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Int. No. 1259-A

By Council Members Lee, Louis, Restler, Gutiérrez, Banks, Brannan, Schulman, Brewer, Joseph, De La Rosa, Stevens, Rivera and the Public Advocate (Mr. Williams)

A Local Law to amend the administrative code of the city of New York, in relation to requiring basic training in behavioral support strategies for certain staff at juvenile detention 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 21-927 to read as follows:

§ 21-927 Behavioral support training for direct service staff. a. Definitions. For purposes of this section, the following terms have the following meanings:

Behavioral support strategies. The term "behavioral support strategies" means evidence-based methods or techniques aimed at understanding, reinforcing, or redirecting behavior in a positive and non-punitive manner.

Direct service staff. The term "direct service staff" means any individual employed at a juvenile justice facility who has regular, direct contact with youth, but who does not hold a professional license or certification in mental health, behavior analysis, medicine, or a similar field.

Juvenile justice facility. The term "juvenile justice facility" means a detention facility or placement facility as defined in section 21-901.

b. Mandatory training. 1. No later than 1 year after the effective date of the local law that added this section, the commissioner shall require direct service staff to complete a foundational training in behavioral support strategies. Such training shall include, but need not be limited to:

(a) Basic principles of behavior and learning;

(b) Techniques for encouraging positive behaviors, including the use of positive reinforcement;

(c) Methods for de-escalation and crisis prevention that rely on non-punitive approaches; and

(d) Guidance on incorporating trauma-informed and culturally competent practices when addressing challenging behaviors.

2. The commissioner shall determine the minimum hours required and the acceptable format of such training, which may include in-person sessions, online modules, or a combination thereof. The commissioner may also require periodic refresher trainings to ensure continued competency.

3. Each direct service staff member employed as of the date on which the commissioner establishes the training required by paragraph 1 of this subdivision shall complete such training within 1 year of the establishment of such training. Any individual who is hired as direct service staff after the date on which the commissioner establishes such training shall complete such training no later than 1 year after the individual's date of employment as direct service staff.

c. Nothing in this section shall be construed to authorize direct service staff to engage in any activities that require a license or certification under title VIII of the education law. Such staff shall be limited to performing only those behavioral support functions permissible for non-licensed persons pursuant to section 8807 of the education law and any other applicable provisions of law.

d. The commissioner shall ensure that training and informational materials and guidance regarding behavioral support strategies are available electronically to providers working with youth involved in a juvenile justice facility upon request.

§ 2. This local law takes effect immediately.

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