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

5797

2011-2012 Regular Sessions

I N A S S E M B L Y

March 1, 2011

Introduced by M. of A. LIFTON, SCARBOROUGH, HOOPER, LUPARDO, PHEFFER, JAFFEE -- Multi-Sponsored by -- M. of A. ABBATE, BING, BRENNAN, COLTON, DESTITO, GALEF, GOTTFRIED, GUNTHER, PEOPLES-STOKES, REILLY, ROBINSON, SWEENEY -- read once and referred to the Committee on Children and Families

AN ACT to amend the social services law, in relation to establishing an advisory council of child care providers

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

Section 1. The social services law is amended by adding a new section 390-i to read as follows:

S 390-I. ADVISORY COUNCIL OF CHILD CARE PROVIDERS. 1. THERE IS HEREBY CREATED IN THE OFFICE OF CHILDREN AND FAMILY SERVICES AN ADVISORY COUNCIL OF CHILD CARE PROVIDERS. THE COUNCIL SHALL CONSIST OF SIXTEEN MEMBERS AS FOLLOWS:

(A) THE COMMISSIONER OF THE OFFICE OF CHILDREN AND FAMILY SERVICES OR HIS OR HER DESIGNEE, AND THE COMMISSIONER OF EDUCATION OR HIS OR HER DESIGNEE;

(B) TEN MEMBERS WHO ARE CURRENTLY CHILD DAY CARE PROVIDERS AS DEFINED BY PARAGRAPH (B) OF SUBDIVISION ONE OF SECTION THREE HUNDRED NINETY OF THIS ARTICLE TO BE APPOINTED AS FOLLOWS: FOUR TO BE APPOINTED BY THE TEMPORARY PRESIDENT OF THE SENATE, OF WHOM ONE MEMBER SHALL HAVE EXPERIENCE IN THE OPERATIONS OF A CHILD CARE CENTER, ONE MEMBER SHALL HAVE EXPERIENCE IN THE OPERATIONS OF A GROUP FAMILY DAY CARE HOME, ONE MEMBER SHALL HAVE EXPERIENCE IN THE OPERATIONS OF A FAMILY DAY CARE HOME, AND ONE MEMBER SHALL HAVE EXPERIENCE IN THE OPERATIONS OF SCHOOL AGE CHILD CARE; FOUR TO BE APPOINTED BY THE SPEAKER OF THE ASSEMBLY, OF WHOM ONE MEMBER SHALL HAVE EXPERIENCE IN THE OPERATIONS OF A CHILD CARE CENTER, ONE MEMBER SHALL HAVE EXPERIENCE IN THE OPERATIONS OF A GROUP FAMILY DAY CARE HOME, ONE MEMBER SHALL HAVE EXPERIENCE IN THE OPERATIONS OF A FAMILY DAY CARE HOME, AND ONE MEMBER SHALL HAVE EXPERIENCE IN THE OPERATIONS

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

LBD09266-01-1

OF SCHOOL AGE CHILD CARE; ONE TO BE APPOINTED BY THE MINORITY LEADER OF THE SENATE, AND ONE TO BE APPOINTED BY THE MINORITY LEADER OF THE ASSEMBLY;

(C) TWO MEMBERS REPRESENTING CHILD CARE RESOURCE AND REFERRAL PROGRAMS, TO BE APPOINTED BY THE GOVERNOR; AND

(D) TWO MEMBERS REPRESENTING LOCAL SOCIAL SERVICES DISTRICTS, TO BE APPOINTED BY THE GOVERNOR, ONE OF WHOM SHALL REPRESENT THE CITY OF NEW YORK.

2. ALL MEMBERS OF THE ADVISORY COUNCIL SHALL SERVE FOR TERMS OF THREE YEARS, SUCH TERMS TO COMMENCE ON SEPTEMBER FIRST, AND EXPIRE ON AUGUST THIRTY-FIRST; PROVIDED, HOWEVER, THAT FOR THEIR INITIAL APPOINTMENTS, THE TEMPORARY PRESIDENT OF THE SENATE AND THE SPEAKER OF THE ASSEMBLY SHALL EACH DESIGNATE ONE MEMBER TO SERVE A TERM OF ONE YEAR, ONE MEMBER TO SERVE A TERM OF TWO YEARS AND TWO MEMBERS TO SERVE A TERM OF THREE YEARS. THE COUNCIL SHALL SELECT A CHAIRPERSON FROM AMONG ITS MEMBERS.

3. THE ADVISORY COUNCIL SHALL MEET REGULARLY AT LEAST FOUR TIMES IN EACH YEAR. SPECIAL MEETINGS MAY BE CALLED BY ITS CHAIRPERSON OR AT THE REQUEST OF THE COMMISSIONER OF THE OFFICE OF CHILDREN AND FAMILY SERVICES. THE ADVISORY COUNCIL SHALL REPORT AT LEAST ANNUALLY TO THE COMMISSIONER OF THE OFFICE OF CHILDREN AND FAMILY SERVICES.

4. THE MEMBERS OF THE ADVISORY COUNCIL SHALL RECEIVE NO COMPENSATION FOR THEIR SERVICES BUT SHALL BE ALLOWED THEIR ACTUAL AND NECESSARY EXPENSES INCURRED IN THE PERFORMANCE OF THEIR DUTIES AS COUNCIL MEMBERS. COUNCIL MEMBERS APPOINTED PURSUANT TO PARAGRAPH (B) OF SUBDIVISION ONE OF THIS SECTION WHO ARE FAMILY OR GROUP FAMILY DAY CARE PROVIDERS AND, WHO, AS A RESULT OF TIME SPENT ATTENDING COUNCIL MEETINGS, INCUR EXPENSES FOR THE SALARY OF A SUBSTITUTE EMPLOYEE, SHALL BE REIMBURSED FOR THESE EXPENSES.

5. THE COUNCIL SHALL HAVE THE POWER AND DUTY TO:

(A) IDENTIFY AND REVIEW CHILD CARE ISSUES AND CURRENT STATE POLICIES AND PROGRAMS WHICH DIRECTLY OR INDIRECTLY AFFECT CHILD CARE IN THE STATE AND, AS APPROPRIATE, RECOMMEND THE ADOPTION OF NEW, OR THE MODIFICATION OF EXISTING, POLICIES AND PROGRAMS;

(B) RECOMMEND WAYS OF ENSURING PROTECTION FOR CHILDREN IN CHILD DAY CARE IN THE STATE;

(C) ADVISE THE COMMISSIONER OF THE OFFICE OF CHILDREN AND FAMILY SERVICES OF RECOMMENDATIONS NECESSARY TO FOSTER AND PROMOTE THE FINANCIAL, BUSINESS, AND TRAINING REQUIREMENTS OF PROVIDING CHILD DAY CARE;

(D) RECOMMEND CHANGES TO THE DATA PUBLICLY PROVIDED FOR DAY CARE PROVIDERS; AND

(E) RECOMMEND IMPROVEMENTS TO THE CHILD DAY CARE SUBSIDY SYSTEM.

S 2. This act shall take effect on the sixtieth day after it shall have become a law.