Committee on General Welfare

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**THE COUNCIL OF THE CITY OF NEW YORK**

**COMMITTEE REPORT OF THE HUMAN SERVICES DIVISION**

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**COMMITTEE ON GENERAL WELFARE**

**Hon. Stephen Levin, Chair**

**October 25, 2021**

**INTRODUCTION NO. 1304:** By Council Members Dromm and Ampry-Samuel

**TITLE:** A Local Law to amend the New York city charter, in relation to authorizing council members and the public advocate to visit and inspect detention facilities

**NYC CHARTER:** Adds new section to the New York City Charter

**INTRODUCTION NO. 1992:** By Council Members Ayala and Gjonaj

**TITLE:** A Local Law in relation to establishing a pilot program in the administration for children’s services to train case workers who specialize in developmental, intellectual and physical disabilities

**INTRODUCTION NO. 2405:** By Council Members Levin, Rose, Dinowitz, Brannan, Kallos, Adams, Menchaca, Rosenthal, Reynoso, Rivera, Louis, Lander, Koo and D. Diaz

**TITLE:** A Local Law to amend the administrative code of the city of New York, in relation to runaway and homeless youth eligibility for rental assistance

**ADMINISTRATIVE CODE:** Adds new section to the Administrative Code

**INTRODUCTION NO. 2419:** By Council Member Levin

**TITLE:** A Local Law to amend the administrative code of the city of New York, in relation to quarterly reporting by the administration for children’s services on the amount of time children spend in the children’s center or temporary placement facilities

**ADMINISTRATIVE CODE:** Adds new section to the Administrative Code

**INTRODUCTION NO. 2420:** By Council Member Levin

**TITLE:** A Local Law to amend the administrative code of the city of New York, in relation to requiring an audit and report on foster care placement notices

**ADMINISTRATIVE CODE:** Adds new section to the Administrative Code

**INTRODUCTION NO. 2379:** By Council Members D. Diaz, Riley, Louis, Dromm, Menchaca, Levin, Salamanca, Miller, Powers, Koslowitz, Adams, Koo, Cumbo, Treyger, Brannan, Cornegy, Maisel and Ulrich

**TITLE:** A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of social services to create a domestic violence shelter designated for men

**ADMINISTRATIVE CODE:** Adds new section to the Administrative Code

**INTRODUCTION NO. 1829:** By Council Members Ayala and Kallos

**TITLE:** A Local Law to amend the administrative code of the city of New York, in relation to precluding the department of homeless services from requiring a child’s presence at an intake center when a family with children applies for shelter

**ADMINISTRATIVE CODE:** Adds new section to the Administrative Code

1. **Introduction**

On October 25, 2021, the Committee on General Welfare, chaired by Council Member Stephen Levin, will hold a hearing on legislation related to services and facilities operated by the New York City Department of Social Services (DSS) and the Administration for Children’s Services (ACS), Introduction (Int.) 1304, sponsored by Council Member Daniel Dromm; Int. 1992, sponsored by Council Member Diana Ayala; Int. 2405, sponsored by Council Member Levin; Int. 2419, sponsored by Council Member Levin; Int. 2420, sponsored by Council Member Levin; and Int. 2379, sponsored by Council Member Darma Diaz.

Those expected to testify include representatives from DSS, ACS, shelter providers, advocacy organizations, community organizations, legal providers, and members of the public.

1. **Bill Analysis**

**Int. 1304** - A Local Law to amend the New York city charter, in relation to authorizing council members and the public advocate to visit and inspect detention facilities

This bill would authorize Council Members and the Public Advocate to visit and inspect secure and non-secure detention facilities administered by ACS. If passed, this bill would take effect 30 days after it becomes law.

**Int. 1992** – A Local Law in relation to establishing a pilot program in the administration for children’s services to train case workers who specialize in developmental, intellectual and physical disabilities

This bill would establish a pilot program within ACS to train a small percentage of ACS case workers to specialize in developmental, intellectual and physical disabilities. This bill would also require the ACS Commissioner to submit a report to the Mayor and the Speaker of the City Council on the merits of the pilot program. If passed, this bill would take effect 120 days after it becomes law.

**Int. 2405** – A Local Law to amend the administrative code of the city of New York, in relation to runaway and homeless youth eligibility for rental assistance

This bill would require DSS to consider the time a youth has spent in a runaway and homeless youth shelter as “homelessness” when determining whether that youth is eligible for rental assistance through CityFHEPS. This bill would also preclude DSS from requiring such youth to live outside of a youth shelter as a condition of eligibility. If passed, this bill would take effect 120 days after it becomes law.

**Int. 2419** – A Local Law to amend the administrative code of the city of New York, in relation to quarterly reporting by the administration for children’s services on the amount of time children spend in the children’s center or temporary placement facilities

This bill would require ACS to report to the Mayor and the Speaker of the Council, and post on the ACS website, a quarterly report about the amount of time that children spend in the Nicholas Scoppetta Children’s Center (ACS’s intake center) or a temporary placement facility. The report would include information about the number of days spent in a facility, the type of facility, the age of the child, the level of care recommended, the number of children placed in a facility for the first time, and the number of children placed in a facility on two or more occasions. If passed, this bill would take effect immediately.

**Int. 2379** – A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of social services to create a domestic violence shelter designated for men

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| This bill would require DSS to establish a domestic violence shelter exclusively for individuals who identify as men. If passed, this bill would take effect 180 days after it becomes law. |

**Int. 2420** – A Local Law to amend the administrative code of the city of New York, in relation to requiring an audit and report on foster care placement notices

The New York Social Services law and Family Court Act require that when a foster care placement changes, a social services agency or worker must provide the attorney for the child with notice of the change in placement. This bill would require ACS to conduct quarterly audits of foster care placement notifications. The audit would include a review of instances in which a notice was not provided as required, the time elapsed between a change in foster care placement and when the placement notice was provided, when notice of the change was provided to the attorney for the child and a summary of the information that was missing from the notice. ACS would be required to report to the Mayor and the Speaker of the Council, and post on the ACS website, a report with the results of its audit from the preceding quarter. If passed, this bill would take effect immediately.

**Int. 1829** – A Local Law to amend the administrative code of the city of New York, in relation to precluding the department of homeless services from requiring a child’s presence at an intake center when a family with children applies for shelter

This bill would preclude the Department of Homeless Services (DHS) from requiring that every member of a family be present at its intake center when that family seeks placement at a shelter. Currently, DHS requires that children under the age of 21 be present with their adult family members at the facility that processes shelter applications; however, this process has been suspended during the COVID-19 pandemic. This bill would codify this temporary policy, and allow these families to complete the application process without disrupting their children’s schooling or other daily activities. If passed, this bill would take effect 120 days after it becomes law.

Int. No. 1304

By Council Members Dromm, Ampry-Samuel and Dinowitz

A Local Law to amend the New York city charter, in relation to authorizing council members and the public advocate to visit and inspect detention facilities

Be it enacted by the Council as follows:

Section 1. Chapter 24-b of the New York city charter is amended by adding a new section 620 to read as follows:

§ 620 Council members and public advocate authorized to visit secure detention facilities. Any council member and the public advocate are authorized to inspect and visit at any time any secure or non-secure detention facility, as defined in section 21-901 of the administrative code, administered in whole or in part by the administration for children's services.

§ 2. This local law takes effect 30 days after it becomes law.

NAB

LS #6997

12/14/18

Int. No. 1992

By Council Members Ayala, Gjonaj and Dinowitz

A Local Law in relation to establishing a pilot program in the administration for children’s services to train case workers who specialize in developmental, intellectual and physical disabilities

Be it enacted by the Council as follows:

Section 1. Definitions. For the purposes of this local law, the following terms have the following meanings:

ACS. The term “ACS” means the administration for children’s services, or any successor agency charged with operating the city’s child welfare system.

Case worker. The term “case worker” means a diagnostic child protective specialist employed by ACS.

Commissioner. The term “commissioner” means the commissioner of children’s services.

§ 2. No later than January 1, 2021, the commissioner shall establish a pilot program training case workers who specialize in developmental, intellectual and physical disabilities. The commissioner shall determine the number of case workers who participate in the pilot program, provided that such number shall comprise at least five percent of the total number of case workers employed by ACS at any time. Case workers who participate in the program shall be trained in how to provide reasonable accommodations that people with developmental, intellectual and physical disabilities may need, including the provision of (i) more time for case conferences and casework contacts, (ii) special assistance with travel to appointments, (iii) time management guidance, (iv) in-services and (v) classes that are available for people with developmental, intellectual or physical disabilities who are parents. Within such pilot program, where a parent presents to ACS with a possible developmental, intellectual or physical disability, ACS shall assess whether the parent is receiving any supportive services related to the perceived disability, coordinate the referral and evaluation process for the parent to receive appropriate services, and provide transitional services to the parent until those disability-related services are provided.

§ 3. Such pilot program shall continue until January 1, 2023, and may continue past that date in the discretion of the commissioner.

§ 4. No later than June 30, 2022, the commissioner shall submit a report to the mayor and the speaker of the city council on such pilot program, which shall include recommendations as to whether and how such pilot program should continue or be expanded.

§ 5. This local law takes effect 120 days after it becomes law, except that the commissioner shall take any actions necessary for the implementation of this local law, including the promulgation of rules, before such date.

CP

LS #7361

6/3/20 4:12 PM

Int. No. 2405

By Council Members Levin, Rose, Dinowitz, Brannan, Kallos, Adams, Menchaca, Rosenthal, Reynoso, Rivera, Louis, Lander, Koo and D. Diaz

A Local Law to amend the administrative code of the city of New York, in relation to runaway and homeless youth eligibility for rental assistance

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 21 of the administrative code of the city of New York is amended by adding a new section 21-145 to read as follows:

§ 21-145 Rental assistance for runaway and homeless youth. a. Definitions. For purposes of this section, the following terms have the following meanings:

Homeless young adult. The term “homeless young adult” has the same meaning as provided in section 532-a of the executive law.

Homeless youth. The term “homeless youth” has the same meaning as provided in section 532-a of the executive law. For purposes of this section, the term homeless youth also includes homeless young adults.

Rental assistance. The term “rental assistance” means subsidies provided through the rental assistance program established in chapter 10 of title 68 of the rules of the city of New York and any successor program.

Runaway and homeless youth crisis services program. The term “runaway and homeless youth crisis services program” has the same meaning as provided in section 532-a of the executive law.

Runaway and homeless youth services. The term “runaway and homeless youth services” means runaway and homeless youth crisis services programs and transitional independent living support programs funded by the department of youth and community development.

Runaway youth. The term “runaway youth” has the same meaning as provided in section 532-a of the executive law.

Shelter services. The term “shelter services” means residential programs within runaway and homeless youth crisis services programs and transitional independent living support programs.

Transitional independent living support program. The term “transitional independent living support program” has the same meaning as provided in section 532-a of the executive law.

b. Rental assistance program eligibility. The department shall count the time a runaway youth or homeless youth spent in runaway and homeless youth shelter as time spent in the city shelter system in determining such youth’s eligibility for rental assistance when such eligibility is dependent on having spent time residing in the city shelter system. The department shall not require such youth to reside in the city shelter system outside of shelter services as a condition of eligibility.

§ 2.  This local law takes effect 120 days after it becomes law.

SG/ACK

LS #17172

9/20/2021

Int. No. 2419

By Council Member Levin

A Local Law to amend the administrative code of the city of New York, in relation to quarterly reporting by the administration for children’s services on the amount of time children spend in the children’s center or temporary placement facilities

Be it enacted by the Council as follows:

Section 1. Chapter 9 of title 21 of the administrative code of the city of New York is amended by adding a new section 21-918 to read as follows:

§ 21-918 Children’s center and temporary placement facility reporting. a. Definitions. For the purposes of this section, the following terms have the following meanings:

Children’s center. The term “children’s center” means the Nicholas Scoppetta Children’s Center or a successor center that is a temporary residence for children coming into foster care until a permanent placement is found.

Temporary placement facility. The term “temporary placement facility” means a facility for children in ACS custody awaiting a longer-term foster care placement. Such temporary placement facility includes but is not limited to rapid intervention centers, youth reception centers, and the children’s center.

b. No later than April 30, 2022, and quarterly thereafter, ACS shall submit to the mayor and the speaker of the council, and shall post conspicuously on the ACS website, a report for the immediately preceding quarter regarding the amount of time children spend in the children’s center or another temporary placement facility. The information in that report shall include and, where applicable, be disaggregated by:

1. The total number of children who spent any time in the children’s center or a temporary placement facility during the reporting period;

2. The number of days spent in the children’s center or temporary placement facility, in accordance with subdivision c;

3. Whether the child spent time in the children’s center or  another temporary placement facility;

4. The age of the child;

5. The level of care recommended;

6. The number of children who are placed at the children’s center or temporary placement facility for the first time; and

7. The number of children who are placed at the children’s center or temporary placement facility on two or more occasions. Such information shall be disaggregated by the placement type for the placement immediately preceding the placement of a child at the temporary placement facility.

c. The report required by subdivision b shall disaggregate the number of days spent in the children’s center or  temporary placement facility as follows:

1. 0-3 days;

2. 4-7 days;

3. 8-10 days;

4. 11-20 days;

5. 21-30 days;

6. 31-60 days;

7. 61-120 days;

8. 121-180 days; and

9. 181 or more days.

d. No report required by subdivision b of this section shall contain personally identifiable information. If a category contains between one and five children, or contains a number that would allow another category that contains between one and five children to be deduced, the number shall be replaced with a symbol. A category that contains zero shall be reported as zero, unless such reporting would violate any applicable provision of federal, state or local law relating to the privacy of children’s information.

§ 2. This local law takes effect immediately.

JG

LS #17511

9/30/21 5:16 PM

Int. No. 2420

By Council Member Levin

A Local Law to amend the administrative code of the city of New York, in relation to requiring an audit and report on foster care placement notices

Be it enacted by the Council as follows:

Section 1. Chapter 9 of title 21 of the administrative code of the city of New York is amended by adding a new section 21-918 to read as follows:

§ 21-918 Foster care placement notices; audit and report. a. ACS shall conduct quarterly random audits of a statistically significant sample of foster care placement change notices required by paragraph (g) of subdivision (3) of section 358-a of the social services law, subdivision (5) of section 1017 of the family court act, subdivision (j) of section 1055 of the family court act and item (H) of paragraph (vii) of subdivision (d) of section 1089 of the family court act. Such audit shall include a review of the following:

1. The incidence of failure to provide a notice of placement change where required by law;

2. The amount of time that elapsed between changes in foster care placement and the provision of the placement change notice;

3. When the notice of such placement change was provided to an attorney for the child in relation to the date of such placement change;

4. Whether or not the notice included all the information required by law; and

5. A summary of the legally required information that was missing from the notice, if any.

b. No later than April 30, 2022, and quarterly thereafter, ACS shall submit to the mayor and the speaker of the council, and shall post conspicuously on the ACS website, a report for the immediately preceding quarter with the results of the audit required by subdivision a. Such report shall include the following:

1. The number of instances in which a placement change notice was required but no such notice was sent;

2. The number of placement change notices sent, disaggregated by the number of days before or after the change;

3. The number of emergency placement changes made, disaggregated by the number of notices sent within 24 hours of the change and the number of notices sent 24 hours or more after the change;

4. The number of notices that included all required information; and

5. The number of notices that did not include all required information, disaggregated by the category of information that was missing; provided that such categories shall include, but not be limited to, the information missing as to the reason for the change, the planned new placement location, the contact information for the new placement location, and the number of placement changes in which a child moved from one borough to another.

c. No report required by subdivision a of this section shall contain personally identifiable information. If a category contains between one and five children, or contains a number that would allow another category that contains between one and five children to be deduced, the number shall be replaced with a symbol. A category that contains zero shall be reported as zero, unless such reporting would violate any applicable provision of federal, state or local law relating to the privacy of child information.

§ 2. This local law takes effect immediately.

JG

LS #17512

9/30/21 3:27 PM

Int. No. 2379

By Council Members D. Diaz, Riley, Louis, Dromm, Menchaca, Levin, Salamanca, Miller, Powers, Koslowitz, Adams, Koo, Cumbo, Treyger, Brannan, Cornegy, Maisel, Cabrera, Ayala, Dinowitz, Rivera, Feliz and Ulrich

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of social services to create a domestic violence shelter designated for men

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 21 of the administrative code of the city of New York is amended by adding a new section 21-142.6 to read as follows:

§ 21-142.6 Domestic violence shelter for men. a. Definitions. For the purposes of this section, the following terms have the following meanings:

Domestic violence. The term “domestic violence” means acts or threats of violence, not including acts of self-defense, committed by a family or household member against another family or household member.

Domestic violence services. The term “domestic violence services” means the coordination of appropriate services to clients who have experienced domestic violence, including but not limited to counseling, legal services, and access to employment, housing, childcare, and other resources, where such coordination is provided primarily by a social worker.

Domestic violence shelter. The term “domestic violence shelter” means a facility operated by the department or by a provider under contract or similar agreement with the department  to provide shelter for victims of domestic violence.

b. No later than January 1, 2022, the department shall create a domestic violence shelter exclusively for individuals who identify as men. The department shall ensure that domestic violence services are available and provided to all clients who identify as men and wish to access such services.

c. The department shall share information regarding the availability of such domestic violence shelter created pursuant to subdivision b on the department’s website, social media accounts and in person outreach.

d. No later than one year after the effective date of the local law that added this section, the department shall post on its website and provide the speaker of the council a report containing information regarding the shelter established pursuant to this local law, including, but not limited to the following:

1. The total cost of such shelter;

2. The number of individuals who accessed the shelter created pursuant to subdivision b of this section;

3. An analysis of the impact and effectiveness of such shelter; and

4. Any other information the department deems relevant.

§ 2. This local law takes effect 180 days after it becomes law, provided that the commissioner may take all actions necessary for its implementation, including the promulgation of rules, before such effective date.

ACK

LS #17809

7/11/21 10:30am

Int. No. 1829

By Council Members Ayala, Kallos and Dinowitz

A Local Law to amend the administrative code of the city of New York, in relation to precluding the department of homeless services from requiring a child’s presence at an intake center when a family with children applies for shelter

Be it enacted by the Council as follows:

Section 1. Chapter 4 of title 21 of the administrative code of the city of New York is amended by adding a new section 21-324 to read as follows:

§ 21-324 Shelter application process for families with children. a. Definitions. For the purposes of this section, the following terms have the following meanings:

Child. The term “child” means a person who is under 21 years of age.

Family with children. The term “family with children” means a family with at least one adult and at least one child.

Intake center. The term “intake center” means a department facility that accepts and processes applications for shelter from families with children.

Shelter. The term “shelter” means temporary emergency housing provided to homeless families with children by the department or a provider under contract or similar agreement with the department.

b. The department shall not require any child who is a member of a family with children to be present at an intake center when that family applies or reapplies for shelter. Nothing in this section precludes a family with children from bringing a child to an intake center when applying or reapplying for shelter.

§ 3. This local law takes effect 120 days after it becomes law, provided that the commissioner of homeless services may take all actions necessary for its implementation, including the promulgation of rules, before such effective date.

SG

LS #13140

12/5/19