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

8389

2009-2010 Regular Sessions

I N A S S E M B L Y

May 18, 2009

Introduced by M. of A. BOYLAND -- read once and referred to the Committee on Children and Families

AN ACT to amend the social services law, in relation to providing child care services to families where one parent is attending post secondary educational program full-time while the other parent is employed full-time

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

Section 1. Paragraph (a) of subdivision 1 and subdivision 3 of section 410-w of the social services law, as amended by chapter 569 of the laws of 2001, are amended to read as follows:

(a) families receiving public assistance when such child care assistance is necessary: to enable a parent or caretaker relative to engage in work, participate in work activities or perform a community service pursuant to title nine-B of article five of this chapter; to enable a teenage parent to attend high school or other equivalent training program; because the parent or caretaker relative is physically or mentally incapacitated; [or] because family duties away from home necessitate the parent or caretaker relative's absence; OR BECAUSE A PARENT IS ATTENDING A POST SECONDARY EDUCATIONAL PROGRAM FULL-TIME WHILE THE OTHER PARENT IS EMPLOYED FULL-TIME child day care shall be provided during breaks in activities, for a period of up to two weeks. Such child day care may be authorized for a period of up to one month if child care arrangements shall be lost if not continued, and the program or employment is scheduled to begin within such period;

3. A social services district shall guarantee child care assistance to families in receipt of public assistance with children under thirteen years of age when such child care assistance is necessary for a parent or caretaker relative to engage in work or participate in work activities pursuant to the provisions of title nine-B of article five of this chapter OR BECAUSE A PARENT IS ATTENDING A POST SECONDARY EDUCATIONAL

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

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PROGRAM FULL-TIME WHILE THE OTHER PARENT IS EMPLOYED FULL-TIME. Child care assistance shall continue to be guaranteed for such a family for a period of twelve months after the month in which the family's eligibility for public assistance has terminated or ended when such child care is necessary in order to enable the parent or caretaker relative to engage in work, provided that the family's public assistance has been terminated as a result of an increase in the hours of or income from employment or increased income from child support payments or because the family voluntarily ended assistance; that the family received public assistance in at least three of the six months preceding the month in which eligibility for such assistance terminated or ended or provided that such family has received child care assistance under subdivision four of this section; and that the family's income does not exceed two hundred percent of the state income standard. Such child day care shall recognize the need for continuity of care for the child and a district shall not move a child from an existing provider unless the participant consents to such move.

S 2. This act shall take effect immediately.