

3438

2015-2016 Regular Sessions

I N   S E N A T E

February 9, 2015

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Introduced by Sen. YOUNG -- read twice and ordered printed, and when printed to be committed 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:

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

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

15     21. NOTWITHSTANDING ANY PROVISIONS OF THIS CHAPTER OR OTHER LAW TO THE  
16 CONTRARY, NO PUBLIC ASSISTANCE SHALL BE GIVEN TO OR FOR ANY PERSON OVER  
17 FIVE YEARS OF AGE OR UNDER THIRTY-FIVE YEARS OF AGE WHO DOES NOT HAVE A  
18 HIGH SCHOOL DIPLOMA OR A HIGH SCHOOL EQUIVALENCY DIPLOMA OR IS NOT DULY  
19 ENROLLED AND PARTICIPATING IN GOOD FAITH TOWARD THE ATTAINMENT OF A HIGH  
20 SCHOOL DIPLOMA OR A HIGH SCHOOL EQUIVALENCY DIPLOMA, UNLESS SUCH PERSON  
21 HAS BEEN DETERMINED BY A MEDICAL, PSYCHIATRIC, OR OTHER APPROPRIATE  
22 PROFESSIONAL TO LACK THE REQUISITE CAPACITY TO COMPLETE SUCCESSFULLY  
23 SUCH A COURSE OF STUDY OR THE LOCAL SOCIAL SERVICES DISTRICT DETERMINES  
24 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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1 THE PERSON'S EMPLOYMENT BACKGROUND OR EXPERIENCE, JOB TRAINING,  
2 POSSESSION OF A CAREER DEVELOPMENT OCCUPATIONAL STUDIES CREDENTIAL, WORK  
3 SKILLS, HEALTH, DISABILITY, THE LACK OF AVAILABLE EDUCATIONAL PROGRAMS,  
4 OR OTHER FACTORS.

5 S 3. The commissioner of the office of temporary and disability  
6 assistance shall have the authority to promulgate or amend any regu-  
7 lations necessary for the implementation of this act.

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