*** § 404. Juvenile justice services close to home initiative.** 1. A social services district in a city with a population in excess of one million may implement a close to home initiative to provide juvenile justice services to all adjudicated juvenile delinquents determined by a family court in such district as needing placement other than in a secure facility and to enter into contracts with any authorized agency, as defined by section three hundred seventy-one of this chapter, to operate and maintain non-secure and limited secure facilities. Such a social services district shall have sufficient capacity to serve all adjudicated juvenile delinquents needing residential placements within the district within twenty-four months of approval of a plan for each setting level except for those juvenile delinquents who need specialized services that are not available within the district.

2. A social services district shall obtain prior approval from the office of children and family services of its plan for establishing and implementing such an initiative in accordance with guidelines established and in the format, and including the information required, by such office. Such district shall submit separate plans for how the district will implement initiatives for juvenile delinquents placed in non-secure settings and in limited secure settings. Any such plan shall specify, in detail, as applicable:

(a) how the district will provide a continuum of evidence informed, high-quality community-based and residential programming that will protect community safety and provide appropriate services to youth, including the operation of non-secure and limited secure facilities, in sufficient capacity and in a manner designed to meet the needs of juvenile delinquents cared for under the initiative. Such programming shall be based on an analysis of recent placement trends of youth from within such district, including the number of youth who have been placed in the custody of the office of children and family services for placement in other than a secure facility;

(b) the anticipated start-up and on-going services and administrative costs of the initiative;

(c) the readiness of the district to establish the initiative and the availability of all needed resources, including the location of services and availability of the providers that will provide all necessary

services under the initiative including, but not limited to, residential, non-residential, educational, medical, substance abuse, mental health and after care services and community supervision;

(d) the proposed effective date of the plan and documentation of the district's readiness to begin accepting and appropriately serving juvenile delinquents under the plan;

(e) how the district will provide necessary and appropriate staffing to implement the initiative;

(f) how the district will monitor the quality of services provided to youth, including how the district will provide case management services;

(g) how, throughout the initiative, the district will seek and receive on-going community and stakeholder input relating to the implementation and effectiveness of the initiative;

(h) how the district will ensure that all staff working directly with youth served under the initiative have received necessary and appropriate training;

(i) how the district will monitor the use of restraints on youth, including, but not limited to, the use of mechanical restraints;

(j) how the district will develop and implement programs and policies to ensure program safety and that youth receive appropriate services based on their needs, including, but not limited to, educational, behavioral, mental health and substance abuse services in accordance with individualized treatment plans developed for each youth;

(k) how the district will develop and implement gender specific programming and policies to meet the specialized needs of lesbian, gay, bisexual and transgender youth;

(l) how the district will develop and implement programming that is culturally competent to meet the diverse needs of the youth;

(m) how the district will develop and implement local programs that will seek to reduce the disproportionate placement of minority youth in residential programs in the juvenile justice system;

(n) how the district will develop and implement a plan to reduce the number of youth absent without leave from placement;

(o) how the district will develop and implement policies to serve youth in the least restrictive setting consistent with the needs of youth and public safety, and to avoid modifications of placements to the office of children and family services;

(p) how the district will engage in permanency and discharge planning for juvenile delinquents placed in its custody including, but not limited to, securing adequate housing and health insurance and education and employment, as appropriate;

(q) how the district will develop and implement a comprehensive after care program to provide services and supports for youth who have re-entered the community following a juvenile justice placement with the district;

(r) how the district will develop and implement policies focused on reducing recidivism of youth who leave the program;

(s) how the local probation department will implement a comprehensive predisposition investigation process that includes, at least, the use of appropriate assessments to determine the cognitive, educational/vocational, and substance abuse needs of the youth and the use of a validated risk assessment instrument, approved by the office of children and family services; and how the district will implement an intake process for youth placed in residential care that includes the use of appropriate assessments to determine the medical, dental, mental and behavioral health needs of the youth; and

(t) how the district will provide for the restrictive setting and programs necessary to serve youth who need placement in a limited secure setting consistent with the necessity for the protection of the health and safety of the juvenile delinquents in the facility and the surrounding community.

3. (a) Prior to submitting any plan pursuant to subdivision two of this section to implement a juvenile justice services close to home initiative for juvenile delinquents placed in non-secure settings, the social services district shall conduct at least one public hearing on the proposed plan. Any such public hearings shall only be held after thirty days notice has been provided in a newspaper of general circulation within the jurisdiction for which the social services district is located. The notice shall specify the times of the public hearing and provide information on how written comments on the plan may be submitted to the district for consideration. Additionally, for a period of at least thirty days prior to a hearing, the district shall post on its website a notice of the hearing, a copy of the proposed

plan, and information on how written comments on the plan may be submitted to the district for consideration.

(b) Prior to submitting a plan pursuant to subdivision two of this section to implement a juvenile justice services close to home initiative for juvenile delinquents placed in limited secure settings, the social services district shall:

(i) hold at least one forum in each of the five boroughs within the district for community members and relevant stakeholders including potential provider agencies to discuss, in general, the manner in which the district intends to provide the residential and aftercare services to youth who need placement in limited secure settings in a manner to protect community safety and provide appropriate services to such youth, and to respond to concerns and receive suggested alternatives;

(ii) conduct at least one public hearing in each of the five boroughs within the district on the proposed plan. Such public hearings shall only be held after thirty days notice has been provided in a newspaper of general circulation in the respective borough. The notice shall specify the time of the hearing in the respective borough and provide information on how written comments on the plan may be submitted to the district for consideration. Additionally, for a period of at least thirty days prior to each such hearing, the district shall post on its website a notice of the hearing, a copy of the proposed plan, and information on how written comments on the plan may be submitted to the district for consideration.

4. The social services district shall submit, with any such plan, an assessment of any written comments received, and any comments presented at the public hearing. At a minimum, such assessment shall contain:

(a) a summary and analysis of the issues raised and significant alternatives suggested;

(b) a statement of the reasons why any significant alternatives were not incorporated into the plan; and

(c) a description of any changes made to the plan as a result of such comments.

At the time of, or prior to, the submission of each such plan to the office, the social services district shall post on its website the plan and the assessment of comments. At the time it submits its plan to the

office, the social services district shall provide a copy of the plan and assessment of comments to the temporary president of the senate and the speaker of the assembly.

5. The office of children and family services, in consultation with the office of mental health and the office of alcoholism and substance abuse services, shall be authorized to request amendments to any plan prior to approval. For any plan that only covers juvenile delinquents placed in non-secure settings, the office shall, within thirty days of receiving the plan, either approve or disapprove the plan or request amendments to the plan. If any amendments are requested to the plan, the office shall approve or disapprove the plan within fifteen days of its resubmission with the requested amendments. For any plan that covers juvenile delinquents placed in limited secure settings, the office shall, within sixty days of receiving the plan, either approve or disapprove the plan or request amendments to the plan. If any amendments are requested to the plan, the office shall approve or disapprove the plan within fifteen days of its resubmission with the requested amendments. In no event shall the office approve such a plan for limited secure settings prior to April first, two thousand thirteen.

6. (a) Notwithstanding any other provision of law to the contrary, if the office of children and family services approves a social services district's plan to implement a juvenile justice services close to home initiative for juvenile delinquents placed in non-secure settings, such office shall work with such district to identify those juvenile delinquents in the office's custody residing in non-secure placements and those conditionally released from a facility who were placed by a family court within the jurisdiction of said social services district. The office shall evaluate the placement length and the needs of such juvenile delinquents and, where appropriate, file a petition pursuant to section 355.1 of the family court act to transfer custody of such youth to said social services district on the effective date of the plan, or as soon as appropriate thereafter, but in no event later than ninety days after such effective date; provided, however, if the office determines, on a case-by-case basis, for reasons documented in writing submitted to the social services district, that a transfer within ninety

days of the effective date of the plan would be detrimental to the education or the emotional, mental or physical health of a youth, or would seriously interfere with the youth's interstate transfer or imminent discharge, the office shall provide an estimated time by which the office expects to be able to petition for the transfer of such youth or to release such youth from its care, and shall notify the district and the attorney for the respondent of any delay of that expected date and the reasons for such a delay.

(b) Notwithstanding any other provision of law to the contrary, if the office approves a social services district's plan to implement a juvenile justice services close to home initiative for juvenile delinquents placed in limited-secure settings, such office shall work with such district to identify juvenile delinquents in the office's custody residing in limited secure placements who were placed by a family court in the social services district. The office of children and family services shall evaluate the placement length and needs of such juvenile delinquents and, where appropriate, file a petition pursuant to section 355.1 of the family court act to transfer custody of such youth to said social services district on the effective date of the plan or as soon as appropriate thereafter, but in no event later than ninety days after such effective date; provided, however, if the office determines, on a case-by-case basis, for reasons documented in writing submitted to the social services district, that a transfer within ninety days of the effective date of the plan would be detrimental to the education or the emotional, mental or physical health of a youth, or would seriously interfere with the youth's interstate transfer or imminent discharge, the office shall provide an estimated time by which the office expects to be able to petition for the transfer of such youth or to release such youth from its care, and shall notify the district and the attorney for the respondent of any delay of that expected date and the reasons for such a delay.

7. (a) Notwithstanding the provisions of paragraph (c) of subdivision fifteen of section five hundred one of the executive law, or any other law to the contrary, if the office of children and family services approves a social services district's plan for a juvenile justice services close to home initiative to implement services for juvenile

delinquents placed in non-secure or limited secure settings, such office shall be authorized, for up to a year after the effective date of the first of any such approved plan for a district to implement services for each setting level, but in no event later than September first, two thousand fourteen: (1) to close any of its facilities in the corresponding setting levels covered by the approved plan and to make significant associated service reductions and public employee staffing reductions and transfer operations for those setting levels to a private or not-for-profit entity, as determined by the commissioner of the office of children and family services solely to reflect the decrease in the number of juvenile delinquents placed with such office from such social services district; (2) to reduce costs to the state and other social services districts resulting from such decrease; and (3) to adjust services to provide regionally-based care to juvenile delinquents from other parts of the state needing services in those levels of residential services. At least sixty days prior to taking any such action, the commissioner of the office shall provide notice of such action to the speaker of the assembly and the temporary president of the senate and shall post such notice upon its public website. Such notice may be provided at any time on or after the date the office approves a plan authorizing a social services district to implement programs for juvenile delinquents placed in the applicable setting level. Such commissioner shall be authorized to conduct any and all preparatory actions which may be required to effectuate such closures or significant service or staffing reductions and transfer of operations during such sixty day period. In assessing which of such facilities to close, or at which to implement any significant service reductions, public employee staffing reductions and/or transfer of operations to a private or not-for-profit entity, the commissioner shall consider the following factors: (1) ability to provide a safe, humane and therapeutic environment for placed youth; (2) ability to meet the educational, mental health, substance abuse and behavioral health treatment needs of placed youth; (3) community networks and partnerships that promote the social, mental, economic and behavioral development of placed youth; (4) future capacity requirements for the effective operation of youth facilities; (5) the physical characteristics, conditions and costs of operation of the facility; and (6) the location of the facility in

regards to costs and ease of transportation of placed youth and their families.

(b) Any transfers of capacity or any resulting transfer of functions shall be authorized to be made by the commissioner of the office of children and family services and any transfer of personnel upon such transfer of capacity or transfer of functions shall be accomplished in accordance with the provisions of section seventy of the civil service law.

8. (a) Notwithstanding any other provision of law to the contrary, eligible expenditures during the applicable time periods made by a social services district for an approved juvenile justice services close to home initiative shall, if approved by the department of family assistance, be subject to reimbursement with state funds only up to the extent of an annual appropriation made specifically therefor, after first deducting therefrom any federal funds properly received or to be received on account thereof; provided, however, that when such funds have been exhausted, a social services district may receive state reimbursement from other available state appropriations for that state fiscal year for eligible expenditures for services that otherwise would be reimbursable under such funding streams. Any claims submitted by a social services district for reimbursement for a particular state fiscal year for which the social services district does not receive state reimbursement from the annual appropriation for the approved close to home initiative may not be claimed against that district's appropriation for the initiative for the next or any subsequent state fiscal year.

(b) The department of family assistance is authorized, in its discretion, to make advances to a social services district in anticipation of the state reimbursement provided for in this section.

(c) A social services district shall conduct eligibility determinations for federal and state funding and submit claims for reimbursement in such form and manner and at such times and for such periods as the department of family assistance shall determine.

(d) Notwithstanding any inconsistent provision of law or regulation of the department of family assistance, state reimbursement shall not be made for any expenditure made for the duplication of any grant or allowance for any period.

(e) Claims submitted by a social services district for reimbursement shall be paid after deducting any expenditures defrayed by fees, third party reimbursement, and any non-tax levy funds including any donated funds.

(f) The office of children and family services shall not reimburse any claims for expenditures for residential services that are submitted more than twenty-two months after the calendar quarter in which the expenditures were made.

(g) Notwithstanding any other provision of law, the state shall not be responsible for reimbursing a social services district and a district shall not seek state reimbursement for any portion of any state disallowance or sanction taken against the social services district, or any federal disallowance attributable to final federal agency decisions or to settlements made, when such disallowance or sanction results from the failure of the social services district to comply with federal or state requirements, including, but not limited to, failure to document eligibility for the federal or state funds in the case record. To the extent that the social services district has sufficient claims other than those that are subject to disallowance or sanction to draw down the full annual appropriation, such disallowance or sanction shall not result in a reduction in payment of state funds to the district unless the district requests that the department use a portion of the appropriation toward meeting the district's responsibility to repay the federal government for the disallowance or sanction and any related interest payments.

(h) Rates for residential services. (i) The office shall establish the rates, in accordance with section three hundred ninety-eight-a of this chapter, for any non-secure facilities established under an approved juvenile justice services close to home initiative. For any such non-secure facility that will be used primarily by the social services district with an approved close to home initiative, final authority for establishment of such rates and any adjustments thereto shall reside with the office, but such rates and any adjustments thereto shall be established only upon the request of, and in consultation with, such social services district.

(ii) A social services district with an approved juvenile justice services close to home initiative for juvenile delinquents placed in

limited secure settings shall have the authority to establish and adjust, on an annual or regular basis, maintenance rates for limited secure facilities providing residential services under such initiative. Such rates shall not be subject to the provisions of section three hundred ninety-eight-a of this chapter but shall be subject to maximum cost limits established by the office of children and family services.

9. Upon approval of a social services district's plan, the office of children and family services shall notify the supervising family court judge responsible for the family courts serving such district of the effective date and placement settings covered by the plan.

(a) Beginning on the effective date of a district's approved plan that only covers juvenile delinquents placed in non-secure settings, a family court judge serving in a county where such social services district is located shall only be authorized to place an adjudicated juvenile delinquent in the custody of the commissioner of the office of children and family services for placement in a secure or limited secure facility pursuant to section 353.3 or 353.5 of the family court act.

(b) Beginning on the effective date of a district's approved plan to implement programs for juvenile delinquents placed in limited secure settings, a family court judge serving in a county where such social services district is located shall only be authorized to place an adjudicated juvenile delinquent in the custody of the commissioner of the office of children and family services for placement in a secure facility pursuant to section 353.3 or 353.5 of the family court act.

10. If the social services district receives the necessary approval to implement a close to home initiative, the district shall implement the initiative in accordance with all applicable federal and state laws and regulations. If the social services district receives the necessary approval of a plan for juvenile delinquents placed in limited secure settings, the office shall promulgate regulations governing the operation of such limited secure facilities. If such regulations are not adopted prior to the date that an authorized agency applies for a license to operate such a facility, the facility shall be subject to the existing regulations of the office that would apply to the operation of a foster care facility of the same size; provided, however, that the

office shall be authorized to grant an exception to the authorized agency, until such limited secure regulations are adopted, to any such existing regulation that the office determines would impede the ability of the authorized agency to provide the restrictive setting and programs necessary to serve youth who need placement in a limited secure setting in accordance with the approved plan. Any limited secure facility that is granted such a waiver shall comply with any alternate requirements the office may consider necessary for the protection of the health or safety of the juvenile delinquents in the facility or the surrounding community. The office shall take all reasonable steps available to finalize the adoption of regulations governing the operation of such limited secure facilities no later than six months after it issues the first license for a program to provide services to juvenile delinquents placed in limited secure settings but in no event shall such regulations be adopted on an emergency basis.

(a) The initiative shall be subject to the office of children and family services' ongoing oversight and monitoring including, but not limited to: case record reviews; staff, family, and client interviews; on-site inspections; review of data regarding provider performance, youth and staff safety, and quality of care, which must be provided to the office in order to carry out its responsibilities, in the form and manner and at such times as required by the office; and continued licensing and monitoring of the authorized agencies providing services under the plan pursuant to this chapter.

(b) The social services district shall provide each juvenile delinquent with an appropriate level of services designed to meet his or her individual needs and to enhance public safety and shall provide the office of children and family services with specific information as required by the office, in the format and at such times as required by such office, on the youth participating in the initiative and the programs serving such youth. Such information shall be provided to the office of children and family services on a monthly basis for the first twelve months immediately following the implementation of the programs for each level of care and shall be provided to such office on a quarterly basis thereafter.

11. The social services district shall submit an annual report to the

office of children and family services, the temporary president of the senate and the speaker of the assembly, in the format required by such office, detailing overall initiative performance. Such report shall include, but not be limited to:

(a) number of juvenile delinquents placed with the local social services district;

(b) number of juvenile delinquents placed in a non-secure facility with the social services district;

(c) number of juvenile delinquents placed in a limited secure facility with the social services district, as applicable;

(d) demographic information about juvenile delinquents in care;

(e) number of specialized beds in each category of specialized program;

(f) number and nature of incident reports;

(g) number of juvenile delinquents absent without leave per facility;

(h) average length of stay;

(i) number of conditionally released juvenile delinquents;

(j) number of discharged juvenile delinquents who are subsequently placed with the district;

(k) number and nature of corrective action plans and resolutions;

(l) number of juvenile delinquents transferred between facilities, including the number of juvenile delinquents transferred between non-secure and limited-secure facilities, as applicable; and

(m) number of petitions filed to transfer juvenile delinquents between the custody of the office and the social services district.

12. If the office of children and family services determines that the social services district is failing to adequately provide for the juvenile delinquents placed under an approved plan, such office may require the social services district to submit a corrective action plan, for such office's approval, demonstrating how it will rectify the inadequacies in the time specified by the office, but no later than thirty days from such request. If the office determines that the social services district is failing to make sufficient progress towards implementing the corrective action plan in the time and manner approved by the office but no later than sixty days from the date of submission of the corrective action plan, the office shall provide the district

written notice of such determination and the basis therefor, and mandate that the district take all necessary actions to implement the plan. If a district has failed, within a reasonable time thereafter as specified by the office based on the nature of the failure, which shall in no event exceed sixty days, to make progress implementing any regulation, or any other portion of such plan that is intended to prevent imminent danger to the health, safety or welfare of the youth being served under the plan, the office may withhold or set aside a portion of the funding due under subdivision eight of this section until the district demonstrates that sufficient progress is being made; or terminate the district's authority to operate all or a portion of the juvenile justice services close to home initiative, take all necessary steps to assume custody for, and provide services to, the applicable juvenile delinquents being served under the initiative, and discontinue funds provided to the district for such services. The office shall not withhold, set aside or discontinue state aid to a district until written notice is given to the commissioner of the district, and in the event funding is withheld, set aside or discontinued, the district may appeal to the office, which shall hold a fair hearing thereon in accordance with the provisions of section twenty-two of this chapter relating to fair hearings. The district may institute a proceeding for a review of the determination of the office following the fair hearing pursuant to article seventy-eight of the civil practice law and rules. Any funds withheld, set aside or discontinued pursuant to this provision shall be applied to address the problem which was the basis for such sanction. If the office terminates a district's authority to operate any portion of a juvenile justice services close to home initiative in accordance with this subdivision, the office shall notify the supervising family court judge responsible for the family courts serving such district of such termination and the effective date of such termination.

13. Once a plan becomes operative pursuant to this section, the social services district shall carry out the following functions, powers and duties with respect to placements of juvenile delinquents in accordance with the provisions of such plan and all applicable federal and state laws and regulations:

(a) to enter into contracts with authorized agencies, as defined in

section three hundred seventy-one of this chapter, to operate and maintain facilities authorized under such plan; such contracts may include such program requirements as deemed necessary by the district;

(b) to determine the particular facility or program in which a juvenile delinquent placed with the district shall be cared for, based upon any applicable court order, pursuant to subdivision two of section 353.3 of the family court act, and an evaluation of such juvenile delinquent;

(c) to transfer a juvenile delinquent from one facility to any other facility, when the interests of such juvenile delinquent require such action, upon prior notice to the respondent, the attorney for the respondent and the respondent's parent or legal guardian, unless an immediate change of placement is necessary, in which case such notice shall be transmitted on the next business day; provided that, if the district has an approved plan to implement services for juvenile delinquents placed in limited secure settings, a juvenile delinquent transferred to a non-secure facility from a limited secure facility may be returned to a limited secure facility upon a determination by the district that, for any reason, care and treatment at the non-secure facility is no longer suitable;

(d) to cause a juvenile delinquent under the jurisdiction of the district who has run away from a facility run by the district or an authorized agency; or is conditionally released and has violated a condition of release therefrom, or if there is a change in circumstances and the district determines that it would be consistent with the needs and best interests of said juvenile delinquent and the need to protect the community; to be apprehended and returned to the district, detention facility, authorized agency, or program pursuant to regulations of the office of children and family services; provided further that:

(i) a social services official shall give immediate written notice to both the office and the family court when any juvenile delinquent placed with the social services district is absent from such placement without consent;

(ii) an authorized agency shall give immediate written notice to the office, the district and the family court when any juvenile delinquent placed by the district for care in such authorized agency is absent from such placement without consent;

(iii) a magistrate may cause a runaway or conditionally released juvenile delinquent to be held in custody until returned to the district;

(e) to issue a warrant for the apprehension and return of a juvenile delinquent under the jurisdiction of the district who has run away from a facility run by the district or an authorized agency; or is conditionally released and has violated a condition of release therefrom, or if there is a change in circumstances and the district determines that it would be consistent with the needs and best interest of said juvenile delinquent and the need to protect the community; pursuant to regulations of the office of children and family services; provided that:

(i) a social services official, pursuant to the regulations of the office of children and family services, shall issue a warrant directed generally to any peace officer, acting pursuant to such officer's special duties, or police officer in the state for the apprehension and return of any runaway or conditionally released juvenile delinquent under the jurisdiction of the district and such warrant shall be executed by any peace officer, acting pursuant to such officer's special duties, or police officer to whom it may be delivered; the social services district also shall provide relevant law enforcement agencies within forty-eight hours with any photographs of any runaway or conditionally released juvenile delinquent for whom a warrant is issued, together with any pertinent information relative to such juvenile delinquent; such photographs shall remain the property of the social services district and shall be kept confidential for use solely in the apprehension of such juvenile delinquent and shall be returned promptly to the district upon apprehension of such juvenile delinquent, or upon the demand of the district;

(f) to authorize an employee designated by the social services district, without a warrant, to apprehend a runaway or conditionally released juvenile delinquent under the jurisdiction of the district who has run away from a facility run by the district or an authorized agency; or is conditionally released and has violated a condition of release therefrom, or if there is a change in circumstances and the district determines that it would be consistent with the needs and best interests of said juvenile delinquent and the need to protect the

community; in any county in this state whose return has been ordered by the district pursuant to the regulations of the office, and return said juvenile delinquent to any appropriate social services district, detention facility, authorized agency or program;

(g) pursuant to the regulations of the office of children and family services, to develop and operate programs for youth placed or referred to the district or in conjunction with an order provided in accordance with section 353.6 of the family court act;

(h) upon the placement of any juvenile delinquent eighteen years of age or older, or upon the eighteenth birthday of any youth placed in the custody of the social services district for an adjudication of juvenile delinquency for having committed an act which if committed by an adult would constitute a felony, and still in the custody of the social services district, to notify the division of criminal justice services of such placement or birthday. Provided, however, in the case of a youth eleven or twelve years of age at the time the act or acts were committed, the division of criminal justice services shall not be provided with the youth's name, unless the acts committed by such youth would constitute a class A or B felony. Upon the subsequent discharge it shall be the duty of the social services district to notify the division of criminal justice services of that fact and the date of discharge. For the purposes of this paragraph, a youth's age shall be determined to be the age stated in the placement order;

(i) to provide juvenile delinquents in residential placements with reasonable and appropriate visitation by family members and consultation with their legal representative in accordance with the regulations of the office of children and family services; and

(j) to provide residential care in programs subject to the regulations of the office of children and family services, for infants born to or being nursed by female juvenile delinquents placed with the district; residential care for such an infant may be provided for such period of time as is deemed desirable for the welfare of the mother or infant.

14. The following persons shall be authorized to visit, at their pleasure, all programs operated by a social services district pursuant to, or in accordance with this section: the governor; lieutenant governor; comptroller; attorney general; members of the legislature;

judges of the court of appeals; judges from supreme court, family court and county courts and district attorneys, county attorneys and attorneys employed in the office of the corporation counsel having jurisdiction within the applicable social services district or county where a program is located; and any person or agency otherwise authorized by statute.

15. A juvenile delinquent in the care of the social services district who attends public school while in residence at a facility shall be deemed a resident of the school district where the youth's parent or guardian resides at the commencement of each school year for the purpose of determining which school district shall be responsible for the youth's tuition.

16. The social services district shall be permitted to appear as amicus in any action involving an appeal from a decision of any court of this state that relates to programs, conditions or services provided by such district or any authorized agency with which the district has placed a juvenile delinquent pursuant to this section. Written notice shall be given by the corporation counsel of the city of New York, or county attorney, as applicable, to the parties to the appeal when such amicus status is requested.

17. Notwithstanding any provision of law to the contrary, the social services district may delay acceptance of a juvenile delinquent in detention who is placed in the district's custody in accordance with the regulations of the office of children and family services; provided, however, that where the juvenile delinquent is in detention, such delay may not exceed fifteen days from the date the placement was made except as provided for in subdivision three of section three hundred ninety-eight of this article.

18. No order that places a juvenile delinquent in the custody of the social services district that recites the facts upon which it is based shall be deemed or held to be invalid by reason of any imperfection or defect in form.

* NB Repealed March 31, 2028