

**LOCAL LAWS
OF
THE CITY OF NEW YORK
FOR THE YEAR 2023**

No. 26

Introduced by Council Members Riley, Louis, Nurse, Krishnan, Abreu, Ayala, Velázquez, Williams, Lee, Sanchez, Hanif, Holden, Brannan, Menin, Avilés, Stevens, Hudson, Rivera and Gennaro.

A LOCAL LAW

To amend the administrative code of the city of New York, in relation to requiring the department of homeless services to report on families with children

Be it enacted by the Council as follows:

Section 1. Chapter 3 of title 21 of the administrative code of the city of New York is amended by adding a new section 21-329 to read as follows:

§ 21-329 Reporting on homeless families with children. a. Definitions. For purposes of this section, the following terms have the following meanings:

Child care assistance voucher. The term “child care assistance voucher” means a voucher provided by the administration for children’s services or the human resources administration to eligible families to help pay for child care.

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

Extended day/year. The term “extended day/year” means the program offered by the department of education or by a provider under contract or similar agreement with such

department to provide affordable or no cost child care for eligible families with children ages 6 weeks to 4 years old.

Families with children. The term "families with children" means families with adults and children under the age of 18; families with adults and children under the age of 19 attending secondary school; a single pregnant woman; and families including at least 1 pregnant woman.

HASA facility. The term "HASA facility" means single room occupancy hotels or congregate facility managed by a provider under contract or similar agreement with the department of social services to provide emergency shelter for recipients of services from the HIV/AIDS services administration.

Head Start. The term "head start" means the federally funded program that provides free child development activities and educational programs for eligible families.

Hotel. The term "hotel" means a hotel that is used, in whole or in part, as a shelter.

Individualized education program. The term "individualized education program" means a written statement, developed, reviewed, and revised in accordance with section 200.4 of title 8 of the New York codes, rules, and regulations, provided to meet the unique educational needs of a student with a disability.

Intake Facility. The term "intake facility" means the prevention assistance and temporary housing center or any successor entities.

Runaway and homeless youth crisis services program. The term "runaway and homeless youth crisis services program" means a facility that provides temporary emergency housing for runaway and homeless youth and is managed by a provider under contract or similar agreement with the department of youth and community development.

Shelter. The term “shelter” means a building, or individual units within a building, utilized by the department or by a provider under contract or similar agreement with the department to provide temporary emergency housing.

Temporary housing assistance. The term “temporary housing assistance” means a public assistance benefit provided to an eligible family with children to meet an immediate need for shelter.

Tier II facility. The term “tier II facility” means a shelter subject to the provisions of part 900 of title 18 of the New York codes, rules, and regulations that provides shelter and services to 10 or more homeless families including, at a minimum, private rooms, access to 3 nutritional meals a day, supervision, assessment services, permanent housing preparation services, recreational services, information and referral services, health services, and child-care services.

b. Starting October 1, 2023 and quarterly thereafter, the department shall submit to the speaker of the council and post online a report regarding information on families with children in shelter. Such report shall include the following information:

1. The total number of families with children living in shelter disaggregated by each of the following placements: (i) tier II facility; (ii) domestic violence shelter; (iii) HASA facility; (iv) runaway and homeless youth crisis services program; (v) hotels; and (vi) any other placements in which families with children may receive temporary housing assistance during the reporting period;

2. The total number of families with children who received temporary housing assistance during the reporting period disaggregated by the total number of applications submitted prior to being found eligible for such assistance;

3. *The average length of stay for families with children in shelter;*
4. *The total number of families with children who left a tier II facility, domestic violence shelter, HASA facility, runaway and homeless youth crisis services program, or hotel for permanent housing, disaggregated by each type of placement;*
5. *The percentage of families with children that live in a shelter located in the school district where their youngest child attends school;*
6. *The percentage of families with children that live in a shelter placement located in the school district where their child has an individualized education program;*
7. *The school transfer rate for children living in shelter;*
8. *The average school attendance rate for children in shelter;*
9. *The average number of days from intake facility to a child's enrollment in a new school;*
10. *The average number of school days missed after prevention assistance and temporary housing intake, before a child's return to their school of origin;*
11. *The average number of days from entry into a domestic violence shelter until a child is enrolled in a new school;*
12. *The average number of days from entry into the shelter system until school transportation is arranged for a child;*
13. *The number of children, ages 0-3, who reside in shelter and participate in (i) extended day/year or head start, or (ii) a different child care program via a child care assistance voucher;*
14. *The number of children who reside in shelter and are enrolled in pre-kindergarten; and*
15. *The number of children, ages 0-3, in the shelter system screened for early intervention disaggregated by (i) number found eligible; and (ii) number receiving services.*

c. No information that is otherwise required to be reported pursuant to this section shall be reported in a manner that would violate any applicable provision of federal, state or local law relating to the privacy of information, including student information, or that would interfere with a law enforcement investigation or otherwise conflict with the interests of law enforcement. If a category of information required by subdivision b contains 5 or fewer individuals, or allows another category to be narrowed to 5 or fewer individuals, the number shall be replaced with a symbol.

§ 2. This local law takes effect immediately.

THE CITY OF NEW YORK, OFFICE OF THE CITY CLERK, s.s.:

I hereby certify that the foregoing is a true copy of a local law of The City of New York, passed by the Council on February 2, 2022 and approved by the Mayor on February 21, 2023.

MICHAEL M. McSWEENEY, City Clerk, Clerk of the Council.

CERTIFICATION OF CORPORATION COUNSEL

I hereby certify that the form of the enclosed local law (Local Law No. 26 of 2023, Council Int. No. 421-A of 2022) to be filed with the Secretary of State contains the correct text of the local law passed by the New York City Council and approved by the Mayor.

STEPHEN LOUIS, Acting Corporation Counsel.