



2018 ANNUAL REPORT

New York State Assembly

Carl E. Heastie

Speaker

Committee on

Children and Families

Ellen Jaffee

Chair



THE ASSEMBLY
STATE OF NEW YORK
ALBANY



Ellen Jaffee
Assembly 97th District

CHAIR
Committee on Children and Families

COMMITTEES
Education, Environmental Conservation,
Health, Mental Health

Taskforce on Women's Issues

Legislative Women's Caucus

Honorable Carl Heastie
Speaker of the Assembly
932 Legislative Office Building
Albany, New York 12248

December 15, 2018

Dear Speaker Heastie:

As Chair of the Assembly Standing Committee on Children and Families, it is my distinct pleasure to submit to you the 2018 Annual Report. This year, the Assembly has continued its commitment to improving outcomes for New York's children and families. The Committee put forward several policy initiatives this year that were enacted into law, such as requiring a study on the benefits of a tax credit for the adoption of children with special needs, and encouraging contact between siblings who are separated in the foster care system.

Importantly, a bill was signed into law this year to establish the child care availability taskforce to evaluate the need for and availability of child care throughout the State. Some of the topics the taskforce is required to evaluate include affordable child care with a focus on the cost of care for families and factors that contribute to such costs, access and availability to subsidized child care and the availability to child care during non-traditional work hours. The taskforce will bring together parents, providers and members of the business community to examine child care cost and quality, as well as the impact on families and the workforce.

This year, the Committee was active in seeking input on important policies affecting communities around the state. The Committee sponsored a public hearing on access to mental health services in the juvenile justice system as well as a roundtable examining foster care supports in light of the influx of children to New York's foster care system due to President Trump's "zero tolerance" policy. These forums provided an opportunity for stakeholders to provide feedback on each topic.

Despite the fiscal challenges in the budget, the Legislature was able to restore and increase funding to many crucial programs including Advantage Afterschool, Kinship and Youth Development.

In closing, I would like to express my appreciation to you, the members of the Committee and the many hardworking advocates across the State for continuing to support these efforts.

Sincerely,

A handwritten signature in black ink that reads "Ellen C. Jaffee". The signature is written in a cursive style with a large initial 'E' and a long, sweeping underline.

Ellen Jaffee
Chair
Committee on Children and Families

**2018 ANNUAL REPORT
OF THE
NEW YORK STATE ASSEMBLY
STANDING COMMITTEE ON CHILDREN AND FAMILIES**

**Ellen Jaffee
Chair**

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Jennifer Sacco – Assistant Secretary for Program and Policy
Meg Antz – Principal Legislative Analyst
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I. INTRODUCTION

The Assembly Standing Committee on Children and Families, established in 1975 as the Committee on Child Care, has jurisdiction over legislation affecting: 1) child welfare, including foster care, preventive services, and adoption; 2) child care; 3) juvenile justice, including youth development and delinquency prevention programs, Persons in Need of Supervision (PINS), and the detention and placement of adjudicated youth; 4) adult protective services; 5) residential and non-residential domestic violence services; and 6) other services and programs for children and their families, including Family Court processes.

In New York State, there are 62 counties and 58 local social services districts. Each county represents a local district, with the exception of New York City, which operates as one district for all five counties. The Office of Children and Family Services (OCFS) oversees local district provision and administration of child welfare, child care, youth programs, adult protective and other publicly funded services for children and families. In addition, in New York City, the Administration for Children's Services (ACS) is responsible for the provision and administration of child welfare services, juvenile justice services and child care assistance.

Each local social services district is required by law to provide child protective services, preventive services where a risk of foster care exists, and foster care services for children who are at imminent risk in their own homes. After a child protective investigation, a district will make a determination regarding the need for preventive services, as well as foster care. The district may provide preventive and foster care services directly or through contract with a private not-for-profit agency. Preventive services may help the family avoid foster care or help a child to return home from foster care. Such services may include counseling, drug treatment and home management skills.

If a child is placed in foster care, that decision must be affirmed by a Family Court judge. The court will also determine whether the local district has made reasonable efforts to reunite the child with his or her family and set forward a permanency goal for the child. Foster children may reside in a variety of settings, including foster family homes, group homes and residential institutions. Foster parents receive subsidy payments, comprised of federal, state and local funds and issued by the local social services district.

Local social services districts also issue subsidy payments to child care providers on behalf of low-income families eligible for child care assistance. This assistance is comprised of federal, state and local funds and helps families maintain employment while their children are being cared for in a safe environment. Outside of New York City, child care providers are licensed or registered by OCFS, which also conducts inspections to ensure compliance with state regulations. In New York City, the New York City Department of Health and Mental Hygiene is the licensing agency for child care providers, while ACS contracts with and issues payments to providers. These payments may also come in the form of a voucher given directly to the eligible family. Statewide, child care is provided in a variety of settings such as child care centers, group family day care homes and family day care homes. Informal child care is also available statewide, for providers that serve no more than two children or serve children for no more than three hours a day. These providers are not required to be registered or licensed.

The juvenile justice system in New York State is comprised of state, local and privately operated programs for youth. Youth may be placed by the Family Court in a private voluntary agency, contracting with either the local social services district or OCFS. OCFS operates secure and limited-secure juvenile justice facilities, where adjudicated youth may be placed as juvenile delinquents or by the Criminal Court as juvenile offenders. The “Close to Home” reform enacted in the SFY 2012-13 budget requires that adjudicated youth from NYC be placed with the Administration for Children’s Services (ACS) rather than OCFS. This reform lowered the number of youth placed with OCFS by transferring NYC youth in non-secure facilities to, and by placing all newly adjudicated youth with, ACS.

Last year, the enacted budget included language to increase the age of juvenile jurisdiction, thereby ensuring that more youth will receive necessary services and diversion rather than becoming more deeply entrenched in the criminal justice system. Under the new law, youths age 16 or 17 charged with a misdemeanor offense would have their cases heard in Family Court. For youths age 16 and 17 charged with a felony, their cases would originate in a separate Youth Part in Criminal Court with a family court judge presiding, where non-violent felonies would be subject to removal to Family Court.

OCFS provides after-care services to youth leaving placement, based in statewide Community Multi-Services Offices. Each youth leaving placement in an OCFS-operated facility receives after-care services to help with the transition back into the community. Pursuant to the “Close to Home” plan submitted by ACS, the city provides after-care to youth transitioning out of placement in voluntary agencies.

Localities also operate and provide juvenile justice programs and services. Counties operate detention facilities where a youth may be held prior to adjudication or placement. Counties also operate or contract with providers for non-mandated services for youth involved, or at risk of involvement, in the juvenile justice system. These programs include alternatives to detention and residential care, where an at-risk youth may receive services such as supervision and counseling. While the state provides funding for alternative programs, the number and types of programs that are available vary statewide.

Local social services districts are also responsible for providing adult protective services for adults who, because of mental or physical impairments, are unable to manage their own resources, carry out activities of daily living, or protect themselves from physical, sexual or emotional abuse, and have no one willing or able to assist them. Districts are mandated to accept and investigate reports of persons alleged to be in need of protective services and provide such services without regard to income. These services may include arranging for medical and mental health services, assisting in relocating the adult to a safe location, drug treatment and assuming guardianship of the adult.

Domestic violence services are also provided by each local social services district, as required by the New York State Domestic Violence Prevention Act of 1987. OCFS issues regulations establishing standards for such services, which include both non-residential and residential domestic violence programs. The residential programs are licensed by OCFS and include shelters with ten beds or more, safe dwellings for victims and their children and safe home networks

providing emergency services coordinated by a not-for-profit organization. OCFS also sets the per diem rate for residential domestic violence programs.

II. SUMMARY OF COMMITTEE ACTION

A. CHILD CARE

The availability of child care is tied to both the social and economic development of New York State. Quite often, the child care expenses for a family of four can exceed the cost of food, rent and other household expenses, resulting in the cost of quality child care becoming the single largest expense in the family's budget. The Committee on Children and Families has continued to stress the critical need for accessible, affordable, safe, and quality child care. Parents must have reliable child care in order to maintain their employment, and young children need quality settings for appropriate educational and social development. This year, the Assembly fought to ensure that the State budget would preserve funding for quality child care, while also making quality child care more accessible and safer for children of low- to moderate-income families.

1. Legislative Initiatives

a. Cost Estimation Model for Child Care (A.290 Jaffee/S.1455 Avella; Passed Assembly)

Every two years the Office of Children and Family Services (OCFS) conducts a market rate survey among licensed, registered and legally exempt child care providers. The survey collects data on what child care providers are charging for child care. The data collected is then used to set a payment rate to providers for subsidized care. While useful in setting rates, the market rate survey does not necessarily reflect the actual costs of providing child care. Child care providers have many fixed costs such as maintaining adequate staff, complying with building codes as well as regulatory and licensing requirements; yet they can only charge what the market is willing to pay. When corresponding subsidy rates are not high enough, the quality of child care sometimes suffers as providers struggle to make ends meet.

This bill would require that a cost estimation model be utilized for each category of care for which a market rate is determined. A cost estimation model can provide valuable data on the actual cost of providing child care, not just what price is charged to parents. Such information can then be used to determine the adequacy of the rate paid to providers, as well as inform policy decisions to ensure child care providers remain stable. Therefore, this legislation is one step forward in creating a more robust and better quality child care system.

b. Online Listing of After-School and Child Care Programs (A.8991 Mayer/S.7313 Kennedy; Chapter 34)

This bill is chapter amendment to legislation passed in 2017 to build upon and incorporate the efforts the Office of Children and Family Services (OCFS) had already taken to create an online listing of after-school and child care programs. It would require the Council on Children and Families to develop and make available through its website, a listing and map of all recipients of grants awarded or administered by the state for the purpose of providing after-school programs, and extended learning time, and all registered school-age providers registered by OCFS. The listing would include each grant recipient or provider's name, when appropriate, the address at which the program is offered, and the name and phone number of the program. The listing and

map would be required to be updated no less than once a year to reflect changes. The council would be able to include locations and information for additional relevant programs as it sees fit.

c. Child Care Taskforce (A.9003 Jaffee/S.7312 Avella; Chapter 33)

Access to quality child care is critical for healthy child development, as well as for working families to maintain employment and self-sufficiency. The availability of child care, including child care assistance, varies throughout the State. Currently, there is not sufficient information available to evaluate the need for child care regionally statewide.

This bill is a chapter amendment to legislation passed in 2017 and would expand the taskforce membership and topics to be examined relating to child care. Some of the topics to be examined include the need for child care, barriers to accessing child care, availability of non-traditional hours, impact of child care access on the workforce and economic development, and whether regulatory or statutory changes could promote access to child care and improve health and safety standards in child care programs. This information will help guide decisions to better meet the needs of working families across the State. The taskforce is required to report its final findings and recommendations to the governor and Legislature no later than December 31, 2020.

d. Child Care Provider Reimbursement for Absences (A.6974 Jaffee/S.5448 Avella; Passed Assembly)

Local social services districts can opt to withhold a portion of subsidy reimbursement from a provider for days in which a child is absent from care. While state regulations allow up to 12 days in absences for each child in any one calendar month, most if not all of these counties choose not to pay providers when children do not attend. This creates fiscal uncertainty for many providers, leading to difficulty with staff retention and optimal quality care.

This bill would require that local social services districts make payments to providers for at least 12 absences in a 6-month period. The Office of Children and Family Services would define the maximum number of absences allowed for reimbursement, which would not be less than 24 absences in a 6-month period, unless extenuating circumstances exist.

e. Health and Safety Compliance with the Child Care Development Block Grant Re-Authorization of 2014 (A.11055A Jaffee/No Same As; Passed Assembly)

In 2014, the federal government re-authorized the Child Care Development Block Grant Act (CCDBG), which is a block grant to state, territory, and tribal governments that provides support for children and their families with paying for child care. As part of the 2014 re-authorization, new health and safety requirements were implemented in which such governments are required to comply.

This legislation would enact various provisions of law necessary to comply with the re-authorization. Some of those provisions would add a new definition for "enrolled legally-exempt provider" to Social Services Law, authorize OCFS to make announced and unannounced inspection of enrolled legally-exempt providers with some exceptions, require annual inspections

of all child day care programs and enrolled legally exempt providers, add new training requirements for child care providers, and amend and expand current background check requirements for child care programs and enrolled legally exempt providers.

f. “Brendan’s Law” (A.320A Rosenthal/S.6519A Golden; Passed Assembly)

This bill would establish new definitions relating to cordless window coverings for certain facilities in which children are cared for such as boarding homes, group homes, child day care centers, and public institutions for children. Any facility installing new or replacement window covers would be required to install cordless window coverings or window coverings with inaccessible operational and inner chords. Window coverings in place prior to the effective date of this act would have to meet the requirements of the Window Covering Manufacturer’s Association (WCMA). An authorized agency may require replacement of window covers with cordless window coverings or window coverings with inaccessible operational and inner chords, in the case of failure to comply with the WCMA standards.

2. Budget Initiatives

Child care subsidies provide low-income families with access to quality child care. The Assembly has found that child care assistance is most successful when a dedicated, stable funding source is provided from year to year. A total of \$96.4 million in additional federal child care and development funds were appropriated as part of the final Budget. The Assembly successfully allocated at least \$10 million of such appropriation to supplement local funding for subsidized child care slots. Additionally, up to \$80 million of such funds were appropriated to comply with certain Child Care Development Block Grant re-authorization requirements to be broken down as follows: \$17 million for background checks; \$15 million for infant care and quality efforts; \$31 million for inspections; \$12 million for training programs; and \$2 million for staffing system changes.

The executive budget proposed eliminating certain vital child care programs important to families struggling to maintain self-sufficiency. Child care demonstration projects, located throughout New York City, the Capital Region, Oneida, Onondaga and Monroe Counties, serve families up to 275% of the poverty level and make enrollment in child care easier and more efficient. The Legislature was able to restore funding for these programs to last year’s levels. The Legislature took further action to ensure that essential child care programs are preserved by restoring funding for child care centers at SUNY and CUNY with \$1.1 million and \$902,000, respectively.

The Legislature was also able to secure funding for the Advantage After-School Program in the amount of \$5 million. This program provides structured after-school activities in order to reduce negative behaviors and offer a safe environment for children.

B. JUVENILE JUSTICE/YOUTH PROGRAMS

The Committee has jurisdiction over issues facing families and youth at every stage in the juvenile justice process. Policies concerning preventive services, alternatives to detention and placement programs, treatment of youth in care and after-care supervision all fall under the Committee's purview. The Committee has continually emphasized the need for an integrated, community-based approach in order to prevent youth from being placed in State-operated facilities. For those who must be placed, the Committee traditionally supports a rehabilitative approach to treatment while in care, and intensive after-care services so that youth can effectively and safely integrate back into their communities.

1. Legislative Initiatives

a. Pilot Program for Job and Vocational Training (A.2449 Hyndman/S.2084 Comrie; Chapter 397)

Most adjudicated youth placed with the Office of Children and Family Services (OCFS) will leave placement to re-enter their communities. Part of a successful transition home includes equipping youth with the tools they will need to achieve self-sufficiency. Education, job and vocational training provides youth with valuable knowledge and skills that can lead to sustainable employment and decrease the chances of recidivism.

This bill would require the Department of Labor (DOL), in conjunction with OCFS, to establish job and vocational skills training to adjudicated youth. The program would be conducted in three residential facilities chosen by OCFS and provide youth with training necessary to reach higher levels of education and higher wage jobs in growing occupational fields.

b. LGBT Training in Runaway and Homeless Youth Programs (A.2662 Ortiz/S.277 Hoylman; Passed Assembly)

Lesbian, Gay, Bisexual and Transgender (LGBT) youth are more likely to experience increased problems, including alcohol abuse, suicide attempts and physical and mental abuse, than their non-LGBT peers. They are also more likely to drop out of schools due to discrimination and harassment and to leave home due to rejection by their families. Runaway and Homeless Youth programs interface with many such LGBT youth who have nowhere else to go. It is therefore critical that such program staff is equipped with the tools necessary to address the challenges they face.

This bill would ensure that all employees of approved Runaway and Homeless Youth programs providing care to homeless youth in New York State receive adequate and comprehensive training to allow them to be more sensitive to issues specifically affecting lesbian, gay, bisexual, and transgender runaway and/or homeless youth.

c. Sealing of Records (A.7552 Jaffee/S.4766 Avella; Passed Assembly)

Youth are adjudicated a Person in Need of Supervision (PINS) due to unmanageable behaviors such as being chronically truant or running away. Such adjudication is non-criminal and the youth

and his or her family often benefit from services and other supports. Despite the non-criminal nature, records in a PINS case are not automatically sealed despite the fact that this due process protection is afforded in juvenile delinquency cases; cases which involve acts that would be a crime if committed by an adult. This disparity creates unnecessary obstacles to former PINS youth when they seek higher education, private employment and other endeavors necessary for self-sufficiency.

This bill would remedy the inequity in PINS and juvenile delinquency cases by creating a requirement to automatically seal records related to a PINS proceeding when the petition is diverted, not filed or a proceeding is terminated in favor of the respondent. Notice would be provided to all agencies in possession of records directing them to seal such records. The attorney for the child would also be notified of the fact that notification was sent to seal and which agencies received it.

d. Permanency Planning (A.7556 Jaffee/S.5713 Avella; Passed Assembly)

Currently, the Family Court has the responsibility to conduct permanency hearings, monitor permanency planning and issue fact-specific permanency orders in JD and PINS proceedings, but it is not given the information or authority to discharge that responsibility.

This bill would add permanency planning to juvenile delinquency and PINS proceedings consistent with requirements for child abuse and neglect proceedings. This includes an additional requirement to hold permanency proceedings for youth placed in limited-secure facilities, review of steps taken to ensure immediate enrollment in school, notification of parents of proceedings and continuation of attorney representation. These additions are analogous to requirements for foster children. As these youth are similarly in and out of home placement, it follows that such requirements should also apply to them as they transition back home or into the community.

Under this bill, it would be required that dispositional orders of placement and orders extending placement include a description, to be given to the parent or the person legally responsible, of the visitation plan, a service plan if available, and a direction that the parent or person legally responsible be notified of the planning conferences. The bill would also authorize the court to order services to further the needs and best interest of the respondent and his or her family. The measure further requires the agencies to notify the school districts in which the youth will be attending school upon release not less than 14 days in advance of their release, to promptly transfer records to the school districts and to try to coordinate release dates with school terms so as to minimize disruption to the youths' educational programs.

2. Budget Initiatives

As a part of the SFY 2012-2013 budget, landmark changes were made to New York State's juvenile justice system through the "Close to Home" initiative. As a result of this initiative, New York City's adjudicated juvenile delinquents currently in or entering into court ordered placements in State non-secure and limited-secure facilities are being moved closer to their home communities in City-administered programs and facilities. The "Close to Home" initiative has allowed for easier visitation of youth in placement by their families and attorneys and fostered improved after-care connections within the communities to which the youth will be returned. The SFY 2018-19 final

budget included provisions extending the “Close to Home” initiative for an additional five years and eliminated the State reimbursement to New York City for costs associated with the initiative.

Education Law requires OCFS to provide for the educational needs of the children in its custody. Over the past several years, various changes in the law have authorized OCFS to contract with BOCES to provide special education, career, and technical education services to youth in OCFS juvenile justice facilities. This year’s final budget included provisions to extend the authority for such contracting for an additional three years.

The Legislature was able to continue funding for critical youth programs, including an additional \$1.5 million in funding for Youth Development Programs (YDP). YDP are those programs formerly known as Youth Development and Delinquency Prevention (YDDP) and Special Delinquency Prevention Programs (SDPP). This restoration is in addition to a base amount of \$14.12 million. Additionally, the final state budget included provisions extending the YDP program for an additional three years.

The Legislature also approved additional funding for the Summer Youth Employment Program (SYEP). The final funding level was \$40 million from \$36 million last year. This funding will ensure that the program, with the minimum wage increase, continues to provide paid employment to youth during the summer months.

To provide increased flexibility to manage and implement critical capital construction and design projects, this year’s final budget included the authorization for the Dormitory Authority of the State of New York, in addition to the Office of General Services, to provide capital construction services to OCFS.

C. CHILD WELFARE

Child abuse and neglect continue to be a reality in the lives of many children in New York State. Victims of abuse and neglect can suffer long-term adverse social and psychological consequences. Therefore, it is imperative that children in these situations are protected and that families are able to receive appropriate services in order to prevent further trauma, thereby lessening the after-effects of abuse.

The foster care system provides temporary placement, care, and services to children and families in crisis while promoting the goal of family reunification. In an effort to achieve family reunification and stability, Federal and State laws have driven the development of preventive, protective, and rehabilitative programs to provide needed services. Adequate care for these children and their families is critical, and it is imperative that a wide array of services is provided to support the reunification of stable and healthy families.

For many children who cannot be reunified with their families, adoption may be the final step in obtaining a permanent family environment. Such permanency is crucial to a child’s development and greatly enhances successful outcomes into adulthood. The Committee has continuously stressed the need for effective and timely permanency planning, incentives for adoption and continued post-adoption support for families in need

1. Legislative Initiatives

a. New York State Reuniting Families Act (A.339 Kim/S.2201 Parker; Passed Assembly)

When a child has been in foster care for 15 of the most recent 22 months, the local social services district is required to file a petition to terminate parental rights unless certain exceptions exist. These exceptions are designed to recognize circumstances preventing a parent from reunification that may be outside his or her control, such as incarceration and participation in a drug rehabilitation program.

Likewise, a parent involved in an immigration proceeding may be unable to resume custody despite efforts to do so. Upon conclusion of the proceeding, the parent may be fully able to care for his or her child with it being in the best interest of the child to return home. To terminate parental rights, in the midst of such proceeding, would prematurely and permanently separate the parent and child, resulting in trauma and hardship to the family. In such situations, the local social services district should have the flexibility to consider the circumstances and delay the filing of a petition to terminate parental rights.

b. Securing Furniture (A.5284C Rosenthal/S.3667C Serrano; Passed Assembly)

According to the United States Consumer Product Safety Commission, every 24 minutes a child goes to the emergency room with an injury resulting from a television or piece of furniture tipping over. From 2000 to 2013, 84 percent of the 430 deaths from furniture tipping over involved children younger than the age of 10. Securing furniture and electronic equipment can prevent these tragedies. Therefore, this bill would require child day care centers, foster boarding homes and any other public institution caring for children to secure any large furniture or electronics capable of being tipped over. The Office of Children and Family Services would be authorized to take enforcement action if any violation is not corrected after written notice is given.

c. Truancy Allegations (A.7557 Davila/S.5714 Avella; Chapter 362)

Educational neglect, when a child is chronically absent from school, is a complex issue that can have numerous causes. A child's absence may be due to abuse at home, behavioral issues, learning disabilities or bullying. In order to identify and address the barriers to school attendance, both the school and local social services district must take a cooperative approach both before and after a court petition is filed.

This bill would require the designated lead PINS diversion agencies to review and document efforts by school districts to resolve truancy or school misbehavior alleged in PINS petitions. The lead agency would be required to notify the school district of conferences to enable the school district to participate. If such efforts are unsuccessful, then the school district may be joined as a necessary party and provide assistance if the court determines it helpful in reaching a resolution. Additionally, the bill would allow for diversion to take place at any point in the proceeding.

Similar provisions would be required for Article 10 proceedings. The definition of educational neglect would be amended to require efforts by the school district and child protective agency to

ameliorate the failure to provide educational services alleged in the petition. These efforts would be documented in the petition along with the reasons why the educational problems could not be resolved absent filing a petition. The school district would be notified of the proceeding, and as in PINS cases, may be joined as a necessary party if the court deems it appropriate.

d. Post Adoption Information (A.7616 Jaffee/S.1772 Carlucci; Passed Assembly)

Challenges among adoptive families may not emerge until sometime after the adoption is completed, when the family no longer interacts with the state adoption service. It is therefore important that foster parents receive information on available or expiring services prior to the completion of the adoption proceeding. Such information would prevent disruption in access to essential services for foster children and their families.

This bill would require the Office of Children and Family Services (OCFS) to promulgate regulations requiring authorized agencies to provide foster parents who are interested in adoption, a list of publicly funded benefits or services that are available to foster children, but expire upon adoption. If a service should expire, further information would be provided on whether that service is available within the community or can be accessed from a private source. OCFS would be required to make the list available on its website.

e. Training in Adverse Childhood Experiences (A.9565A Hevesi/S.7756A Savino; Passed Assembly)

According to the Centers for Disease Control and Prevention (CDC), childhood experiences, both positive and negative, have a tremendous impact on future violence victimization and perpetration, and lifelong health and opportunity. Adverse childhood experiences (ACE) have been linked to risky health behaviors, chronic health conditions, low life potential, and early death. A CDC-Kaiser ACEs prevalence study found that almost two-thirds of study participants reported at least one ACE, and more than one in five reported three or more ACEs.

This legislation would require the Office of Temporary and Disability Assistance (OTDA) and the Office of Children and Family Services (OCFS) to develop a training program for direct-care employees to identify individuals who have experienced ACEs and effective strategies for assisting and interacting with such individuals, and locate programs and services to which such individuals with ACEs may be referred to help build an individual's resilience. The bill would require all direct-care employees to participate in the training at no cost to them.

f. Notification Requirements for Kinship Caregivers (A.9956 Jaffee/S.8047 Savino; Passed Assembly)

According to the Kinship Navigator in New York State, there's approximately 179,000 grandparents, other relatives, and family friends who provide full-time care for children who are not biologically their own. Commonly called kinship care, these caregivers are a critical resource for the well-being of vulnerable children.

This bill would strengthen certain notification requirements to kinship caregivers by requiring a local social services district to provide written information about available services to relative and

non-relative caregivers or suitable persons, when they approach such individuals about becoming a kinship caregiver. Such information shall be made available through the websites of the local social service district and the Office of Children and Family Services.

g. Rent Subsidies for Individuals with Roommates (A.10734 Hevesi/S.8767 Avella; Passed Assembly)

This bill would allow eligible individuals receiving a housing subsidy to be able to utilize such subsidy even if they were living with a roommate. Individuals and families are eligible to receive a monthly housing subsidy when a youth is aging out of foster care and entering independent living, to reunite a foster care child with his/her family, and as a service for the family to prevent a youth from entering foster care.

2. Budget Initiatives

The Executive budget proposed to cap the State child welfare reimbursement costs for New York City at \$320 million. New York City used such child welfare dollars to provide robust preventive services to families which help to keep children out of foster care and families together. The Assembly was successful in restoring the proposed cap and ensuring that such vital funding is still available.

Despite a difficult economic climate, the Legislature worked to preserve vital programs in the area of child welfare. Through the support of the Legislature, many of these programs received continued funding during the SFY 2018-2019, such as Child Advocacy Centers, Safe Harbour, Runaway and Homeless Youth programs and programs for kinship caregivers.

The Assembly was able to appropriate \$3 million in funding for the Safe Harbour program created under the Safe Harbour for Exploited Children Act in 2008. Under this groundbreaking law, the Legislature established that commercially sexually exploited children are crime victims, not criminals, and recognized that these children must be provided with critical services, including short-term emergency shelter to keep them off the streets, food, clothing, medical care, counseling and crisis intervention services, and long-term housing with specialized services such as case management, legal, mental health and substance and alcohol abuse services. The Safe Harbour program also contemplates the utilization of funding to train law enforcement to better identify sexually exploited children and obtain appropriate services for them.

The Legislature also provided \$2 million for Child Advocacy Centers, which provide a comfortable setting for abused children to receive care and treatment. These centers are important places where multi-disciplinary teams of professionals, including doctors, mental health providers and law enforcement, can gather information about a case. The child benefits because multiple interviews, which can be a source of additional trauma, are avoided.

The Legislature also continued funding for the Runaway and Homeless Youth program, improving the chances of stability and permanency options for these youth. Kinship care and navigator programs, which provide vital resources and services to grandparents and other family members caring for children, received \$1.9 million in funding and \$100,000, respectively.

III. PUBLIC HEARINGS & ROUNDTABLES

A. Ensuring Adequate Supports for Foster Care Agencies

On October 15, the Committee in conjunction with the Committee on Governmental Operations and Subcommittee on Foster Care conducted a roundtable discussion to examine supports for foster care agencies throughout the State. The roundtable sought input on the array of supports and services currently available for foster care agencies and how such agencies are affected by the recent influx of children into the State's foster care system due to President Trump's "zero tolerance" policy.

Stakeholders shared information regarding how their specific organization had been affected by the "zero tolerance" policy as it relates to the need for additional bed capacity, the barriers the federal government has instituted when attempting to connect such children with an adequate sponsor, and what the next steps are once the children leave a foster care agency. The federal government's lack of coordination and transparency concerning unaccompanied minors in New York's foster care agencies, who were either separated from their family at the border or arrived in the United States alone, was also discussed.

B. Mental Health Services in the Juvenile Justice System

On December 11, the Committee in conjunction with the Committee on Mental Health conducted a public hearing to examine access to mental health services in the juvenile justice system. The public hearing sought input on mental health services provided to youth in the juvenile justice system and identifying other supports and services that may be utilized to address unmet mental health needs of these youth, in the context of the funding provided in the State Fiscal Year (SFY) 2018-19 budget.

Stakeholders shared information on the type and level of mental health and after-care services available to youth in the juvenile justice system. Also discussed at the hearing was information relating to some of the barriers that exist when treating such youth who suffer from a mental health disorder and how there is room to improve such treatments. Lastly, witnesses mentioned that family involvement in the treatment of at-risk youth is crucial when there's potential to deter youth from entering the juvenile justice system and while in such system.

2018 SUMMARY SHEET

SUMMARY OF ACTION ON ALL BILLS
REFERRED TO THE COMMITTEE ON

Children and Families

TOTAL NUMBER OF COMMITTEE MEETINGS HELD 5

ASSEMBLY	SENATE	TOTAL
BILLS	BILLS	BILLS

BILLS REPORTED FAVORABLE TO:

Codes	4	0	4
Judiciary	0	0	0
Ways and Means	3	0	3
Rules	1	0	1
Floor	2	0	2
TOTAL	10	0	10

COMMITTEE ACTION

Held For Consideration	9	0	9
Defeated	0	0	0
Enacting Clause Stricken	3	0	3
REMAINING IN COMMITTEE	97	14	111

BILLS REFERENCE CHANGED TO:

Codes 2
Judiciary 1

TOTAL	3	0	3
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APPENDIX B

2018 BILLS SIGNED INTO LAW

Bill #	Sponsor	Description	Chapter #
A.2449/S.2084	Hyndman/Comrie	Establishes a pilot program to provide job and vocational skills training to youth	397
A.7557/S.5714	Davila/Avella	Relates to truancy allegations in persons in need of supervision and child protective proceedings in family court	362
A.8991/S.7313	Mayer/Kennedy	Directs the Council on Children and Families to establish an online listing and map of publicly funded or registered after-school and school age child care programs	34
A.9003/S.7312	Jaffee/Avella	Establishes a child care availability taskforce to evaluate the need for and availability of child care throughout the state	33

2018 BILLS PASSED

Bill #	Sponsor	Description	Last Action
A.290/S.1455	Jaffee/Avella	Implements a cost estimation model for child care	Referred to Senate Finance
A.320A/S.6519A	Rosenthal, L./Golden	Establishes “Brendan’s Law” by requiring cordless window coverings in certain facilities that care for children	Referred to Senate Rules
A.339/S.2201	Kim/Parker	Enacts the New York State Reuniting Families Act	Referred to Senate Children and Families
A.2662/S.277	Ortiz/Hoylman	Expands the duties of the Office of Children and Family Services concerning lesbian, gay, bisexual, and transgender runaway and homeless youth	Referred to Senate Finance
A.5284C/S.3667C	Rosenthal, L./Serrano	Requires the anchoring of furniture and electronics in child day care centers, public institutions for children and certain other facilities	Referred to Senate Rules

A.6974/S.5448	Jaffee/Avella	Requires local social service districts to reimburse for certain child care absences	Referred to Senate Rules
A.7552/S.4766	Jaffee/Avella	Relates to the sealing and expungement of records in persons in need of supervision cases in family court	Referred to Senate Children and Families
A.7556/S.5713	Jaffee/Avella	Relates to permanency planning in juvenile delinquency and persons in need of supervision proceedings in family court	Referred to Senate Children and Families
A.7616/S.1772	Jaffee/Carlucci	Requires agencies to provide potential adoptive parents with information concerning state-funded benefits or services available once the foster child is adopted as well as those that expire upon adoption	Referred to Senate Finance
A.9565A/S.7756A	Hevesi/Savino	Requires certain direct care workers to be trained in recognizing adverse childhood experiences	Referred to Senate Social Services
A.9956/S.8047	Jaffee/Savino	Requires local social services districts to share certain information with kinship caregivers	Referred to Senate Children and Families
A.10734/S.8767	Hevesi/Avella	Requires rent subsidies to be made available to eligible recipients that live with a roommate	Referred to Senate Rules
A.11055A	Jaffee/No same as	Enacts certain provisions of law to comply with the 2014 Child Care Development Block Grant re-authorization	Referred to Senate Rules

2018 BILLS REPORTED

Bill #	Sponsor	Description	Last Action
A.259/S.1291	Hevesi/Avella	Increases monthly rent subsidies for eligible recipients living independently	Reported to Ways and Means
A.809	Perry/No same as	Establishes a bill of rights for youth in facilities and programs operated, licensed or certified by OCFS	Reported to Codes
A.7692A/S.6574A	McDonald/Carlucci	Requires safer window coverings in child day care centers, public institutions for	Reported to Codes

		children and certain other facilities	
A.8791B	Jean-Pierre/No same as	Requires certain child care paperwork to be made available in additional languages	3 rd Reading