

# STATE OF NEW YORK

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6259

2007-2008 Regular Sessions

## IN ASSEMBLY

March 5, 2007

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Introduced by M. of A. PAULIN, SCARBOROUGH, D. GORDON, JAFFEE, LAFAYETTE, MARKEY, MAYERSOHN, SCHROEDER, ZEBROWSKI -- Multi-Sponsored by -- M. of A. ESPAILLAT, McENENY, PHEFFER, SEMINERIO, WEISENBERG -- read once and referred to the Committee on Social Services

AN ACT to amend the social services law, in relation to quality mentoring practice; and to amend the state finance law, in relation to creating the mentoring certification fund

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Article 6 of the social services law is amended by adding a new title 7-A to read as follows:

### TITLE 7-A

#### QUALITY MENTORING ACT

Section 435. Short title; legislative purpose.

435-a. Definitions.

435-b. State board for mentoring.

435-c. Curricula and curricula guidelines.

435-d. Certification process.

435-e. Mentoring program quality guidelines.

§ 435. Short title; legislative purpose. This title shall be known and may be cited as the "quality mentoring act". Legislative purpose. Certification of mentoring supervisors and the development of mentoring program quality guidelines would provide safer, more effective mentoring programs for children throughout the state. The process involved in screening, training, matching and supervising mentors in the over twenty-five hundred mentoring programs throughout the state is critical. Providing such certification for mentoring supervisors and quality guidelines for mentoring programs would help mentoring programs provide a strong, protective influence on children's lives.

§ 435-a. Definitions. For the purposes of this title, the following terms shall have the following meanings:

1. "Board" shall mean the state board for mentoring created pursuant to section four hundred thirty-five-b of this title.

2. "Commissioner" shall mean the commissioner of the office of children and family services.

3. "Office" shall mean the office of children and family services.

4. "Mentor" shall mean an individual who volunteers to work with children in a mentoring program and who will engage in activities with children that are unsupervised or in a setting without active agency or

parental oversight.

5. "Mentoring program" shall mean a formalized program, operated by an entity authorized to do business in the state, that matches adult volunteers with children for the purpose of providing children with positive role models, building relationships, and providing academic assistance and exposure to new experiences that will enhance the ability of children to become responsible adults.

6. "Mentoring supervisor" shall mean an individual who is responsible for all or part of the screening, matching and supervision of the relationship between a mentor and a child.

7. "Mentoring training and testing center" shall mean an organization approved by the commissioner, that provides training, using a board approved curriculum, and administers testing, using a board developed examination, to mentoring supervisors pursuant to this title.

8. "Certified mentoring supervisor" shall mean a mentoring supervisor who has been certified pursuant to section four hundred thirty-five-b of this title.

§ 435-b. State board for mentoring. 1. A board to be known as the state board for mentoring is hereby created and shall be responsible for the implementation and oversight of the provisions of this title, in collaboration with the office.

2. The board shall consist of nine members, who shall be appointed as follows: three by the governor; three by the speaker of the assembly; and three by the temporary president of the senate. The board shall be broadly representative of the mentoring community, and each member shall have significant expertise in mentoring practice. Members shall serve at the pleasure of the appointing authority. Members shall receive no compensation for their services but shall be allowed actual and necessary expenses in the performance of their duties.

3. The board's powers and responsibilities shall include the development of:

(a) curricula guidelines for the training of mentor supervisors by mentoring training and testing centers;

(b) a mentor supervisor examination;

(c) a certification process;

(d) quality guidelines for mentoring programs; and

(e) any other documents, guidance, or directives necessary for the effective implementation of this title.

The board shall also maintain a statewide list of certified mentoring supervisors.

§ 435-c. Curricula and curricula guidelines. 1. The curricula guidelines to be developed by the board for use by the mentoring training and testing centers shall require that the training include, but not be limited to, knowledge of the following:

(a) Protective and risk factors of children and families;

(b) Child and adolescent development;

(c) Interviewing and assessment of children, parents, legal guardians and volunteers;

(d) Volunteer screening tools and techniques;

(e) Matching strategy, case management;

(f) Volunteer training;

(g) Community services/referral system;

(h) Group work;

(i) Volunteer supervision; and

(j) Termination and re-matching procedures.

2. Curricula utilized by mentoring training and testing centers shall be based on the guidelines developed pursuant to subdivision one of this section and shall be approved by the board. Mentoring training and test-

ing centers may develop their own curriculum, or utilize a curriculum developed by another organization.

§ 435-d. Certification process. 1. To qualify for certification as a certified mentoring supervisor, an applicant shall fulfill the following requirements:

(a) Application: file an application with the office;

(b) Age: be at least twenty-one years of age;

(c) Education: have received a high school diploma or general equivalency diploma;

(d) Training: have successfully completed a training program at a board approved mentoring training and testing center or have successfully completed a training program prior to April first, two thousand nine at a mentor training and testing center that is subsequently approved by the board;

(e) Experience: have experience satisfactory to the board and in accordance with the commissioner's regulations;

(f) Examination: pass an examination, developed by the board, in collaboration with the office and administered by the mentoring training and testing centers. The fee charged by such center shall be set by the board, in collaboration with the office; and

(g) Fees: pay a reasonable fee, determined by the board in consultation with the office, for processing the certification application.

2. Nothing in this section shall be construed to require certification by the state or a mentoring program for work performed as a mentoring supervisor.

§ 435-e. Mentoring program quality guidelines. 1. The board, in consultation with the office, shall develop mentoring program quality guidelines. Such guidelines shall be designed to assist mentoring programs in developing and managing mentoring programs to provide a safe, high quality mentoring experience.

2. Among the factors that may be included in the guidelines are: program design; program staffing; mentor recruitment, screening, training, retention and oversight; mentor-mentee matching; program management; program linkages; parental issues; and program evaluation.

3. The guidelines shall be disseminated by the office through the office website, or in any other form it deems appropriate.

4. The guidelines issued pursuant to this section are advisory in nature, and intended to assist mentoring programs in their efforts to improve program quality and safety. The guidelines shall not be legally binding on any mentoring program, nor shall they convey powers or impose obligations on the office other than those explicitly specified in this section.

§ 2. The state finance law is amended by adding a new section 92-ee to read as follows:

§ 92-ee. Mentoring certification fund. 1. There is hereby established in the joint custody of the state comptroller and the commissioner of taxation and finance a special fund to be known as the "mentoring certification fund".

2. Such fund shall consist of all fees collected for processing of applications for certification pursuant to section four hundred thirty-five-d of the social services law.

3. Moneys of the fund, following appropriation by the legislature, shall be made available to the office of children and family services only for the administration and implementation of title seven-A of article six of the social services law. Funds shall also be used for expenses related to the state board for mentoring.

4. The moneys of the fund shall be paid out on the audit and warrant of the comptroller on vouchers certified or approved by the commissioner

of the office of children and family services. At the end of each year any moneys remaining in the fund shall be retained in the fund and shall not revert to the general fund. The interest and income earned on money in the fund, after deducting any applicable charges shall be credited to the fund.

§ 3. This act shall take effect on the first of April next succeeding the date on which it shall have become a law.