STATE OF NEW YORK

1481

2019-2020 Regular Sessions

IN SENATE

January 15, 2019

Introduced by Sens. HOYLMAN, SERRANO -- read twice and ordered printed, and when printed to be committed 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 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:

Section 1. Section 532-e of the executive law, as amended by chapter 182 of the laws of 2002, is amended to read as follows:

§ 532-e. Powers and duties of the office of children and family services. The office of children and family services shall: [~~(a)~~] **1.** visit, inspect and make periodic reports on the operation and adequacy of approved runaway programs and transitional independent living support programs;

[~~(b)~~] **2.** certify residential facilities providing care to runaway and/or homeless youth, provided, however, that no certification shall be issued or renewed until it can be demonstrated that a program operated pursuant to this article has consistent with appropriate collective bargaining agreements and applicable provisions of the civil service law, developed and implemented a procedure for reviewing and evaluating the backgrounds of and the information supplied by any person applying to be an employee, volunteer or consultant, which shall include but not be limited to the following requirements: that the applicants set forth his or her employment history, provide personal and employment references and sign a sworn statement indicating whether the applicant, to the best of his or her knowledge, has ever been convicted of a crime in this state or any other jurisdiction;

[~~(c)~~] **3.** maintain a register of approved runaway programs, transitional independent living support programs and runaway and homeless youth service coordinators;

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

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[~~(d)~~] **4.** submit to the governor and legislature an annual report detailing the numbers and characteristics of runaway and otherwise homeless youth throughout the state and their problems and service needs;

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

[~~(f)~~] **6.** develop and promulgate regulations in consultation with the office of temporary and disability assistance concerning the provision of services by transitional independent living support programs consistent with the provisions of this article[~~.~~]**;**

[~~(g)~~] **7. require all employees of approved programs providing care to runaway and/or homeless youth to complete training as set forth in regulations promulgated by the office. Such training shall require all employees of such residential facilities to receive instruction as specified by the office in the regulations and shall, at a minimum, include instruction in issues pertaining to lesbian, gay, bisexual, and transgender youth with particular emphasis on:**

(a) appropriate terminology;

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

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

(d) confidentiality in the cases of lesbian, gay, bisexual, and transgender youth; and

(e) how to address the families of lesbian, gay, bisexual, and transgender youth; and

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

§ 2. This act shall take effect on the first of January next succeeding the date upon which it shall have become a law.