

STATE OF NEW YORK

11288

IN ASSEMBLY

May 3, 2002

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Sanders) --
read once and referred to the Committee on Children and Families

AN ACT to amend the executive law, in relation to creating a temporary state commission to promote local interagency collaboration for violence prevention and children and family services integration, and providing for the repeal of such provisions upon expiration thereof

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

- 1 Section 1. Legislative findings and intent. The legislature finds and
2 declares that children in New York State who face multiple risks are
3 more likely than other children to engage in non-normative, violent and
4 self-destructive behavior including, but not limited to: poor school
5 performance, truancy, classroom disruption, bullying, delinquency, self-
6 abuse and suicidal gestures, sexual acting out, substance abuse, gang
7 participation, and carrying and use of dangerous weapons. The legisla-
8 ture further finds that children are rarely assessed in a comprehensive
9 manner, which includes all the contexts in which they might be at risk;
10 individual, family, school, community and for the major risks confront-
11 ing children; substance abuse, emotional disturbance, exposure to
12 violence and learning disabilities.
- 13 Without comprehensive assessment, communities are unable to develop
14 integrated preventive and interventive services plans for children who
15 are multiply at-risk. As a result, services are often incomplete, dupli-
16 cative, and discontinuous, and therefore, ineffective and inefficient.
- 17 Comprehensive assessment requires age-appropriate, multi-disciplinary
18 assessment instruments, which have not been widely available to date. In
19 addition, it requires that education, human services and law enforcement
20 agencies routinely and systematically share information about children
21 and families. However, in this regard, most communities have been
22 unable to overcome the significant obstacles presented by state and
23 federal confidentiality laws.
- 24 Education, human services and law enforcement agencies infrequently
25 adopt evidence-based, outcome-oriented programming. This has meant that

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets
{ } is old law to be omitted.

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1 the capacity of communities to assist children and families with multi-
2 ple problems has been limited.

3 In recent years, certain New York State communities have found ways to
4 address the needs of multiply at-risk children through a comprehensive
5 integrated service delivery system. These communities have created
6 single point of entry systems that employ comprehensive assessment and
7 rely on routine inter-agency exchange of information that protects fami-
8 lies privacy rights. They have also improved outcomes for these children
9 and families and the level of accountability of agencies by implementing
10 proven, evidence-based programs. It is the goal of this legislation to
11 replicate such initiatives in other communities in New York State.

12 S 2. Short title. This act shall be known and may be cited as the "New
13 York Local Interagency Violence Prevention and Services Integration Act
14 of 2002".

15 S 3. The executive law is amended by adding a new article 49-C to read
16 as follows:

17 ARTICLE 49-C

18 NEW YORK COMMISSION TO PROMOTE LOCAL INTERAGENCY COLLABORATION FOR
19 VIOLENCE PREVENTION AND CHILDREN AND FAMILY SERVICES INTEGRATION
20 SECTION 996. NEW YORK COMMISSION TO PROMOTE LOCAL INTERAGENCY COLLAB-
21 ORATION FOR VIOLENCE PREVENTION AND CHILDREN AND FAMILY
22 SERVICES INTEGRATION.

23 996-A. DEFINITIONS.

24 996-B. MEMBERS.

25 996-C. POWERS AND DUTIES OF THE TEMPORARY COMMISSION.

26 996-D. STRUCTURE OF DEMONSTRATION PROJECTS.

27 996-E. RESPONSIBILITIES OF NOT-FOR-PROFIT CORPORATIONS ADMINIS-
28 TERING AND OPERATING DEMONSTRATION PROJECTS.

29 996-F. TECHNICAL ASSISTANCE FOR DEMONSTRATION PROJECTS.

30 996-G. STAFF.

31 996-H. SUPPORT.

32 996-I. ONGOING REPORTS AND OVERSIGHT.

33 996-J. GRANTS.

34 996-K. INDEPENDENT EVALUATION AND FINAL REPORT.

35 996-L. FUNDING.

36 S 996. NEW YORK COMMISSION TO PROMOTE LOCAL INTERAGENCY COLLABORATION
37 FOR VIOLENCE PREVENTION AND CHILDREN AND FAMILY SERVICES INTEGRATION. A
38 TEMPORARY STATE COMMISSION TO BE NAMED THE NEW YORK COMMISSION TO
39 PROMOTE LOCAL INTERAGENCY COLLABORATION FOR VIOLENCE PREVENTION AND
40 CHILDREN AND FAMILY SERVICES INTEGRATION IS HEREBY CREATED.

41 S 996-A. DEFINITIONS. AS USED IN THIS ARTICLE, THE FOLLOWING TERMS
42 SHALL, UNLESS THE CONTEXT OTHERWISE REQUIRES, HAVE THE FOLLOWING MEAN-
43 INGS:

44 1. "TEMPORARY COMMISSION" MEANS THE NEW YORK COMMISSION TO PROMOTE
45 LOCAL INTERAGENCY COLLABORATION FOR VIOLENCE PREVENTION AND CHILDREN AND
46 FAMILY SERVICES INTEGRATION APPOINTED PURSUANT TO SECTION NINE HUNDRED
47 NINETY-SIX-B OF THIS ARTICLE.

48 2. "DEMONSTRATION PROJECT" MEANS A LOCAL INTERAGENCY COLLABORATION FOR
49 VIOLENCE PREVENTION AND CHILDREN AND FAMILY SERVICES INTEGRATION DEMON-
50 STRATION PROJECT TO BE ESTABLISHED PURSUANT TO THE PROVISIONS OF THIS
51 ARTICLE.

52 3. "EVIDENCE-BASED PROGRAM" MEANS A PROGRAM WHOSE EVALUATION, WHICH
53 HAS BEEN COMPLETED BY AN INDEPENDENT AGENCY WITH DEMONSTRATED EXPERTISE
54 IN EVALUATION, YIELDS STATISTICALLY SIGNIFICANT DATA DEMONSTRATING THE
55 PROGRAMS EFFECTIVENESS IN ACCOMPLISHING ITS INTENDED PURPOSES AND WHICH

1 HAS BEEN REPLICATED IN ANOTHER COMMUNITY WITH AN EFFECTIVENESS THAT IS
2 COMPARABLE TO THAT INDICATED IN THE EVALUATION.

3 4. "COMPREHENSIVE, MULTI-DISCIPLINARY ASSESSMENTS" MEANS ASSESSMENTS
4 OF CHILDREN TO DETERMINE THE EXTENT TO WHICH THEY ARE AFFECTED BY RISK
5 AND PROTECTIVE FACTORS AS INDIVIDUALS AND IN FAMILIES, COMMUNITIES AND
6 SCHOOLS, AND THE EXTENT TO WHICH THEY HAVE SERVICE NEEDS RESULTING FROM
7 EMOTIONAL DISTURBANCE, SUBSTANCE ABUSE, EXPOSURE TO VIOLENCE AND LEARN-
8 ING DISABILITIES.

9 5. "SCHOOL-BASED CLINICIANS" MEANS CERTIFIED SOCIAL WORKERS, CREDEN-
10 TIALED ALCOHOLISM AND SUBSTANCE ABUSE COUNSELORS OR OTHER MENTAL HEALTH,
11 ALCOHOLISM, SUBSTANCE ABUSE OR CHEMICAL DEPENDENCE COUNSELORS DEEMED
12 QUALIFIED BY THE LOCAL DIRECTOR OF COMMUNITY SERVICES, AS DEFINED IN
13 SECTION 41.03 OF THE MENTAL HYGIENE LAW, TO CONDUCT COMPREHENSIVE,
14 MULTI-DISCIPLINARY ASSESSMENTS.

15 6. "INTEGRATED SERVICE PLANS" MEANS SERVICE PLANS THAT PROMOTE A
16 DELIVERY OF SERVICES WHICH ARE, TO THE FULLEST EXTENT POSSIBLE, COMPRE-
17 HENSIVE, IMPLEMENTED WITHOUT INTERRUPTION AND FREE FROM DUPLICATION OR
18 REDUNDANCY.

19 S 996-B. MEMBERS. 1. THE NEW YORK COMMISSION TO PROMOTE LOCAL INTERA-
20 GENCY COLLABORATION FOR VIOLENCE PREVENTION AND CHILDREN AND FAMILY
21 SERVICES INTEGRATION, HEREAFTER REFERRED TO IN THIS ARTICLE AS THE
22 TEMPORARY COMMISSION, SHALL CONSIST OF SIX MEMBERS ALL OF WHOM ARE TO BE
23 CITIZENS OF THE STATE OF NEW YORK, TO BE APPOINTED AS FOLLOWS: TWO
24 MEMBERS APPOINTED BY THE GOVERNOR, ONE MEMBER WITH EXPERTISE IN THE
25 PREVENTION OF VIOLENCE IN SCHOOLS AND ONE MEMBER WITH AT LEAST TEN YEARS
26 EXPERIENCE ON A COUNTY LEGISLATURE; TWO MEMBERS APPOINTED BY THE TEMPO-
27 RARY PRESIDENT OF THE SENATE, ONE MEMBER WITH EXPERTISE IN THE
28 PREVENTION OF VIOLENCE IN FAMILIES AND ONE MEMBER WITH EXPERTISE IN
29 COMPREHENSIVE, MULTI-DISCIPLINARY ASSESSMENTS AND/OR THE DEVELOPMENT OF
30 INTEGRATED SERVICE PLANS AND TWO MEMBERS APPOINTED BY THE SPEAKER OF THE
31 ASSEMBLY, ONE MEMBER WITH EXPERTISE IN THE PREVENTION OF JUVENILE DELIN-
32 QUENCY AND ONE MEMBER WITH EXPERTISE IN THE IMPLEMENTATION OF EVIDENCE-
33 BASED SERVICES FOR CHILDREN AND FAMILIES.

34 2. APPOINTMENTS MAY BE MADE AT LEAST THIRTY DAYS AFTER THE EFFECTIVE
35 DATE OF THIS ARTICLE AND NOT LATER THAN SIX MONTHS AFTER SUCH EFFECTIVE
36 DATE. APPOINTMENTS SHALL BE MADE BY NOTIFICATION IN WRITING BY THE
37 APPOINTING AUTHORITY TO THE OTHER TWO APPOINTING AUTHORITIES. NO MEMBER
38 OF THE TEMPORARY COMMISSION SHALL BE A MEMBER OR EMPLOYEE OF THE STATE
39 LEGISLATURE AT THE TIME OF APPOINTMENT.

40 3. EACH MEMBER OF THE TEMPORARY COMMISSION SHALL BE APPOINTED TO SERVE
41 A SIX-YEAR TERM.

42 4. ANY VACANCY SHALL BE FILLED IN THE SAME MANNER AS THE ORIGINAL
43 APPOINTMENT.

44 5. THE TEMPORARY COMMISSION SHALL HAVE THE POWER TO ESTABLISH ITS OWN
45 RULES AND PROCEDURES CONCERNING THE FREQUENCY AND CONDUCT OF ITS MEET-
46 INGS AND OTHER AFFAIRS NOT INCONSISTENT WITH LAW.

47 6. MEMBERS OF THE TASK FORCE SHALL RECEIVE NO COMPENSATION FOR THEIR
48 SERVICES BUT SHALL BE ALLOWED THEIR ACTUAL AND NECESSARY EXPENSES
49 INCURRED IN THE PERFORMANCE OF THEIR FUNCTIONS HEREUNDER.

50 S 996-C. POWERS AND DUTIES OF THE TEMPORARY COMMISSION. THE TEMPORARY
51 COMMISSION SHALL:

52 1. DEVELOP, WITHIN THREE MONTHS AFTER ALL MEMBERS OF THE TEMPORARY
53 COMMISSION HAVE BEEN APPOINTED, A PROCESS FOR SOLICITING, EVALUATING,
54 AND SELECTING PROPOSALS TO ESTABLISH THREE LOCAL INTERAGENCY COLLAB-
55 ORATION FOR VIOLENCE PREVENTION AND CHILDREN AND FAMILY SERVICES INTE-
56 GRATION DEMONSTRATION PROJECTS, HEREAFTER REFERRED TO IN THIS ARTICLE AS

1 DEMONSTRATION PROJECTS, ONE OF WHICH SHALL BE ESTABLISHED IN A COUNTY
2 WITH A POPULATION OF MORE THAN ONE MILLION, WHICH PROCESS FOR SOLICIT-
3 ING, EVALUATING, AND SELECTING PROPOSALS SHALL INCLUDE, BUT NOT BE
4 LIMITED TO, THE FOLLOWING CRITERIA:

5 A. THE CAPACITY OF THE APPLICANT TO IMPLEMENT PREVENTIVE AND INTERVEN-
6 TIVE EVIDENCE-BASED PROGRAMS FOR CHILDREN AND FAMILIES;

7 B. THE AVAILABILITY TO THE APPLICANT OF RESOURCES IN ADDITION TO THOSE
8 PROVIDED PURSUANT TO THIS ARTICLE AS MAY BE NECESSARY TO SUSTAIN THE
9 DEMONSTRATION PROJECT;

10 C. THE ABILITY OF THE APPLICANT TO MAINTAIN A SECURE AND RELIABLE
11 MANAGEMENT INFORMATION SYSTEM WHICH PROTECTS THE PRIVACY RIGHTS OF THOSE
12 SERVED; AND

13 D. THE CAPACITY OF EDUCATION, HUMAN SERVICES AND LAW ENFORCEMENT AGEN-
14 CIES PARTICIPATING IN THE DEVELOPMENT OF THE APPLICANT DEMONSTRATION
15 PROJECT TO WORK COLLABORATIVELY IN PROVIDING PREVENTIVE AND INTERVENTIVE
16 PROGRAMS AND SERVICES TO CHILDREN AND THEIR FAMILIES;

17 2. SELECT, WITHIN THREE MONTHS AFTER THE DATE BY WHICH PROPOSALS ARE
18 SUBMITTED, THE DEMONSTRATION PROJECTS TO BE FUNDED;

19 3. ARRANGE FOR THE PROVISION OF TECHNICAL ASSISTANCE FOR SUCH DEMON-
20 STRATION PROJECTS AS DESCRIBED IN SECTION NINE HUNDRED NINETY-SIX-F OF
21 THIS ARTICLE;

22 4. ESTABLISH LEVELS OF FUNDING FOR EACH OF THE DEMONSTRATION PROJECTS
23 PURSUANT TO SECTION NINE HUNDRED NINETY-SIX-L OF THIS ARTICLE; AND

24 5. HAVE THE POWER TO CONTRACT WITH THE NOT-FOR-PROFIT CORPORATIONS
25 WHICH OPERATE THE DEMONSTRATION PROJECTS ESTABLISHED PURSUANT TO THIS
26 ARTICLE AND WITH OTHER PERSONS AND CORPORATIONS IN FURTHERANCE OF THE
27 TEMPORARY COMMISSIONS DUTIES UNDER THIS ARTICLE.

28 S 996-D. STRUCTURE OF DEMONSTRATION PROJECTS. 1. EACH DEMONSTRATION
29 PROJECT SHALL:

30 A. OPERATE FOR FOUR YEARS, SUBJECT TO AVAILABLE FUNDING;

31 B. INCLUDE, AS THE POPULATION WHICH MAY BE SERVED BY ITS ACTIVITIES:

32 (I) ALL CHILDREN AND FAMILIES IN ONE SCHOOL DISTRICT OR A GROUP OF
33 SCHOOL DISTRICTS OF A SINGLE COUNTY PROVIDED THAT THE NUMBER OF STUDENTS
34 IN THE PARTICIPATING SCHOOL DISTRICT OR SCHOOL DISTRICTS EXCEEDS FIVE
35 THOUSAND STUDENTS AND PROVIDED THAT AT LEAST NINETY PER CENTUM OF THE
36 RESIDENTS OF THE PARTICIPATING SCHOOL DISTRICT OR SCHOOL DISTRICTS ARE
37 LOCATED IN THE COUNTY; OR

38 (II) FOR A COUNTY WITH A POPULATION OF MORE THAN ONE MILLION, ALL
39 CHILDREN AND FAMILIES RESIDING IN AT LEAST ONE SCHOOL DISTRICT WITHIN
40 SUCH A COUNTY;

41 C. BE ADMINISTERED AND OPERATED BY A NOT-FOR-PROFIT CORPORATION WHICH
42 HAS THE FOLLOWING PURPOSES EXPRESSED IN ITS CERTIFICATE OF INCORPO-
43 RATION, INCLUDING BUT NOT LIMITED TO:

44 (I) THE IMPLEMENTATION OF COMPREHENSIVE, MULTI-DISCIPLINARY ASSESS-
45 MENTS OF CHILDREN BY SCHOOL-BASED CLINICIANS;

46 (II) THE REDUCTION OF JUVENILE AND FAMILY VIOLENCE AND THE PROMOTION
47 OF SOCIAL AND EMOTIONAL SKILLS AMONG CHILDREN AND YOUTH;

48 (III) THE IMPLEMENTATION OF PREVENTIVE AND INTERVENTIVE EVIDENCE-BASED
49 PROGRAMS FOR CHILDREN AND FAMILIES BY EDUCATIONAL, LAW ENFORCEMENT,
50 MENTAL HEALTH AND SOCIAL SERVICES AGENCIES; AND

51 (IV) THE IMPLEMENTATION OF AN INTER-AGENCY MANAGEMENT INFORMATION
52 SYSTEM THAT SUPPORTS THE DEVELOPMENT OF SERVICE INTEGRATION PLANS FOR
53 CHILDREN AND FAMILIES.

54 2. EACH NOT-FOR-PROFIT CORPORATION ADMINISTERING AND OPERATING A
55 DEMONSTRATION PROJECT SHALL:

1 A. ADOPT BY-LAWS WHICH SHALL DESIGNATE A BOARD OF DIRECTORS TO GOVERN
2 THE NOT-FOR-PROFIT CORPORATION, WHICH BOARD OF DIRECTORS SHALL INCLUDE,
3 BUT NOT BE LIMITED TO, THE FOLLOWING MEMBERS:
4 (I) THE COMMISSIONER OF THE LOCAL SOCIAL SERVICES DISTRICT AS DEFINED
5 IN SECTION TWO OF THE SOCIAL SERVICES LAW;
6 (II) THE DIRECTOR OF COMMUNITY SERVICES AS DEFINED IN SECTION 41.03 OF
7 THE MENTAL HYGIENE LAW;
8 (III) THE COUNTY DIRECTOR OF PROBATION, OR IN CITIES WITH A POPULATION
9 OF ONE MILLION OR MORE, THE COMMISSIONER OF THE DEPARTMENT OF PROBATION;
10 (IV) A REPRESENTATIVE OF THE LOCAL POLICE AGENCIES;
11 (V) AN INDIVIDUAL WITHIN A COUNTY WHO PROVIDES STATE CERTIFIED ALCOHOL
12 AND/OR SUBSTANCE ABUSE TREATMENT PROGRAMS OR SERVICES;
13 (VI) THE SUPERINTENDENT, AS DEFINED IN ARTICLES FIFTY-ONE AND
14 FIFTY-TWO OF THE EDUCATION LAW, OR COMMUNITY SUPERINTENDENT, AS DEFINED
15 IN ARTICLE FIFTY-TWO-A OF THE EDUCATION LAW, OF THE LARGEST SCHOOL
16 DISTRICT SERVED BY THE DEMONSTRATION PROJECT; AND
17 (VII) A REPRESENTATIVE OF THE LOCAL FAMILY COURT, AS APPOINTED BY THE
18 ADMINISTRATIVE JUDGE FOR THE COUNTY, OR IN COUNTIES WITHIN CITIES WITH A
19 POPULATION OF ONE MILLION OF MORE, A REPRESENTATIVE OF THE LOCAL FAMILY
20 COURT, AS APPOINTED BY THE ADMINISTRATIVE JUDGE FOR THE CITY.
21 B. DESCRIBE IN ITS BY-LAWS THE PROCEDURES AND PROTOCOLS FOR SAFEGUARD-
22 ING CONFIDENTIAL AND OTHER CLIENT-RELATED INFORMATION, INCLUDING DOCU-
23 MENTS, FILES, ELECTRONIC COMMUNICATIONS AND COMPUTER DATA, WHICH SHALL
24 INCLUDE, BUT NOT BE LIMITED TO, PROCEDURES AND PROTOCOLS FOR DETERMIN-
25 ING, WHEN A FULLY INFORMED AND WRITTEN CONSENT TO ASSESSMENT AND DISCLO-
26 SURE OF CONFIDENTIAL INFORMATION IS PROVIDED BY A PARTICIPANT OR THE
27 PARENT OR LEGAL GUARDIAN OF A PARTICIPANT, THE CIRCUMSTANCES AND MANNER
28 IN WHICH CONFIDENTIAL INFORMATION COLLECTED AND MAINTAINED BY DESIGNATED
29 PERSONNEL OF THE DEMONSTRATION PROJECT MAY BE DISCLOSED, AS PERMITTED BY
30 APPLICABLE PROVISIONS OF FEDERAL AND STATE LAW, TO:
31 (I) OTHER PERSONNEL OF THE DEMONSTRATION PROJECT FOR THE SOLE AND
32 EXCLUSIVE PURPOSES OF (A) CONDUCTING COMPREHENSIVE, MULTI-DISCIPLINARY
33 ASSESSMENTS OF CHILDREN AND (B) CREATING AND IMPLEMENTING INTEGRATED
34 SERVICE PLANS FOR CHILDREN; AND
35 (II) EDUCATION, LAW ENFORCEMENT AND HUMAN SERVICE AGENCIES AND OTHER
36 SERVICE PROVIDERS IDENTIFIED IN THE CONSENT TO ASSESSMENT AND DISCLOSURE
37 OF CONFIDENTIAL INFORMATION FOR THE SOLE AND EXCLUSIVE PURPOSE OF CREAT-
38 ING AND IMPLEMENTING SUCH INTEGRATED SERVICE PLANS.
39 C. INCLUDE IN ITS BY-LAWS OR OTHER ORGANIZATIONAL DOCUMENTS, A
40 DESCRIPTION OF THE DUTIES AND RESPONSIBILITIES OF ITS PRINCIPAL EMPLOY-
41 EES, WHICH SHALL INCLUDE, BUT NOT BE LIMITED TO, THE FOLLOWING:
42 (I) A PROJECT DIRECTOR;
43 (II) A DIRECTOR OF INFORMATION TECHNOLOGIES; AND
44 (III) A COORDINATOR OF ASSESSMENT AND SERVICE-INTEGRATION ACTIVITIES.
45 S 996-E. RESPONSIBILITIES OF NOT-FOR-PROFIT CORPORATIONS ADMINISTERING
46 AND OPERATING DEMONSTRATION PROJECTS. 1. EACH NOT-FOR-PROFIT CORPORATION
47 ADMINISTERING AND OPERATING A DEMONSTRATION PROJECT SHALL DEVELOP AND
48 IMPLEMENT, NO MORE THAN NINETY DAYS AFTER CONTRACTING WITH THE TEMPORARY
49 COMMISSION, AN INFORMATION-SHARING AGREEMENT WITH EDUCATION, LAW
50 ENFORCEMENT, AND HUMAN SERVICE AGENCIES PARTICIPATING IN THE DEMON-
51 STRATION PROJECT WHICH SHALL PERMIT DEMONSTRATION PROJECT PERSONNEL TO
52 COLLECT INFORMATION FROM AGENCIES PARTICIPATING IN THE AGREEMENT, IN
53 ORDER TO CONDUCT COMPREHENSIVE MULTI-DISCIPLINARY ASSESSMENTS AND TO
54 DEVELOP AND IMPLEMENT INTEGRATED SERVICE PLANS. THE INFORMATION AGREE-
55 MENT SHALL, TO THE FULLEST EXTENT POSSIBLE, ADHERE TO ALL APPLICABLE

1 PROVISIONS OF FEDERAL AND STATE LAW AND PROFESSIONAL STANDARDS REGARDING
2 CONFIDENTIALITY AND SHALL INCLUDE:

3 A. THE DEMONSTRATION PROJECT'S PROCEDURES AND PROTOCOLS FOR SAFEGUARD-
4 ING CONFIDENTIAL AND OTHER CLIENT-RELATED INFORMATION; AND

5 B. THE DEMONSTRATION PROJECT'S FORM FOR OBTAINING CONSENT TO ASSESS-
6 MENT AND DISCLOSURE OF CONFIDENTIAL INFORMATION FROM A PARTICIPANT OR
7 THE PARENT OR LEGAL GUARDIAN OF A PARTICIPANT.

8 2. THE DEMONSTRATION PROJECT SHALL IDENTIFY A COMPREHENSIVE,
9 MULTI-DISCIPLINARY ASSESSMENT INSTRUMENT TO BE USED BY SCHOOL-BASED
10 CLINICIANS TO DETERMINE THE EXTENT TO WHICH SUCH CHILDREN ARE AFFECTED
11 BY RISK AND PROTECTIVE FACTORS AS INDIVIDUALS AND IN FAMILIES, COMMUNI-
12 TIES AND SCHOOLS, AND THE EXTENT TO WHICH SUCH CHILDREN HAVE SERVICE
13 NEEDS RESULTING FROM EMOTIONAL DISTURBANCE, SUBSTANCE ABUSE, EXPOSURE TO
14 VIOLENCE, AND LEARNING DISABILITIES. THE SCHOOL-BASED CLINICIANS SHALL
15 ALSO PROVIDE THERAPEUTIC INTERVENTIONS AND ASSIST IN THE DEVELOPMENT OF
16 INTEGRATED SERVICE PLANS.

17 3. THROUGH FINANCIAL, ADMINISTRATIVE AND OTHER SUPPORTS, THE DEMON-
18 STRATION PROJECTS SHALL ASSIST LOCAL EDUCATION, LAW ENFORCEMENT AND
19 HUMAN SERVICES AGENCIES IN THE IMPLEMENTATION OF PREVENTIVE AND EARLY
20 INTERVENTIVE PROGRAMS FOR CHILDREN AND THEIR FAMILIES. SUCH PROGRAMS
21 SHALL BE IMPLEMENTED TO SERVE CHILDREN IN EACH OF THREE AGE GROUPS AND
22 THEIR FAMILIES: PRE-SCHOOL, PRIMARY SCHOOL, AND SECONDARY SCHOOL AGES.
23 ALL PREVENTIVE AND EARLY INTERVENTIVE PROGRAMS IMPLEMENTED WITH THE
24 ASSISTANCE AND SUPPORT OF THE DEMONSTRATION PROJECTS SHALL BE EVIDENCE-
25 BASED PROGRAMS AND SHALL INCLUDE, BUT NOT BE LIMITED TO, THE FOLLOWING:

26 A. EARLY CHILDHOOD PSYCHOSOCIAL AND EMOTIONAL DEVELOPMENT PROGRAMS;

27 B. SCHOOL-BASED VIOLENCE AND SUBSTANCE ABUSE PREVENTION AND SOCIAL AND
28 EMOTIONAL LEARNING PROGRAMS;

29 C. FAMILY RESILIENCY AND STRENGTHENING PROGRAMS; AND

30 D. PROGRAMS THAT ARE DESIGNED TO REDUCE LOCAL RELIANCE ON OUT-OF-HOME
31 PLACEMENTS OF CHILDREN UNDER THE AGE OF EIGHTEEN.

32 4. THE TEMPORARY COMMISSION SHALL DETERMINE THE EXTENT TO WHICH A
33 DEMONSTRATION PROJECT HAS, AT THE TIME IT ENTERS INTO A CONTRACT WITH
34 THE TEMPORARY COMMISSION, PREVENTIVE AND EARLY INTERVENTIVE
35 EVIDENCE-BASED PROGRAMS THAT ALREADY MEET SOME OR ALL OF THE REQUIRE-
36 MENTS IN SUBDIVISION THREE OF THIS SECTION AND SHALL HAVE THE POWER TO
37 WAIVE SUCH REQUIREMENTS ACCORDINGLY.

38 5. EACH DEMONSTRATION PROJECT SHALL MAINTAIN AN INTERAGENCY DATABASE
39 HOUSED IN A SECURE LOCATION WITHIN THE OFFICES OF THE DEMONSTRATION
40 PROJECT WHICH STORES ASSESSMENT INFORMATION, DATA GATHERED PURSUANT TO
41 THE INFORMATION-SHARING AGREEMENT AND OTHER DATA RELEVANT FOR THE
42 PURPOSES OF SERVICE INTEGRATION, THE MONITORING AND EVALUATION OF TREAT-
43 MENT PLANS, AND THE ONGOING ASSESSMENT OF PROGRAMS IMPLEMENTED OR
44 SUPPORTED BY THE DEMONSTRATION PROJECT.

45 6. EACH DEMONSTRATION PROJECT SHALL HAVE THE AUTHORITY, UNLESS
46 EXPRESSLY PROHIBITED IN STATUTE, TO COMBINE STATE, FEDERAL AND OTHER
47 RESOURCES AVAILABLE TO THE PARTICIPATING COUNTY, EDUCATION, LAW ENFORCE-
48 MENT AND HUMAN SERVICES AGENCIES FOR THE PURPOSES OF PROVIDING COMPRE-
49 HENSIVE MULTI-DISCIPLINARY ASSESSMENTS, INTEGRATED SERVICES, AND
50 EVIDENCE-BASED PROGRAMS AS DESCRIBED HEREUNDER. NO LATER THAN THIRTY
51 DAYS BEFORE THE END OF ITS FIRST CONTRACT YEAR, EACH DEMONSTRATION
52 PROJECT SHALL SUBMIT A SUSTAINABILITY PLAN TO THE TEMPORARY COMMISSION
53 WHICH SHALL, IN A FORM AND MANNER TO BE DETERMINED BY THE TEMPORARY
54 COMMISSION, INDICATE SUCH RESOURCES THAT WILL BE AVAILABLE TO SUPPORT
55 THE DEMONSTRATION PROJECTS ACTIVITIES IN SUBSEQUENT YEARS.

1 S 996-F. TECHNICAL ASSISTANCE FOR DEMONSTRATION PROJECTS. 1. TO
2 ASSURE THE EFFECTIVE IMPLEMENTATION OF THE DEMONSTRATION PROJECTS, THE
3 TEMPORARY COMMISSION SHALL PROVIDE FOR SUCH TECHNICAL ASSISTANCE TO
4 ENCOURAGE AND ASSIST NOT-FOR-PROFIT CORPORATIONS IN THE PROCESS OF
5 APPLYING TO OPERATE DEMONSTRATION PROJECTS AND, FOR THOSE NOT-FOR-
6 PROFIT CORPORATIONS SELECTED BY THE TEMPORARY COMMISSION AS DEMON-
7 STRATION PROJECTS PURSUANT TO THIS ARTICLE, IN THE IMPLEMENTATION AND
8 OPERATION OF SUCH DEMONSTRATION PROJECTS.

9 2. THE TEMPORARY COMMISSION SHALL CONTRACT WITH A NOT-FOR-PROFIT
10 ORGANIZATION SELECTED THROUGH A COMPETITIVE PROCESS TO PROVIDE TECHNICAL
11 ASSISTANCE FOR THE DEMONSTRATION PROJECTS. SUCH NOT-FOR-PROFIT CORPO-
12 RATION SHALL HAVE DEMONSTRATED EXPERTISE IN THE FOLLOWING AREAS:

13 A. IMPLEMENTATION OF PREVENTIVE AND EARLY INTERVENTIVE EVIDENCE-BASED
14 PROGRAMS THAT SERVE CHILDREN AND FAMILIES IN THE AREAS OF EDUCATION, LAW
15 ENFORCEMENT AND HUMAN SERVICES, INCLUDING MENTAL HEALTH AND SUBSTANCE
16 ABUSE SERVICES;

17 B. IMPLEMENTATION OF COMPREHENSIVE, MULTI-DISCIPLINARY ASSESSMENTS OF
18 CHILDREN AS DEFINED IN SECTION NINE HUNDRED NINETY-SIX-A OF THIS ARTI-
19 CLE;

20 C. DEVELOPMENT AND IMPLEMENTATION OF AN INFORMATION-SHARING AGREEMENT
21 AS DESCRIBED IN SECTION NINE HUNDRED NINETY-SIX-E OF THIS ARTICLE;

22 D. DEVELOPMENT OF AND SUPPORT FOR A MANAGEMENT INFORMATION SYSTEM
23 CAPABLE OF INCORPORATING DATA FROM EDUCATIONAL, LAW ENFORCEMENT AND
24 HUMAN SERVICES AGENCIES AND CAPABLE OF SUPPORTING THE DEVELOPMENT OF
25 SERVICE INTEGRATION PLANS AS DEFINED IN SECTION NINE HUNDRED NINETY-
26 SIX-A OF THIS ARTICLE;

27 E. IMPLEMENTATION OF AN INTERAGENCY COLLABORATION AMONG EDUCATION, LAW
28 ENFORCEMENT AND HUMAN SERVICES AGENCIES WITHIN A COMMUNITY, WHICH
29 INCLUDES, AMONG ITS PURPOSES, THE REDUCTION OF VIOLENCE BY AND AGAINST
30 CHILDREN AND THE IMPLEMENTATION OF INTEGRATED SERVICE PLANS AS DEFINED
31 IN SECTION NINE HUNDRED NINETY-SIX-A OF THIS ARTICLE.

32 S 996-G. STAFF. THE TEMPORARY COMMISSION MAY EMPLOY AND AT PLEASURE
33 REMOVE AN EXECUTIVE DIRECTOR WHO SHALL HAVE DEMONSTRATED EXPERTISE IN
34 THE PREVENTION OF VIOLENCE BY AND AGAINST CHILDREN, THE IMPLEMENTATION
35 OF EVIDENCE-BASED PROGRAMS AND COLLABORATION AMONG EDUCATION, LAW
36 ENFORCEMENT AND HUMAN SERVICES AGENCIES. THE TEMPORARY COMMISSION SHALL
37 FIX COMPENSATION WITHIN AMOUNTS AVAILABLE THEREFOR.

38 S 996-H. SUPPORT. TO THE MAXIMUM EXTENT FEASIBLE, THE TEMPORARY
39 COMMISSION SHALL BE ENTITLED TO REQUEST AND RECEIVE AND SHALL UTILIZE
40 AND BE PROVIDED WITH SUCH FACILITIES, RESOURCES, AND DATA OF ANY COURT,
41 DEPARTMENT, DIVISION, BOARD, BUREAU, COMMISSION, OR AGENCY OF THE STATE
42 OR ANY POLITICAL SUBDIVISION THEREOF AS IT MAY REASONABLY REQUEST TO
43 CARRY OUT PROPERLY ITS POWERS AND DUTIES HEREUNDER.

44 S 996-I. ONGOING REPORTS AND OVERSIGHT. THE TEMPORARY COMMISSION
45 SHALL, EVERY SIX MONTHS, SUBMIT REPORTS OF ITS ACTIVITIES AND EXPENSES
46 TO THE GOVERNOR, THE CHILDREN AND FAMILIES COMMITTEE OF THE SENATE, THE
47 EDUCATION COMMITTEE OF THE SENATE, THE CHILDREN AND FAMILIES COMMITTEE
48 OF THE ASSEMBLY, AND THE EDUCATION COMMITTEE OF THE ASSEMBLY. THE CHIL-
49 DREN AND FAMILIES AND EDUCATION COMMITTEES OF EACH HOUSE SHALL HAVE THE
50 POWER TO REQUIRE THE TEMPORARY COMMISSION OR ITS STAFF TO APPEAR AND
51 ANSWER QUESTIONS REGARDING THE TEMPORARY COMMISSIONS ACTIVITIES AND
52 DELIBERATIONS.

53 S 996-J. GRANTS. IN ADDITION TO ANY FUNDS EXPLICITLY APPROPRIATED TO
54 THE TEMPORARY COMMISSION BY THE STATE LEGISLATURE, THE TEMPORARY COMMISS-
55 SION SHALL HAVE THE POWER TO APPLY FOR, RECEIVE, AND DISBURSE FEDERAL,
56 STATE, AND LOCAL FUNDS FOR WHICH THE STATE OF NEW YORK IS ELIGIBLE AND

1 WHICH ARE RELEVANT TO THE DUTIES AND RESPONSIBILITIES OF THE DEMON-
2 STRATION PROJECTS.

3 S 996-K. INDEPENDENT EVALUATION AND FINAL REPORT. 1. THE TEMPORARY
4 COMMISSION SHALL CONTRACT WITH AN INDEPENDENT ORGANIZATION SELECTED
5 THROUGH A COMPETITIVE PROCESS TO CONDUCT AN EVALUATION OF THE DEMON-
6 STRATION PROJECTS ESTABLISHED PURSUANT TO THIS ARTICLE. THE EVALUATION,
7 WHICH SHALL BE SUBMITTED NO LATER THAN SEPTEMBER THIRTIETH, TWO THOUSAND
8 SEVEN, SHALL INCLUDE AN ASSESSMENT OF:

9 A. THE COST EFFECTIVENESS OF THE DEMONSTRATION PROJECTS, TAKING INTO
10 ACCOUNT SUCH FACTORS AS REDUCTIONS, OR POTENTIAL REDUCTIONS, IN OUT OF
11 HOME PLACEMENTS AND LAW ENFORCEMENT EXPENDITURES;

12 B. THE IMPACT OF THE DEMONSTRATION PROJECTS ON LEVELS OF VIOLENCE BY
13 AND AGAINST CHILDREN, DELINQUENCY, TRUANCY, ACADEMIC PERFORMANCE AND
14 OTHER AREAS AS MAY BE DEEMED APPROPRIATE BY THE TEMPORARY COMMISSION;

15 C. THE EXTENT TO WHICH EACH OF THE DEMONSTRATION PROJECTS HAS DEVEL-
16 OPED THE CAPACITY TO SUSTAIN ITS ACTIVITIES WITH RESOURCES OTHER THAN
17 THOSE APPROPRIATED HEREUNDER; AND

18 D. AN OVERALL ASSESSMENT OF THE EXTENT TO WHICH THE DEMONSTRATION
19 PROJECTS HAVE COMPLETED THE ACTIVITIES AS SET FORTH IN THIS ARTICLE.

20 2. BY MARCH THIRTY-FIRST, TWO THOUSAND EIGHT, THE TEMPORARY COMMISSION
21 SHALL, TAKING INTO ACCOUNT THE FINDINGS OF THE INDEPENDENT EVALUATION,
22 REPORT TO THE GOVERNOR, THE TEMPORARY PRESIDENT OF THE SENATE, THE
23 SPEAKER OF THE ASSEMBLY, THE CHILDREN AND FAMILIES COMMITTEE OF THE
24 SENATE, THE EDUCATION COMMITTEE OF THE SENATE, THE CHILDREN AND FAMILIES
25 COMMITTEE OF THE ASSEMBLY AND THE EDUCATION COMMITTEE OF THE ASSEMBLY,
26 DETAILING THE SUCCESSES AND FAILURES OF THE DEMONSTRATION PROJECTS. SUCH
27 REPORT SHALL INCLUDE RECOMMENDATIONS REGARDING THE FEASIBILITY OF REPLI-
28 CATING THE DEMONSTRATION PROJECTS ESTABLISHED PURSUANT TO THIS ARTICLE
29 IN OTHER COMMUNITIES IN NEW YORK.

30 S 996-L. FUNDING. SUBJECT TO AMOUNTS MADE AVAILABLE BY APPROPRIATION,
31 THE DEMONSTRATION PROJECTS SHALL BE ELIGIBLE FOR UP TO NINETY PER CENTUM
32 OF THE FIRST YEAR OF FUNDING DURING THE SECOND YEAR OF THEIR ACTIVITIES,
33 EIGHTY PER CENTUM OF THE FIRST YEAR OF FUNDING DURING THE THIRD YEAR OF
34 THEIR ACTIVITIES, AND SEVENTY PER CENTUM OF THE FIRST YEAR OF FUNDING
35 DURING THE FOURTH YEAR OF THEIR ACTIVITIES.

36 S 4. This act shall take effect immediately and shall remain in effect
37 until March 31, 2008, when upon such date the provisions of this act
38 shall be deemed repealed.

.SO DOC A 11288

END

BTXT