

STATE OF NEW YORK

3619--A

2019-2020 Regular Sessions

IN ASSEMBLY

January 29, 2019

Introduced by M. of A. ORTIZ, JAFFEE, DE LA ROSA, AUBRY, REYES, DICKENS, SIMOTAS, EPSTEIN, TAYLOR, M. G. MILLER, CRUZ, JEAN-PIERRE, SIMON, GRIFFIN, D'URSO, FALL, COOK, ARROYO, SAYEGH, QUART, O'DONNELL, BRONSON, LAVINE, STECK, GOTTFRIED, GLICK, MOSLEY, FERNANDEZ, RIVERA, WILLIAMS, FRONTUS -- Multi-Sponsored by -- M. of A. SEAWRIGHT -- read once and referred to the Committee on Children and Families -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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 Assembly, 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

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

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1 the best of his or her knowledge, has ever been convicted of a crime in
2 this state or any other jurisdiction;

3 ~~[(c)]~~ 3. maintain a register of approved runaway programs, transi-
4 tional independent living support programs and runaway and homeless
5 youth service coordinators;

6 ~~[(d)]~~ 4. submit to the governor and legislature an annual report
7 detailing the numbers and characteristics of runaway and otherwise home-
8 less youth throughout the state and their problems and service needs;

9 ~~[(e)]~~ 5. develop and promulgate in consultation with county youth
10 bureaus and organizations or programs which have had past experience
11 dealing with runaway and homeless youth, regulations concerning the
12 coordination and integration of services available for runaway and
13 otherwise homeless youth and prohibiting the disclosure or transferal of
14 any records containing the identity of individual youth receiving
15 services pursuant to this section, without the written consent of the
16 youth; ~~[and]~~

17 ~~[(f)]~~ 6. develop and promulgate regulations in consultation with the
18 office of temporary and disability assistance concerning the provision
19 of services by transitional independent living support programs consist-
20 ent with the provisions of this article~~[-]~~;

21 ~~[(g)]~~ 7. require all employees of approved programs providing care to
22 runaway and/or homeless youth to complete training as set forth in regu-
23 lations promulgated by the office. Such training shall require all
24 employees of such residential facilities to receive instruction as spec-
25 ified by the office in the regulations, except where an employee has
26 already received training which would satisfy such requirements, and
27 shall, at a minimum, include instruction in issues pertaining to lesbi-
28 an, gay, bisexual, and transgender youth with particular emphasis on:

29 (a) appropriate terminology;

30 (b) particular challenges for lesbian, gay, bisexual, and transgender
31 runaway and homeless youth, including why lesbian, gay, bisexual, and
32 transgender youth are disproportionately homeless;

33 (c) how to address homophobia or transphobia from other youth at the
34 shelter;

35 (d) confidentiality in the cases of lesbian, gay, bisexual, and trans-
36 gender youth; and

37 (e) how to address the families of lesbian, gay, bisexual, and trans-
38 gender youth; and

39 8. in conjunction with the commissioner of education, develop and
40 annually review a plan to ensure coordination and access to education
41 for homeless children, in accordance with the provisions of section
42 thirty-two hundred nine of the education law, and monitor compliance of
43 residential programs for runaway and homeless youth with such plan.

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