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

5110

2015-2016 Regular Sessions

I N A S S E M B L Y

February 12, 2015

Introduced by M. of A. GOODELL -- read once and referred to the Committee on Social Services

AN ACT to amend the social services law, in relation to requiring participation in educational programs leading to a high school diploma or high school equivalency diploma for those seeking public assistance

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

Section 1. Purpose. The legislature hereby finds that obtaining a high school diploma or a high school equivalency diploma is often essential for successful private sector employment and personal financial independence, self-sufficiency, and success. Indeed, many occupations require a high school diploma or high school equivalency diploma as a precondition for employment. Individuals without a high school diploma or high school equivalency diploma are often relegated to low paying jobs, and suffer much higher unemployment rates than those with a high school diploma or high school equivalency diploma. It is therefore in the public interest to require individuals who are capable of obtaining a high school diploma or high school equivalency diploma to be engaged in good faith efforts to obtain that objective.

S 2. Section 131 of the social services law is amended by adding a new subdivision 21 to read as follows:

21. NOTWITHSTANDING ANY PROVISIONS OF THIS CHAPTER OR OTHER LAW TO THE CONTRARY, NO PUBLIC ASSISTANCE SHALL BE GIVEN TO OR FOR ANY PERSON OVER FIVE YEARS OF AGE OR UNDER THIRTY-FIVE YEARS OF AGE WHO DOES NOT HAVE A HIGH SCHOOL DIPLOMA OR A HIGH SCHOOL EQUIVALENCY DIPLOMA OR IS NOT DULY ENROLLED AND PARTICIPATING IN GOOD FAITH TOWARD THE ATTAINMENT OF A HIGH SCHOOL DIPLOMA OR A HIGH SCHOOL EQUIVALENCY DIPLOMA, UNLESS SUCH PERSON HAS BEEN DETERMINED BY A MEDICAL, PSYCHIATRIC, OR OTHER APPROPRIATE PROFESSIONAL TO LACK THE REQUISITE CAPACITY TO COMPLETE SUCCESSFULLY SUCH A COURSE OF STUDY OR THE LOCAL SOCIAL SERVICES DISTRICT DETERMINES THAT SUCH A COURSE OF STUDY IS NOT PRACTICAL OR COST-EFFECTIVE BASED ON

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

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THE PERSON'S EMPLOYMENT BACKGROUND OR EXPERIENCE, JOB TRAINING, POSSESSION OF A CAREER DEVELOPMENT OCCUPATIONAL STUDIES CREDENTIAL, WORK SKILLS, HEALTH, DISABILITY, THE LACK OF AVAILABLE EDUCATIONAL PROGRAMS, OR OTHER FACTORS.

S 3. The commissioner of the office of temporary and disability assistance shall have the authority to promulgate or amend any regulations necessary for the implementation of this act.

S 4. This act shall take effect on the one hundred twentieth day after it shall have become a law.