IMPLEMENT THE PROVISIONS OF THIS ARTICLE. THE DIRECTOR SHALL, THROUGH LOCAL INTERGENERATIONAL EDUCATIONAL AND MENTORING SERVICE PROGRAMS, OFFER ADULTS AGE FIFTY-FIVE OR OLDER PLACEMENT IN SERVICE POSITIONS ASSISTING STUDENTS IN ELEMENTARY SCHOOL. SUCH SERVICE POSITIONS SHALL INCLUDE RESULT-ORIENTED TUTORING, MENTORING AND OTHER EDUCATIONAL SUPPORT FOR CHILDREN AND YOUTH IN NEED. THE LOCAL INTERGENERATIONAL EDUCATIONAL AND MENTORING SERVICE PROGRAM SHALL PROVIDE ALL NECESSARY TRAINING TO MEMBERS. MEMBERS SHALL PROVIDE BOTH ONE-ON-ONE ASSISTANCE AND PARTICIPATE IN ANY OTHER ACTIVITIES WHICH BENEFIT AN ENTIRE SCHOOL OR ORGANIZATIONAL COMMUNITY.

S 403. DUTIES OF THE DIRECTOR. 1. THE DIRECTOR SHALL, IN CONSULTATION WITH THE COMMISSIONER OF EDUCATION, PROMULGATE RULES AND REGULATIONS ESTABLISHING STANDARDS AND REQUIREMENTS FOR LOCAL INTERGENERATIONAL EDUCATIONAL AND MENTORING SERVICE PROGRAMS RECEIVING GRANTS PURSUANT TO THIS ARTICLE. SUCH RULES AND REGULATIONS SHALL INCLUDE, BUT NOT BE LIMITED TO:

(A) PROCEDURES FOR COORDINATING AND SUPPORTING THE NETWORK OF LOCAL INTERGENERATIONAL EDUCATIONAL AND MENTORING SERVICE PROGRAMS RECEIVING GRANTS PURSUANT TO THIS ARTICLE;

(B) PROCEDURES FOR WORKING WITH PUBLIC AND PRIVATE SCHOOLS, COLLEGES, UNIVERSITIES, COMMUNITY COLLEGES, COMMUNITY BASED ORGANIZATIONS, THE NATIONAL SENIOR SERVICE CORPS AND THE LEAD AGENCIES OF LOCAL INTERGENERATIONAL EDUCATIONAL AND MENTORING SERVICE PROGRAMS;

(C) A PROCEDURE FOR INDIVIDUALS TO APPLY TO BECOME AND BECOME MEMBERS;

(D) REQUIREMENTS FOR PARTICIPATION AS A MEMBER AND AS A LOCAL INTERGENERATIONAL EDUCATIONAL AND MENTORING SERVICE PROGRAM;

(E) STANDARDS, BASED ON MEASURABLE OUTCOMES, FOR THE EVALUATION OF LOCAL INTERGENERATIONAL EDUCATIONAL AND MENTORING SERVICE PROGRAMS; AND

(F) ANY OTHER REQUIREMENTS THE DIRECTOR DETERMINES TO BE REASONABLE AND NECESSARY.

2. THE RULES AND REGULATIONS PROMULGATED PURSUANT TO SUBDIVISION ONE OF THIS SECTION SHALL PROVIDE FOR THE INCLUSION OF LOCAL INTERGENERATIONAL EDUCATIONAL AND MENTORING SERVICE PROGRAMS IN THE PLANNING PROCESS BY DESIGNATED AGENCIES.

S 404. FUNDING. 1. THE DIRECTOR SHALL, WITHIN THE AMOUNTS APPROPRIATED THEREFOR, AWARD GRANTS ON A COMPETITIVE BASIS TO NOT-FOR-PROFIT CORPORATIONS AND LOCAL GOVERNMENTS SEEKING TO OPERATE A LOCAL INTERGENERATIONAL EDUCATIONAL AND MENTORING SERVICE PROGRAM. THE DIRECTOR SHALL

CONSIDER, IN THE AWARDING OF GRANTS, THE REGIONAL NEEDS AND THE COMPARATIVE WEALTH OF THE SCHOOL DISTRICT.

2. THE OFFICE MAY EXPEND NOT MORE THAN THREE PERCENT OF THE MONEYS APPROPRIATED, FOR THE PURPOSES OF THIS ARTICLE, FOR COSTS OF ADMINISTERING THIS ARTICLE.

3. EACH LOCAL INTERGENERATIONAL EDUCATIONAL AND MENTORING SERVICE PROGRAM SHALL PAY NOT LESS THAN TEN PERCENT OF ITS EXPENSES WITH INCOME DERIVED FROM PRIVATE FUNDRAISING, SCHOOL DISTRICTS OR ANY OTHER SOURCE.

S 405. REPORT. THE DIRECTOR, IN CONSULTATION WITH THE ADVISORY COMMITTEE, AFFECTED STATE AGENCIES, AFFECTED MUNICIPAL AGENCIES, LOCAL SPONSORS AND PERSONS INVOLVED IN LOCAL INTERGENERATIONAL EDUCATIONAL AND MENTORING SERVICE PROGRAMS, SHALL, ON OR BEFORE DECEMBER THIRTY-FIRST, TWO THOUSAND TEN, ISSUE A REPORT TO THE GOVERNOR, THE TEMPORARY PRESIDENT OF THE SENATE, THE SPEAKER OF THE ASSEMBLY, THE CHAIR OF THE SENATE COMMITTEE ON EDUCATION, THE CHAIR OF THE SENATE COMMITTEE ON AGING, THE CHAIR OF THE ASSEMBLY COMMITTEE ON EDUCATION AND THE CHAIR OF THE ASSEMBLY COMMITTEE ON AGING, ON THE PROJECTED COST AND BENEFITS OF ESTABLISHING UNIFORM STANDARDS AND REQUIREMENTS FOR THE OPERATION OF LOCAL INTERGENERATIONAL EDUCATIONAL AND MENTORING SERVICE PROGRAMS.

S 2. This act shall take effect on the one hundred eightieth day after it shall have become a law. Provided, that, effective immediately, any rules and regulations necessary to implement the provisions of this act on its effective date are authorized to be promulgated on or before such date.