

3907

2009-2010 Regular Sessions

I N A S S E M B L Y

January 29, 2009

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:

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

3 ARTICLE IV
4 INTERGENERATIONAL EDUCATIONAL
5 AND MENTORING SERVICE
6 PROGRAM

7 SECTION 401. DEFINITIONS.

8 402. LOCAL INTERGENERATIONAL EDUCATIONAL AND MENTORING SERVICE
9 PROGRAMS.

10 403. DUTIES OF THE DIRECTOR.

11 404. FUNDING.

12 405. REPORT.

13 S 401. DEFINITIONS. AS USED IN THIS SECTION:

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

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

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

20 4. "INTERGENERATIONAL EDUCATIONAL AND MENTORING PROGRAM" SHALL MEAN A
21 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.

LBD07108-01-9

1 COMMISSIONER OF EDUCATION, THAT COORDINATES A NETWORK OF LOCAL INTERGEN-
2 ERATIONAL EDUCATIONAL AND MENTORING SERVICE PROGRAMS.

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

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

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

14 S 402. LOCAL INTERGENERATIONAL EDUCATIONAL AND MENTORING SERVICE
15 PROGRAMS. THE OFFICE, THROUGH THE INTERGENERATIONAL EDUCATIONAL AND
16 MENTORING SERVICE PROGRAM, SHALL PROVIDE ALL SUPPORT AND ASSISTANCE TO
17 LOCAL INTERGENERATIONAL EDUCATIONAL AND MENTORING SERVICE PROGRAMS
18 NECESSARY TO IMPLEMENT THE PROVISIONS OF THIS ARTICLE. THE DIRECTOR
19 SHALL, THROUGH LOCAL INTERGENERATIONAL EDUCATIONAL AND MENTORING SERVICE
20 PROGRAMS, OFFER ADULTS AGE FIFTY-FIVE OR OLDER PLACEMENT IN SERVICE
21 POSITIONS ASSISTING STUDENTS IN ELEMENTARY SCHOOL. SUCH SERVICE POSI-
22 TIONS SHALL INCLUDE RESULT-ORIENTED TUTORING, MENTORING AND OTHER EDUCA-
23 TIONAL SUPPORT FOR CHILDREN AND YOUTH IN NEED. THE LOCAL INTERGENERA-
24 TIONAL EDUCATIONAL AND MENTORING SERVICE PROGRAM SHALL PROVIDE ALL
25 NECESSARY TRAINING TO MEMBERS. MEMBERS SHALL PROVIDE BOTH ONE-ON-ONE
26 ASSISTANCE AND PARTICIPATE IN ANY OTHER ACTIVITIES WHICH BENEFIT AN
27 ENTIRE SCHOOL OR ORGANIZATIONAL COMMUNITY.

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

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

37 (B) PROCEDURES FOR WORKING WITH PUBLIC AND PRIVATE SCHOOLS, COLLEGES,
38 UNIVERSITIES, COMMUNITY COLLEGES, COMMUNITY BASED ORGANIZATIONS, THE
39 NATIONAL SENIOR SERVICE CORPS AND THE LEAD AGENCIES OF LOCAL INTERGEN-
40 ATIONAL EDUCATIONAL AND MENTORING SERVICE PROGRAMS;

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

42 (D) REQUIREMENTS FOR PARTICIPATION AS A MEMBER AND AS A LOCAL INTER-
43 GENERATIONAL EDUCATIONAL AND MENTORING SERVICE PROGRAM;

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

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

48 2. THE RULES AND REGULATIONS PROMULGATED PURSUANT TO SUBDIVISION ONE
49 OF THIS SECTION SHALL PROVIDE FOR THE INCLUSION OF LOCAL INTERGENERA-
50 TIONAL EDUCATIONAL AND MENTORING SERVICE PROGRAMS IN THE PLANNING PROC-
51 ESS BY DESIGNATED AGENCIES.

52 S 404. FUNDING. 1. THE DIRECTOR SHALL, WITHIN THE AMOUNTS APPROPRIATED
53 THEREFOR, AWARD GRANTS ON A COMPETITIVE BASIS TO NOT-FOR-PROFIT CORPO-
54 RATIONS AND LOCAL GOVERNMENTS SEEKING TO OPERATE A LOCAL INTERGENERA-
55 TIONAL EDUCATIONAL AND MENTORING SERVICE PROGRAM. THE DIRECTOR SHALL

1 CONSIDER, IN THE AWARDING OF GRANTS, THE REGIONAL NEEDS AND THE COMPAR-
2 ATIVE WEALTH OF THE SCHOOL DISTRICT.

3 2. THE OFFICE MAY EXPEND NOT MORE THAN THREE PERCENT OF THE MONEYS
4 APPROPRIATED, FOR THE PURPOSES OF THIS ARTICLE, FOR COSTS OF ADMINISTER-
5 ING THIS ARTICLE.

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

9 S 405. REPORT. THE DIRECTOR, IN CONSULTATION WITH THE ADVISORY COMMIT-
10 TEE, AFFECTED STATE AGENCIES, AFFECTED MUNICIPAL AGENCIES, LOCAL SPON-
11 SORS AND PERSONS INVOLVED IN LOCAL INTERGENERATIONAL EDUCATIONAL AND
12 MENTORING SERVICE PROGRAMS, SHALL, ON OR BEFORE DECEMBER THIRTY-FIRST,
13 TWO THOUSAND TEN, ISSUE A REPORT TO THE GOVERNOR, THE TEMPORARY PRESI-
14 DENT OF THE SENATE, THE SPEAKER OF THE ASSEMBLY, THE CHAIR OF THE SENATE
15 COMMITTEE ON EDUCATION, THE CHAIR OF THE SENATE COMMITTEE ON AGING, THE
16 CHAIR OF THE ASSEMBLY COMMITTEE ON EDUCATION AND THE CHAIR OF THE ASSEM-
17 BLY COMMITTEE ON AGING, ON THE PROJECTED COST AND BENEFITS OF ESTABLISH-
18 ING UNIFORM STANDARDS AND REQUIREMENTS FOR THE OPERATION OF LOCAL INTER-
19 GENERATIONAL EDUCATIONAL AND MENTORING SERVICE PROGRAMS.

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