

Chairwoman's Report

New York State Senate Standing Committee on Child Care

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1989 Session

Senator Mary B. Goodhue
Chairwoman



SENATE STANDING COMMITTEE ON CHILD CARE

1989 ANNUAL REPORT

SENATOR MARY B. GOODHUE, CHAIRWOMAN

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OF TAX ADMINISTRATION AND TAX LAW

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JUDICIARY

November 1989

Dear Colleagues and Friends:

I am pleased to share with you the 1989 Annual Report of the Senate Standing Committee on Child Care. Some of our legislative goals were achieved, but there is always more to do.

In this session we sought to pass a budget and legislation to ensure protection for children from abuse, neglect and inadequate child support. We also sought to expand the availability of day care, to facilitate adoptions of children by families who would provide them safe homes, and to ensure that youth bureaus could continue to offer local programs of value to the young people in their communities. We were pleased to come to agreement in 1989 on the Child Support Guidelines Act.

The enclosed Committee report describes the legislation enacted into law in 1989, the highlights of the committee's work, and a review of the budget appropriations affecting children.

I would like to thank the many individuals who provided valuable suggestions to those of us drafting legislation. I appreciate the support and cooperation of the Committee members and applaud their constructive ideas with regard to legislation to help children. They have contributed to the respect the Senate Standing Committee on Child Care has earned in the State of New York.

Sincerely,

Mary B. Goodhue
Chairwoman

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I. CHAIRWOMAN'S COMMENTS

Child care issues are front page news and have come to the forefront of our national consciousness. We have re-examined the current law on child abuse and have found it wanting. Recently, other child care issues have become the focus of national concern, with more children than ever at risk. The great need for child day care for working parents, the need for more foster care homes for children and, most recently, the spread of the epidemic of AIDS to children has put the fundamental issues of child welfare and the American family high on the national and state agenda.

I welcome the growing recognition by corporate leaders that inadequate support and services to our preschool children may have a devastating effect on our future work force. The Senate has led New York State in initiating programs to help give young children a good start. We have worked to expand the supply and quality of child day care and to ensure that low-income working parents have subsidies to pay for such day care. We have also worked to encourage coordination of school based pre-kindergarten programs with child day care, so children have all the hours of care and supervision which their parents need. School-age child care programs first received start-up funds as a result of a Senate initiative in 1984. We accept the basic premise that quality child day care will help bring self-sufficiency to many of New York's families.

The Senate also has been convinced of the need for support services to help keep children in school until they acquire the requisite skills for gainful employment. Youth bureaus and parents throughout the state made it clear that the Governor's budget proposals, which would reduce existing delinquency prevention funds, would dramatically alter the current youth programs, and increase the number of "youth at risk." In addition to maintaining youth bureau funding and programs at current levels, the Senate supported school programs for "youth at risk," "schools as community sites," and efforts to ensure that homeless children attend school.

Although these programs can help and have helped some children, there is still more to do. As long as children are shuttled from foster home to foster home without gaining any security and there is inadequate child day care for working parents, the job is not finished. We are proud of our achievements in 1989 even as we continue to seek long term solutions for New York's children.

II. COMMITTEE JURISDICTION

The Senate Child Care Committee was established in 1981 to demonstrate the Senate's concern that the needs of the state's children and youth required specific legislative attention. Bills referred to the Senate Child Care Committee cover all issues related to the welfare of children. These issues include: protection from abuse and neglect, provision of service to children in institutional or family foster care, adoption issues covering both agency and private placement adoption, regulation of child day care and the encouragement of the expansion of developmentally appropriate and safe child day care.

The Committee also has responsibility for legislation on child support, family violence prevention, juvenile delinquency, juvenile offenders, runaway and homeless youth, and Persons in Need of Supervision (PINS). The Committee has focused on both adolescent pregnancy prevention programs and on the needs of the babies of young women who cannot care for them because of their lack of maturity and/or drug addiction. As a member of the Senate AIDS Task Force, Senator Goodhue has worked to understand and address the needs of infants with AIDS and other drug-caused disabilities.

III. 1989 SIGNIFICANT LEGISLATION AFFECTING CHILDREN

CHILD ABUSE PREVENTION

Child abuse reports have increased annually. In 1989, Senate Majority Leader Ralph Marino and Committee Chairwoman Mary B. Goodhue introduced a package of bills to help prevent child abuse and assure appropriate court action in child abuse cases. Several of these bills became law and will strengthen our state's efforts to protect children. In addition, a federally funded research study completed in 1989 by the Committee will provide additional direction toward improving the Family Court and child protective systems.

ENACTED LEGISLATION

S422B/A764B - Chapter 749

Senator Goodhue

This new law will require the Department of Social Services to conduct an administrative investigation of the cause of each child death and to identify which, if any, child protective actions were taken with regard to the child. The results of this investigation are to be shared with the local district, county executive and county to help localities learn how some deaths could be prevented.

S.1249/A.1813 - Chapter 110

Senator Montgomery

This law requires the Department of Social Services to issue guidelines which district child protective staff must follow in interviewing a child outside the presence of the alleged subject of a child abuse report. It is critical in the investigation of a report of child abuse or maltreatment to interview the child in a situation or manner in which the child does not feel intimidated. This law will help to ensure that such child will be interviewed away from the presence of the subject of such report or any other person whose presence might inhibit or frighten the child.

S.1719A/A.5219A - Chapter 292

Senator Goodhue

This law, the first in the Senate Majority Child Abuse Package, will allow the Statewide Central Register on Child Abuse and Maltreatment to, in some cases, share reports, photographs and other information with child protective services in other states. When child abusers relocate to other states, they can sometimes escape detection or discovery by agencies investigating reports of child abuse or maltreatment. This bill will assist agencies to learn if the subject of a report has a prior history of abuse or maltreatment of a child.

S.1721B/A.2050B - Chapter 477

Senator Goodhue

This law will make it a misdemeanor to call the Statewide Central Register to report an allegation of child abuse when the person making the call knows that the allegation is false. The Legislature intended in this bill to address the use of child abuse reports to the

Statewide Central Register for malicious purposes. It should be noted that no criminal penalty is imposed for any report of child abuse believed by the caller to be true - even if no child abuse is ultimately found.

S.1727A/A.8031-A - Chapter 220

Senator Goodhue

This law requires that orders of protection in child abuse and neglect cases made along with other dispositional orders should remain in effect the same period as the other dispositional orders in that instance. Such orders of protection may be extended concurrently with other orders. Presently, the court may issue orders which have no time limit and which may remain in force in perpetuity.

S.4306/A.7063 - Chapter 434

Senator Goodhue

This law will amend the social services law to prohibit the release or disclosure of the name of the agency, institution, or program where a person making a report to the Statewide Central Register is employed. The Legislature's goal is to alleviate the fear that the alleged abuser may retaliate against the person making the report.

S.4486/A.8080 - Chapter 272

Senator Goodhue

This law permits the service by certified mail of a subpoena duces tecum for records, photographs or other evidence relating to child abuse or neglect from a hospital. This eliminates the cost of having to personally serve such subpoenas.

S.4510/A.8070 - Chapter 194

Senator Goodhue

This law will add dental hygienists to the list of mandated reporters of child abuse in the Social Services Law and require that hygienists seeking a license to complete a two-hour training course on identification of child abuse.

S.4922A/A.7378 - Chapter 707

Senator Goodhue

This law requires that family and surrogate courts be advised whether prospective adoptive parents or prospective adoptive children are subjects of or are named in indicated reports of child abuse or maltreatment.

S.5302A/A.7486A - Chapter 724

Senator Goodhue

This law establishes the statutory right of respondents or law guardians to discover, under Family Court Act Article 10 proceedings, certain information, including physical and psychological examinations of the subject child, in certain cases. A child protective agency may, however, refuse to disclose certain records if the agency believes such disclosure will endanger the child or reveal the identity of the person making the report.

S.5964/A.8333 - Chapter 458

Senator Goodhue

This law requires the Family Court to review initial dispositional orders issued under the Family Court Act (Article 10) every twelve months, rather than every eighteen months as previously required.

S.6090A/A.8606 - Chapter 727

Senator Goodhue (Rules)

This law will allow the Family Court in certain instances, to issue an order of protection, to protect a child in the home in lieu of an order to remove a child from the home.

IMPORTANT LEGISLATION

S.319/A.2794 Passed Senate

Senator Goodhue

This bill provides that a child may be presumed abused when the child's parent has been convicted of murder, manslaughter or first degree assault of such child or the child's sibling.

S.393/A.6873 Passed Senate

Senator Goodhue

This bill will allow school boards to screen prospective school employees for indicated reports in the Statewide Central Register of Child Abuse and Maltreatment, and for criminal convictions from the Division of Criminal Justice Services. The bill, originally proposed by the PTA, would allow school districts to provide this additional protection of children from abuse by those in positions of trust in children's lives, school teachers and other school personnel.

S.814

Passed Senate

Senator Goodhue

This bill will set guidelines in Family Court Act Article 10 proceedings for witnesses who are under 16 years of age, and allow use of closed-circuit TV for the testimony of witnesses under 12 years of age. The legislative purpose is to minimize the trauma children face when they testify in court about their own victimization.

S.1720/A.5767 Passed Senate

Senator Goodhue

This bill would confer immunity from liability to physicians and medical providers who disclose medical information in compliance with requests from child protective agencies. Such information from medical experts can be of great help in developing a successful treatment plan for a child victim.

S.1722-A Passed Senate

Senator Goodhue

This bill authorizes a child protective agency to obtain certain criminal conviction records pertaining to the subject of an abuse or maltreatment investigation when reasonable cause exists to believe that such person has been previously convicted of a crime. Presently, such records have only been available to the child protective services after a petition to remove a child from his or her home has been filed in Family Court.

S.1723 Passed Senate

Senator Goodhue

This bill would allow the Statewide Central Register to keep unfounded reports of child abuse or neglect for five years, so that investigators of child abuse reports may learn if there is a pattern of family problems and can better protect children.

S.1724B Passed Senate

Senator Goodhue

This bill would give foster parents the right to be heard by the Family Court upon the filing of a petition to terminate a foster care placement. Currently, most foster parents do not have legal standing

to share information with the Family Court regarding a child in their care. This information may be very pertinent in proceedings to extend foster care placement or return a child home, especially if the social service agency is not aware of the information the foster parents have.

S.1725 Passed Senate Senator Goodhue

This bill would strengthen the weight of evidence in proof of child abuse by making abuse or neglect of a sibling a rebuttable presumption. Under current law, proof of abuse of one child is only admissible as evidence for neglect or abuse of a sibling.

S.4434 Rules Committee Senator Goodhue

This bill will allow a criminal investigator to certify that there is reasonable cause to suspect that a person is the subject of a child abuse report, and that such report may be reasonably related to the criminal investigation. This would allow access to the Statewide Central Register for a police investigation. This bill was proposed by the Division of Criminal Justice Services, because under current law police must certify that the information is necessary to their investigation in order to gain access to the Statewide Central Register of Child Abuse and Maltreatment. In fact, police may not even know whether there has been a report to the Register on the subject of criminal investigation.

S.5452

Rules Committee

Senator Goodhue

This bill would require schools to initiate a police investigation of criminal child abuse when parents bring complaints of serious child abuse alleged to have occurred in the school. This bill would also provide a mechanism for the State Education Department to retain records of any such criminal convictions of school personnel certified by the State Education Department. Although child abuse has occurred in school settings by school employees, there is no statutory mechanism to trigger investigations by the school personnel, the police or any other outside agency. This bill will protect children from abuse at the hands of those whom they and their parents must necessarily trust as public school employees.

S.5798A

Passed Senate

Senator Goodhue

This bill would require that a child unlawfully absent from school more than 20 days be reported to the Statewide Central Register of Child Abuse and Maltreatment. The report will initiate an investigation of educational neglect on the part of such child's parents if the school district had not already recognized the child as an at-risk youth and taken action to help the child.

CHILD SUPPORT

Many children who are in poverty today once had the support of two parents. The number of these children in poverty prompted the passage of federal legislation to ensure that absent parents fulfill their parental support responsibilities. For the past two sessions the state Legislature sought agreement on a law to institute child support guidelines and bring the state in full compliance with the federal child support laws. Agreement on a major child support bill was reached in 1989. The Senate believes that when the courts begin to make child support decisions based on the new guidelines, more children of divorced parents will have adequate resources for good health, housing and security.

ENACTED LEGISLATION

S.2381A/A.2027A

Chapter 567

Senator Goodhue

The new Child Support Law sets the child support percentage of the combined income of both parents as 17% for one child, 25% for two children, and 31% for three children, etc. Combined parental income is clearly defined and each parent's obligation is prorated according to his or her portion of the combined income. Any family may choose not to use this law by agreement, but lacking agreement the court must use the guidelines for the first \$80,000 of family income.

S.244A/A3745A. Chapter 392

Senator Goodhue

This law will require a parent who wins more than \$600 in lottery prizes to pay past due child support out of such winnings.

ADOPTION

There is evidence that social service districts are too busy addressing other crises to recruit prospective adoptive parents and place children who could be or are freed for adoption with such parents. Despite this current crisis in many districts, the State must protect children who are available for adoption and placed for adoption with any agency or person by assuring that the prospective families are not abusive and are indeed appropriate parents.

S.21B/A.8786 Chapter 700

Senator Marino

The law establishes several mechanisms for qualified persons or agencies to investigate prospective adoptive parents prior to the placement of a child in a home. Concern over the possibility that children could be placed in dangerous adoptive homes led to the passage of this bill. It creates a new system to certify persons interested in becoming adoptive parents through the private adoption procedure.

S.1409/A.2095 Chapter 148

Senator Goodhue

This new law deletes a provision in the Domestic Relations law which prohibited adoptive parents in New York from adopting or filing

petitions to adopt more than two children who have been approved for non-quota immigration status by the Attorney General of the United States. This bill will particularly help families in New York who wish to adopt more than two siblings who are foreign born.

S.4399A/A.7063

Chapter 720

Senator Montgomery

This new law will assure that any parents who are denied approval as adoptive parents will be told the reason for the denial and that they will be accorded an opportunity for a fair hearing. It is critical to find parents for children available for adoption. This law will ensure that willing adoptive parents are not turned away for invalid reasons.

S.4922A/A.7378B

Chapter 707

Senator Goodhue

This law requires a Family Court or a Surrogate Court to check the Statewide Central Register for indicated reports on prospective adoptive parents for both agency adoptions and private placement adoptions. Under current law a petition for guardianship of a minor requires only that the judge inquire if the prospective guardian is the subject of an indicated report in the Statewide Central Register of child abuse.

S.5011/A.8446 Chapter 314

Senator Goodhue

New York parents who adopt children from another state are regulated by the Interstate Compact on the Placement of Children. This new law requires that any agency which places children in homes in New York be in compliance with the Compact and submit information on all fees paid or to be paid for the adoptive placement. The law declares that any agency violating the Compact will be subject to the "long arm" jurisdiction of the New York courts, so that violators can be prosecuted in New York if they charge unconscionable fees for adoption services.

S.5012/A.8447 Chapter 315

Senator Goodhue

Current law allows reasonable and necessary fees for the adoption services provided by an adoption agency. This law clarifies the restrictions and prohibitions on compensation for placing children for purposes of adoption, and it prohibits an attorney from acting on behalf of both the natural and adoptive parents.

S.5809A/A.8639A Chapter 728

Senator Goodhue

This law will allow foster parents to care for more than eight children if such children are siblings or are children freed for adoption who, because of serious handicaps or other problems, are considered hard to place. Handicapped and hard to place children

need adoptive parents who are willing to make an extraordinary commitment to them. There are instances when dedicated families are willing to take into their homes more than eight such children exceeding the previous statutory limit.

A.7373B Chapter 722

Assemblyman Vann

This law requires that parents of children in foster care or children about to be placed in foster care, who wish to consent to the adoption of their children, must execute such consent in the presence of a Family Court judge.

IMPORTANT LEGISLATION

S.3785/A.6462

Reported to Rules

Senator Goodhue

This bill would amend the Domestic Relations Law to require that private placement adoption records include the medical history of a child. In non-private placement adoptions, the medical history of a child and the parents is already required.

S.4132/A.7330

Reported to Rules

Senator Johnson

The bill would conform state law to a recent federal interpretation of eligibility for subsidy payments for a child freed for adoption.

S.4471-A/A.7333-A Reported to Rules Senator Johnson

This bill would allow local social services districts flexibility to establish maintenance payments for adoption subsidies. Current variations of county rates for adoption subsidies deter adoptions across county lines.

FOSTER CARE

The foster care population has risen dramatically in recent years. Despite efforts to provide families with preventive services, drug abusing parents or parents with other problems often cannot care for their children. There have been increased efforts to place children with relatives where such placement is considered safe. Nonetheless local districts have been under great stress in recent years. Some of the previously described bills and laws under the category of child abuse directly affect the provision of foster care service as do the laws and bills described below.

ENACTED LEGISLATION

S.5123/A.6008 Chapter 318 Senator LaValle

This new law permits children placed in foster care to visit with their siblings. If brothers and sisters can remain in touch with one

another, they may be able to maintain and benefit from important family connections.

S.5799-A/A.8732-A Chapter 731

Senator Goodhue

This law will allow local social services districts to provide respite to foster families and natural families caring for seriously ill or disturbed children. One group of children whose families will benefit are children with AIDS or HIV related diseases. This law also provides therapeutic foster care for young children who may be able to stay in family foster care if the foster parents receive a high level of support from the placement agency. This therapeutic foster care will be tried on a limited basis in this budget year under an allocation in the foster care appropriation of \$6.0 million. Its effectiveness in helping children and families will then be determined.

IMPORTANT LEGISLATION

S.821-A.

Passed Senate

Senator Goodhue

Local social services districts have found that foster parents are anxious about liability insurance when they assume responsibility for a foster child. This bill would provide foster parents with defense and indemnification for claims arising from acts within the scope of their responsibility in caring for a foster child.

PREVENTIVE SERVICES

Since passage of the Child Welfare Reform Act, New York State has sought to offer preventive services to help families care for their own children, and to prevent the placement of such children in foster care. Unfortunately, economic and social problems confronting families have placed more children in danger of abuse or maltreatment. There have not been enough preventive services to fill the need. Nevertheless, the Senate continues to believe preventive services are very important to help families.

ENACTED LEGISLATION

S.520-A/A.973-A

Chapter 742

Senator Goodhue

Currently, local preventive services receive 75% State reimbursement and 25% of their funding must come from local services. This new bill allows localities to meet their local share for preventive services with in-kind or non-tax levy funds. It is expected that this will allow local agencies to expand their programs and services to families in need without major cash costs.

VETOED LEGISLATION

S.5055/A.8067

Veto #11

Senator Goodhue

Homelessness is devastating to anyone, but especially to entire families who lose their housing. Some families feel that they must place their children in foster care in order to ensure their safety. In 1988, legislation was passed to make available an additional housing allowance for parents whose children are in foster care because they lack affordable housing. The vetoed bill would have allowed local districts to use preventive service funds to pay for housing costs so that families may remain in their current housing. The Legislature felt that it would be an appropriate use of preventive service funds. Unfortunately, the Governor did not agree.

IMPORTANT LEGISLATION

S.3469-A/A.5952-A

In Rules Committee

Senator Goodhue

This bill provides for the appointment of court appointed special assistants (CASAs) for children coming before the Family Court. A not-for-profit corporation would train and supervise such assistants whose duty will be to review the record on the child's family circumstances, the services received and the reasons for placement. These volunteers may also monitor compliance with court orders. The Office of Court Administration will establish the qualifications for

CASAs. Pilot programs have shown that CASAs can be very helpful to the Family Court, and this legislation will provide statutory authority for these programs.

JUVENILES/PINS

ENACTED LEGISLATION

S.5808A Chapter 481

Senator Goodhue

This bill amends the Executive Law in relation to adjustment services for persons in need of supervision (PINS). The 1989-90 budget did not include any funds to allow any counties to begin to implement an adjustment program. Therefore, it was important to keep the program going and to seek continued funding. Evaluation of current programs reveal that young people and families are receiving more needed service under this program and placement of the number of children in care is being reduced.

IMPORTANT LEGISLATION

S.2728/A.3981

Senator Cook

This bill, which passed the Senate but not the Assembly, would extend family court jurisdiction over persons in need of supervision (PINS) to include all people under age 18, rather than 16, who meet existing PINS criteria.

CHILD DAY CARE

The Senate has very clearly supported the expansion of the supply of child day care over the last several years. We welcomed the Governor's commitment to children with his declaration of the "Decade of the Child". Sadly, the 1989-90 Executive budget did not include a continuing commitment to the day care salary enhancement program, which the Senate initiated in 1988.

The program was designed to slow the turnover rate of child care center staff, and provide grants to not-for-profit centers which were caring for or were willing to care for low income children. With no money in the Executive budget to keep the salary enhancement program in place a second year, the Legislature was able to add \$4 million to extend the program until March 31, 1990. Parental fees would rise beyond parents' capacity to pay, if a center paid staff salaries comparable to those of public school teachers. Such resources are not currently available nor is there a permanent mechanism for fair distribution of enhancement funds. This remains a major piece of unfinished business. The Senate will continue to seek a means to help child care providers receive adequate income.

A number of other issues related to child day care came to the attention of the Committee. Foremost is the need to encourage the many family day care providers to join the currently recognized legal child day care system. To accomplish this, the Senate sought to

accept current non-licensed family providers into the system on a registration basis to offer them training and assistance to ensure that they offer good quality care. Agreement was almost reached in 1989 on a bill to register family day care providers and to revise the current regulatory section in the Social Services Law.

Transportation of children to day care from school is a critical issue for many parents who cannot get home to care for their own children when the school day ends. Bills were also introduced encouraging corporate support for day care through tax incentives and work site assistance.

ENACTED LEGISLATION

S.4046/A.6469 - Chapter 20

Senator Goodhue

This bill extended for a short time state funded pilot day care expansion projects so that they could convert to other long-term funding mechanisms.

S.5593/A.7473 - Chapter 653

Senator Donovan

This law will allow a board of education to provide transportation for teen parents and their infant children to the school the parent is attending and to day care.

IMPORTANT LEGISLATION

S.5686A/ A.972-A - Reported to Rules Senator Goodhue

The bill recodifies current law on child day care and described a registration system for family day care providers which would allow those currently operating to come into a registration system without having to stop caring for children. Protection for children, training for parents and providers and other efforts to assure quality of care are included in the bill. Detailed negotiations by the Senate, the Assembly and Executive led to agreement in an amended bill which should pass in 1990.

S.606-B/A.1067-B - Passed Senate Senator Goodhue

This bill provides 30% tax credits to businesses which establish on-site day care centers for three years, 10% annual tax credits for businesses which provide off-site care in other centers for their employees.

S.2686-A - In Finance Senator Masiello

This bill would create a program of scholarships and fellowships for early childhood education for child day care providers.

S.2830/A.5907 - Passed Senate Senator Tully

This bill would create an office of work site child care assistance to help employees find the child care they need.

S.2832/A.5870 - Passed Senate

Senator Tully

This bill defines "eligible business facility" to include child care facilities for employees for purposes of receiving financial help from the New York Job Development Authority or the Long Island Job Development Authority.

S.4763-A/A.7273 - Passed Senate

Senator Rolison

This bill creates a state Job Opportunities and Basic Skills (JOBS) education and training program for public assistance recipients to implement the federally mandated welfare reform provisions of the Family Support Act of 1988. Day care is an important component of the bill because day care must be provided to all participants who need it. When this legislation is enacted, it will be critical to have more day care spaces available so that the state can offer the required child day care to participants in JOBS.

S.5426-A - Passed Senate

Senator Goodhue

This bill would permit school districts to transport children to day care within the child's school attendance zone and to licensed child care programs after school and to pick up children before school at such child care sites.

APPENDIX A

BUDGET APPROPRIATIONS AFFECTING CHILDREN

DAY CARE for 1989-1990

- \$29,104,000 **Special Day Care Services Program:** Will expand day care subsidies to families with incomes of up to 200% of the federal poverty level, for persons who become ineligible for AFDC or home relief because of earned income. Also eligible are teen parents who are in high school or equivalency programs with a 12.5% local match which may be "in kind".
- \$ 4,000,000 **Salaries of Day Care Workers:** Will extend to March 31, 1990, the salary enhancement program to retain and recruit qualified staff.
- \$ 500,000 **Day Care Demonstration:** Will test the impact of day care on the recruitment and retention of employees.
- \$ 5,000,000 **Start-up Funds for Child Care Programs:** For planning, renting, renovating, initial operating expenses and purchasing equipment.
- \$ 600,000 **Latch Key Programs:** For start-up funds for after school day care services.

- \$ 2,842,000 **Child Care Resource and Referral Centers:**
For grants to local agencies to help parents, and employers address local needs for child day care and to train providers.
- \$ 1,535,600 **SUNY Child Care Centers:** For SUNY Four Year Campuses; and \$1,065,000 for SUNY Community Colleges.
- \$ 1,095,000 **CUNY Child Care Centers:** For CUNY Four Year Campuses; and \$930,000 for CUNY Community Colleges.
- \$37,000,000 **Experimental Pre-Kindergarten:** For 1989-90 school year program grants. A portion of this appropriation will go to new coordinated pre-k/day care programs which offer full day care.
- \$ 2,626,3000 **Migrant Child Care Program:** For programs for the children of migrant workers in New York state.
- \$ 1,000,000 **Inter-generational Day Care Centers:** For programs combining a senior citizen center or a residential health care facility with a child day care center.

FOSTER CARE/ADOPTION

- \$ 1,375,000 **Community Based Foster Care Program:** For the start-up of community based foster care and preventive services programs for children.
- \$ 486,200 **Foster Grandparent Program:** For the care of neglected and disadvantaged children and \$100,000 for programs for the care of vulnerable infants and children and high risk mothers.
- \$ 6,000,000 **Intensive Care Programs:** For intensive home based preservation programs and the development of therapeutic foster homes and respite care programs.

CHILD ABUSE AND DOMESTIC VIOLENCE

- \$ 2,398,500 **Children and Family Trust Fund:** For local, regional and statewide programs to prevent family violence - child abuse, domestic violence and elder abuse.
- \$ 479,100 **Statewide Central Register of Child Abuse and Maltreatment ("Hotline"):** For twelve new staff positions to operate the state telephone lines.

- \$ 1,100,000 **Parenting Education:** For parenting education programs for parents and children.
- \$ 3,225,000 **Domestic Violence:** For residential and non-residential programs of domestic violence prevention, including funds for emergency grants to programs in imminent danger of closing, and grants for the start-up of new residential programs.
- \$ 680,200 **Office for the Prevention of Domestic Violence:** Includes funding for outreach and training of professionals.
- \$ 350,000 **Program for Batterers:** For a rehabilitation program under the Division of Probation.
- \$ 359,000 **Child Abuse Prevention Act of 1985:** For child abuse prevention training.
- \$ 100,000 **Crisis Intervention Centers:** For a demonstration program to provide 24-hour services to families and children to prevent foster care placement.

STATE EDUCATION DEPARTMENT**AIDS PREVENTION EFFORTS**

- \$24,392,500 Re-appropriation of a portion of the \$24,392,500 for counseling and testing by family planning providers.
- \$ 317,000 For AIDS education programs run by the State Education Department.
- \$ 650,000 Re-appropriation of unspent portions of a \$1,000,000 for programs for pregnant women who are likely to give birth to infants who are likely to enter foster care.

AT-RISK YOUTH PROGRAMS

- \$ 7,000,000 **At Risk Youth and Community Partnership Program:**
For programs to coordinate education and social services for youth at risk of not completing school.
- \$ 4,000,000 **Schools as Community Sites:** For schools to be used after the school day ends to offer community services for children and families at the school building.

DIVISION OF PROBATION

\$13,309,000 **PINS Adjustment Services:** For continuing grants to the counties currently in the four year implementation process.

DEPARTMENT OF HEALTH - PRENATAL CARE

\$ 33,400,000 **Prenatal Care and Assistance Program (PCAP):** For existing services and implementation of community health outreach and education, planning, and development.

\$ 1,000,000 For pre-natal services, outreach and education.

\$ 1,000,000 For planning, development and implementation of prenatal care.

OTHER HEALTH PROGRAMS

\$ 1,760,000 For a Youth Internship Program.

\$ 500,000 For thirty-six counties to bolster programs that test children for lead poisoning.

- \$ 120,000 For three centers which train public health nurses to counsel families hit by Sudden Infant Death Syndrome (SIDS). Also to provide information about dealing with SIDS to police, firefighters and emergency technicians.
- \$ 1,330,000 For counties to fund the purchase of vaccines for communicable diseases including rubella, measles, the mumps, diphtheria, polio and others. The money will be divided based on the number of vaccines used per year and the number of live births per county.
- \$12,400,000 For family planning clinics and programs. This includes \$1.5 million set aside by the Legislature.
- \$ 1,700,000 For the Maternity and Early Childhood Foundation to provide funds for prenatal care to unwed mothers, and for health and social services once their babies are born. The foundation distributes the money to various organizations throughout the state including Birthright and the Trinity Institute.
- \$ 700,000 Services and expenses for a genetic disease screening program.
- \$42,900,000 For the Supplemental Nutrition Assistance Program, also called SNAP, which provides money for food for

the poor, the homeless and the elderly. The breakdown of the money follows:

* \$20.1 million for Women, Infants and Children's nutrition programs (WIC).

* \$8.58 million for nutrition programs for homeless people.

* \$14.22 million for nutrition programs for the elderly.

\$43,280,000 For services and expenses of the AIDS Institute.

OFFICE OF MENTAL RETARDATION & DEVELOPMENTAL DISABILITY

\$70,023,000 For allowances to private schools for the blind and deaf.

\$ 600,000 For services and expenses of the primary mental health project, a school based early detection and prevention program.

\$ 3,500,000 For the physically handicapped children's program.

\$ 185,000 For grants to head injury associations.

- \$ 2,798,000 For special services for handicapped infants and toddlers.
- \$ 375,000 For health insurance for Cystic Fibrosis.
- \$ 8,200,000 For expenditures for transitional services for people aging-out of residential child care programs.
- \$ 50,400 For an independent living pre-school program.

APPENDIX B**CHILD PROTECTION AND THE FAMILY COURT
A STUDY OF PROCESS, PROCEDURES AND OUTCOMES
UNDER ARTICLE TEN OF THE FAMILY COURT ACT**

In the fall of 1987, New York State Senator Mary B. Goodhue, Chairwoman of the Senate Standing Committee on Child Care was awarded a grant from the National Center on Child Abuse and Neglect to study abused and neglected children involved in family court proceedings. The study analyzed actual court records in fourteen counties throughout the state and compared this data with that in the State Central Register of Child Abuse and Maltreatment to determine the history of care children and their families before child protective petitions were filed, during the adjudicatory process and after court disposition.

Completed in 1989, it was presented in October 1989 to the National Conference on Child Abuse and Neglect. The research findings, the conclusions and policy recommendations emanating therefrom were recently published in a separate report. The policy recommendations seek to better equip the family court system to deal with the problems of troubled children and families.