

# STATE OF NEW YORK

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1481--A

Cal. No. 134

2019-2020 Regular Sessions

## IN SENATE

January 15, 2019

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Introduced by Sens. HOYLMAN, KAPLAN, SERRANO -- read twice and ordered printed, and when printed to be committed to the Committee on Children and Families -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, passed by Senate and delivered to the Assembly, recalled, vote reconsidered, restored to third reading, amended and ordered reprinted, retaining its place in the order of third reading

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

6 ~~[(a)]~~ 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 ~~[(a)]~~ 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.