

# STATE OF NEW YORK

11102

## IN ASSEMBLY

June 5, 2018

Introduced by COMMITTEE ON RULES -- (at request of 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 historically  
marginalized youths

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, is amended to read as follows:

3 § 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[~~7~~];

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 historically marginalized demograph-  
19   ics of youth with particular emphasis on:

20      (a) challenges faced by runaway and/or homeless youth;

21      (b) how to address various forms of discrimination at the residential  
22   facilities;

23      (c) maintaining confidentiality in sensitive matters;

24      (d) how to address the families of such youths; and

25      (e) how to communicate effectively in a manner that demonstrates  
26   sensitivity to the particular background and identities of the affected  
27   youths.

28   8. in conjunction with the commissioner of education, develop and  
29   annually review a plan to ensure coordination and access to education  
30   for homeless children, in accordance with the provisions of section  
31   thirty-two hundred nine of the education law, and monitor compliance of  
32   residential programs for runaway and homeless youth with such plan.

33   § 2. This act shall take effect on the first of January next succeed-  
34   ing the date upon which it shall have become a law.