

9804

I N A S S E M B L Y

May 23, 2014

Introduced by M. of A. ORTIZ -- read once and referred 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.