

# STATE OF NEW YORK

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13--A

2017-2018 Regular Sessions

## IN ASSEMBLY

(Prefiled)

January 4, 2017

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Introduced by M. of A. CAHILL -- Multi-Sponsored by -- M. of A. AUBRY, COOK, CYMBROWITZ, ENGLEBRIGHT, GANTT, GOTTFRIED, JAFFEE, LUPARDO, MAGNARELLI, ORTIZ, PEOPLES-STOKES, RIVERA, RODRIGUEZ, TITUS -- read once and referred to the Committee on Education -- recommitted to the Committee on Education in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the labor law, in relation to enacting the "New York state YouthBuild act"; setting program requirements; authorizing the commissioner of labor to make grants to eligible YouthBuild programs and to establish application requirements; and expanding the number of YouthBuild programs in New York state

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Short title. This act shall be known and may be cited as  
2 the "New York state YouthBuild act".

3 § 2. Legislative intent. The legislature seeks to support economically  
4 disadvantaged youth, especially youth who have not finished high school,  
5 to obtain the education, work experience skills training, personal coun-  
6 seling, leadership development skills training, job placement assist-  
7 ance, and long-term follow-up services necessary for them to achieve  
8 permanent economic self-sufficiency, while at the same time providing  
9 valuable community service that addresses urgent community needs includ-  
10 ing the demand for affordable housing and the need for young role models  
11 and mentors for younger teenagers and children.

12 The legislature further intends to foster the development of leader-  
13 ship skills and a commitment to community development among youth and to  
14 ensure maximum educational achievement of program participants through  
15 high school diploma or the equivalent attainment and transition to  
16 institutions of higher education, where appropriate.

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

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1 The legislature further intends to provide communities the opportunity  
2 to establish or rebuild neighborhood stability in economically depressed  
3 and low-income areas, as well as historic areas requiring restoration or  
4 preservation, while providing economically disadvantaged youth and youth  
5 who have not finished high school an opportunity for a meaningful  
6 participation in society.

7 The legislature further intends to allow communities to expand the  
8 supply of affordable housing for homeless and other low-income individ-  
9 uals by utilizing the energies and talents of economically disadvantaged  
10 youth and young people who have not graduated from high school.

11 The legislature also intends to foster the development of leadership  
12 skills and a commitment to community development among youth.

13 § 3. The labor law is amended by adding a new section 42-a to read as  
14 follows:

15 § 42-a. YouthBuild; program requirements services. 1. The commission-  
16 er is authorized, subject to amounts made available by appropriation, to  
17 make grants to eligible applicants for the purpose of carrying out  
18 YouthBuild programs as approved under this section. All programs funded  
19 pursuant to the provisions of this section shall use funds available  
20 pursuant to this section to provide the following services:

21 a. The training costs for the rehabilitation or construction of hous-  
22 ing and related facilities to be used for the purpose of providing  
23 homeownership for disadvantaged persons, residential housing for home-  
24 less individuals, and low-income and very low-income families, or tran-  
25 sitional housing for persons who are homeless, have disabilities, are  
26 ill, are deinstitutionalized, or have special needs, or the rehabili-  
27 tation or construction of community facilities owned by not-for-profit  
28 public agencies.

29 b. The cost of providing training and placement in the growing employ-  
30 ment sectors of healthcare and technology.

31 c. The cost of integrated education and work experience skills train-  
32 ing services and activities which are evenly divided within the program  
33 shall include the following elements:

34 (1) An education component which includes: basic skills instruction,  
35 secondary education services, and other activities designed to lead to  
36 the attainment of a high school diploma or its equivalent. The curric-  
37 ulum for this component shall include math, language arts, vocational  
38 education, life skills training, social studies related to the cultural  
39 and community history of the students, leadership skills, and other  
40 topics at the discretion of the programs; and

41 (2) A work experience and skills training component pre-apprenticeship  
42 program that includes construction and rehabilitation activities  
43 described in paragraph a of this subdivision. The process of  
44 construction must be coupled with work experience skills training and  
45 with close on-site supervision by experienced trainers. The curriculum  
46 for this component shall contain a set of locally agreed upon skills and  
47 competencies that are systematically taught, with students' mastery  
48 assessed individually on a regular, ongoing basis. The work experience  
49 and skills training component shall be coordinated to the maximum extent  
50 feasible with preapprenticeship programs, and apprenticeship programs  
51 authorized under article twenty-three of this chapter.

52 d. The cost of counseling services designed to assist participants to  
53 positively participate in society, which should include all of the  
54 following if necessary: outreach, assessment, and orientation; individ-  
55 ual and peer counseling; life skills training; drug and alcohol abuse  
56 education and prevention; and referral to appropriate drug rehabili-

1 tation, medical, mental health, legal, housing, and other services and  
2 resources in the community.

3 2. A training subsidy, living allowance, or stipend that shall be no  
4 less than minimum wage must be provided to program participants for the  
5 time spent at the worksite in construction training, health care or  
6 information technology services. Stipends and wages may be distributed  
7 in a manner that offers incentives for good performance.

8 a. Full time participation in a YouthBuild program shall be offered  
9 for a period of not less than six months and not more than twenty-four  
10 months.

11 b. A concentrated effort, for those participants who choose not to  
12 immediately enroll in an institution of higher education, shall be made  
13 to find construction, construction-related, and nonconstruction jobs as  
14 well as jobs in the fields of healthcare and technology for all gradu-  
15 ates of the program who have performed well. The work experience skills  
16 training curriculum shall provide participants with basic preparation  
17 for seeking and maintaining a job. Follow-up counseling and assistance  
18 in job-seeking shall also be provided to participants for the twelve  
19 months following graduation from the program.

20 c. All programs serving twenty-eight trainees or more are required to  
21 have a full-time director responsible for the coordination of all  
22 aspects of the YouthBuild program.

23 3. a. Eligible participants are youth between the ages of sixteen and  
24 twenty-four who are economically disadvantaged as defined in 29 United  
25 States Code 1503, and who are part of one of the following groups:

26 (1) Persons who are not attending any school and have not received a  
27 secondary school diploma or its equivalent; or

28 (2) Persons currently enrolled in a traditional or alternative school  
29 setting or a HSE/TASC (high school equivalency/test assessing secondary  
30 completion) program and who are in danger of dropping out of school; or

31 (3) Very low-income persons whose incomes are at or less than fifty  
32 percent of the area median income area, adjusted for family size, as  
33 estimated by the department of housing and urban development.

34 b. An exception may be made for individuals not meeting income or  
35 educational need requirements. Not more than twenty-five percent of the  
36 participants in such program may be individuals who do not meet the  
37 requirements of subdivision three of this section, but who have educa-  
38 tional needs despite the attainment of a high school diploma.

39 4. Priority in the awarding of funds under this section shall be given  
40 to applicants with experience in operating YouthBuild programs and  
41 implementing the YouthBuild model, including but not limited to, housing  
42 construction skills training, education, leadership development, life  
43 skills training, and counseling services. Priority shall also be given  
44 to those who meet the program standards of YouthBuild USA, Inc.

45 5. Any not-for-profit private agencies, or public agencies with expe-  
46 rience operating a YouthBuild program or with a plan to incubate a  
47 YouthBuild program until it can be established as a not-for-profit  
48 private agency are eligible entities. Only not-for-profit private agen-  
49 cies or public agencies that are licensed affiliates of YouthBuild USA,  
50 Inc. or currently receive a department of labor YouthBuild award, are  
51 eligible to use the term YouthBuild or eligible to apply for these  
52 funds.

53 6. The commissioner shall require applicants for YouthBuild funds to  
54 include various information on the applicant's programs and shall  
55 promulgate regulations outlining information required on such applicant.  
56 Provided, however, that at a minimum such application shall include:

1     a. A request for an implementation grant, specifying the amount of the  
2 grant requested and its proposed uses;

3     b. A description of the applicant and a statement of its qualifica-  
4 tions, including a description of the applicant's past experience  
5 running a YouthBuild program, and its experience with housing rehabili-  
6 tation or construction and with youth and youth education, youth leader-  
7 ship development and work experience skills training programs, and its  
8 relationship with local unions and youth apprenticeship programs, and  
9 other community groups; and

10    c. A description of the educational and work experience skills train-  
11 ing activities, work opportunities, and other services that shall be  
12 provided to participants.

13     § 4. This act shall take effect one year after it shall have become a  
14 law.