



This Week in New York

Covering New York State and City Government

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October 13, 2017 Edition



In the News – New York State



New York Celebrates Columbus Day

New York's political leaders, dignitaries, celebrities, and citizens braved the rain on Monday to celebrate at the 73rd Columbus Day Parade in New York City. Organized by the Columbus Citizens Foundation, the parade has honored Italian-American heritage on New York's Fifth Avenue since 1929. This year, Chairman and Founder of Barnes & Noble, Leonard Riggio, served as Grand Marshal.





Four Years After the Dignity for All Students Act Took Effect, Too Many Schools Misreport Incidents or Don't Report Them

Many New York schools fall short when it comes to protecting students from harassment and discrimination based on gender, race, religion, sexual orientation or gender identity, according to an audit released in Rochester today by New York State Comptroller Thomas DiNapoli. The audit examined New York state schools' compliance with the Dignity for All Students Act (DASA).

"The Dignity for All Students Act was created to protect students but four years later, many schools remain unsure of what to do and make serious errors in reporting incidents of harassment and bullying," Comptroller DiNapoli said. "All students deserve schools that support them and are safe and free from harassment and bullying. School districts must protect students' rights and ensure thorough training for school staff."

The audit found that despite guidance from the State Education Department (SED), many schools had not implemented some critical requirements, such as ensuring that contact information is widely accessible. Several schools lacked training and others made significant errors when it came to reporting incidents under DASA.

Auditors' analysis of data submitted to SED for 2,153 schools showed that 678 (31 percent) did not report any incidents over three school years from 2013-2014 through 2015-2016. For example, not one of the 39 schools in Yonkers City School District reported an incident of bullying or harassment under DASA during that three-year period.

In the school year that ended June 2016, New York school districts (excluding New York City) reported 16,938 verified incidents of discrimination and harassment and 2,472 incidents of cyberbullying.

Comptroller DiNapoli's auditors visited a sample of 20 schools (outside of New York City) and found that:

- Some schools underreported incidents or failed to report them at all, including one case in which a school failed to report cyberbullying although police were involved.
- Seventeen of the schools said they struggle with DASA guidance and reporting requirements.
- At one school the person responsible for electronically entering DASA incident information was unable to demonstrate how to enter a DASA incident.
- Schools said they continue to have difficulty identifying what comprises a material incident that needs to be reported and they struggle with differing conceptions of what constitutes "bullying."
- Several schools did not train non-educational staff on DASA, creating a risk that bullying incidents that these staff witness or learn about may not be addressed appropriately.

The audit attributed the problems to school personnel's lack of knowledge, experience, and training in identifying, documenting, investigating, and reporting DASA incidents.

Comptroller DiNapoli recommended that SED take steps to assess weaknesses in implementing DASA and assign adequate resources to promote schools' compliance. SED agreed with the audit recommendations and noted that a new reporting structure takes effect in the coming school year.

Bills Delivered to the Governor

A1258 (Sponsored by M of A Pretlow/Senator Golden) -- Relates to the use of safety belts in taxicabs and liveries

A5667A (Sponsored by M of A Quart/Senator Savino) -- Relates to the definition of a gravity knife.

A5810A (Sponsored by M of A Quart/Senator Ritchie) -- Relates to authorizing a study of the economic impact of public libraries.

A6053A (Sponsored by M of A Nolan/Senator Marcellino) -- Relates to a sepsis awareness, prevention and education program.

A7687 (Sponsored by M of A Weprin/Senator Gallivan) -- Authorizes the study of parole officer staffing.

A8092 (Sponsored by M of A Abbate/Senator Golden) -- Relates to standardizing the overtime reporting period for certain members of the retirement system.

S1724 (Sponsored by Senator Carlucci/M of A Cusick) -- Relates to real property tax exemptions for veterans.

S2098B (Sponsored by Senator Murphy/M of A Paulin) -- Enacts the "elephant protection act" to prohibit the use of elephants in entertainment acts.

S2543A (Sponsored by Senator Hannon/M of A Rosenthal) -- Includes vaping in provisions restricting smoking in certain public areas.

S2589 (Sponsored by Senator Lanza/M of A Rosenthal) -- Authorizes domestic companion animals be permitted to board any commuter transportation operated by the metropolitan transportation authority in the event of a state of emergency and evacuation.

S3498 (Sponsored by Senator Bailey/M of A Rozic) -- Requires that rehabilitation programs for female inmates in state correctional facilities be equivalent to those provided to male inmates elsewhere in the state.

S4383A (Sponsored by Senator Alcantara/M of A Crespo) -- Requires a study on the feasibility of an emergency alert notification system.

S4833A (Sponsored by Senator Avella/M of A Hevesi) -- Clarifies the definition of "prospective relative guardian" for purposes of subsidized kinship guardianship assistance.

S5016A (Sponsored by Senator Lanza/M of A Cusick) -- Relates to comprehensive emergency management provisions for home care and hospice in counties and in cities with a population of one million or more.

S5706 (Sponsored by Senator Golden/M of A Abbate) -- Relates to awards to spouses of certain employees killed in the line of duty.

S5752 (Sponsored by Senator Lanza/M of A Nolan) -- Requires school district compliance with physical education instruction requirements in elementary grades in public schools to be reported to the department of education.

S6053 (Sponsored by Senator Hannon/M of A Gottfried) -- Prohibits requiring prior authorization for the provision of coverage of services in a neonatal intensive care unit.

S6091A (Sponsored by Senator Savino/M of A Titone) -- Relates to the base pilotage tariffs at Sandy Hook, Sands Point and Execution Rocks.

In the News – New York City

Governor Cuomo Details State Actions to Combat the Fentanyl Crisis on Staten Island

Governor Andrew Cuomo this week traveled to Staten Island to detail a series of actions to combat the fentanyl crisis on the Island and across New York State.

Specifically, the Governor promoted legislation which would add 11 fentanyl analogs to the state controlled substances schedule, giving law enforcement the ability to go after the dealers who manufacture and sell these drugs. Also, the Governor discussed his recent directive to the New York State Department of Financial Services (DFS) to prevent insurers from instituting arbitrary limits on coverage for overdose reversal drugs; ensuring that New Yorkers have access to adequate doses of naloxone.

"On Staten Island, fentanyl has been a deadly scourge snaking silently through our neighborhoods leaving a trail of devastation in its path," Governor Cuomo said. "With these aggressive actions, we seek to give law enforcement the tools they need to crack down on these dangerous drugs and put an end to this epidemic once and for all."



Governor Cuomo is joined by SI DA McMahon, Senator Lanza & M of A Cusick

On Staten Island, overdose deaths involving opioids increased 42 percent between 2015 and 2016. However, fentanyl-related deaths increased at a much higher rate - more than 700 percent - from seven in 2015 to 58 in 2016. Statewide, the number of overdose deaths involving opioids increased nearly 35 percent from 2015 to 2016, while fentanyl-related deaths increased by nearly 160 percent. A preliminary analysis conducted by the Department of Health identified more than 2,900 opioid-related deaths among state residents in 2016.

The legislation would close a loophole in state law. Currently, the 11 fentanyl-related substances are already listed on the federal schedule of controlled substances. In addition, the legislation will give the New York State Health Commissioner the authority to add any new drugs that have been added to the federal schedule to the state controlled substances schedule.

Briefs

New York State Issues Letter Warning That Federal Cuts Jeopardize Health Care for 350,000 Children

State Department of Health Commissioner Howard Zucker this week issued a letter to Eric Hargan, Acting Secretary of the U.S. Department of Health and Human Services, warning that federal cuts will jeopardize health care for 350,000 children in New York. Commissioner Zucker warned that New York State will not be able to continue the current Child Health Plus program.

Also, according to Commissioner Zucker, if Congress does not renew \$1 billion in federal funding, Governor Andrew Cuomo will have to call a special session of the Legislature.

Comptroller Report: \$27B Needed In Repairs For Bridges

Bridges owned by New York's local governments need an estimated \$27.4 billion in repairs, according to a report released this week by New York State Comptroller Thomas DiNapoli. Local governments, mostly counties, own 8,834 out of 17,462 bridges in the state. These bridges carry average daily traffic of nearly 33.4 million vehicles.

Comptroller DiNapoli's report found local bridges are more likely to be structurally deficient than state-owned bridges (12.8 percent to 9 percent). "Structurally deficient" bridges that remain open are considered safe to drive on, but either have load-bearing elements in poor condition or are prone to repeated flooding. The highest number of structurally deficient local bridges are located in New York City (86), followed by the counties of Erie (52), Ulster (46) and Steuben (40). The counties with the highest percentage of structurally deficient local bridges are Seneca (34.6 percent), Cayuga (27.6 percent) and Hamilton (23.8 percent).

“Functionally obsolete” bridges, though not structurally unsound, fail to meet current design standards for the amount of traffic carried. Those structures may have inadequate lane or shoulder widths, low clearances or low load-carrying capacity. Regionally, New York City has the highest proportion of functionally obsolete bridges (75.9 percent), followed by Long Island (40.6 percent) and the Mid-Hudson Valley (26.9 percent).

Attorney General Appoints New Chief Economist

Dr. Peter Malaspina has been appointed the new Chief Economist at the Office of the Attorney General. As the office’s lead economic policy advisor, Dr. Malaspina will assist the attorneys at the office in evaluating economic evidence during the course of an investigation, litigation or settlement. He will oversee economic projects throughout the Office of the Attorney General, especially in the Economic Justice Division, which includes the Antitrust, Investor Protection, Internet & Technology, Consumer Frauds, Real Estate Finance, and Taxpayer Protection Bureaus.

Dr. Malaspina’s main fields of expertise include industrial organization, applied microeconomics, and econometrics. His experience includes health insurance, pharmaceuticals, medical devices, telecommunications, semiconductors, internet technology, and credit cards.

Dr. Malaspina received a Ph.D. in economics from the University of North Carolina at Chapel Hill and a BA in math and economics from Vassar College. Prior to joining the Attorney General’s Office, he was a Vice President at Quantitative Economic Solutions, L.L.C. an economic consulting firm that specializes in microeconomic analysis.

NYC to Support Community Mental Health Needs and Recovery Efforts in Puerto Rico

Mayor Bill de Blasio and First Lady Chirlane McCray this week announced a collaboration between NYC Well, the City’s mental health support helpline, and the Disaster Distress Helpline (DDH), a national crisis counseling and emotional support service, to support mental health outreach in New York City, as well as Puerto Rico.

The collaboration between NYC Well and DDH will help the organizations effectively manage the anticipated volume of calls for counseling and services locally and in Puerto Rico as telephone lines are restored and individuals seek help. This includes connecting natives of Puerto Rico to NYC Well as they arrive in the City, and fielding calls from concerned family members or friends outside of the City to DDH when appropriate.

According to the Mayor, NYC Well call center staff is readying to respond to Puerto Ricans experiencing the trauma of evacuating their homes and local volunteers returning to New York City after supporting hurricane relief efforts. NYC Well will bolster its Spanish-speaking and bilingual call center staff to ensure that counselors are effectively trained and have competence in Psychological First Aid and Disaster Counseling. Both NYC Well and DDH are administered by the Mental Health Association of New York City (MHA-NYC).

Coming Up

New York State

Wednesday October 25th

Examine the issues facing communities in the wake of increased heroin abuse

Senate Joint Task Force on Heroin and Opioid Addiction, Auditorium, Cortland County Office Building, 60 Central Avenue, Cortland, New York, 4:00 p.m.

Monday October 30th

Healthcare in New York Correctional Facilities

Assembly Committees on Health & Correction, Room C, Legislative Office Building, Albany, 11 a.m.

New York City

Monday October 16th

Committee on Youth Services, Committee Room – City Hall, 10 a.m.

Committee on Courts and Legal Services, Council Chambers – City Hall, 10 a.m.

Committee on Women’s Issues, Committee Room, 16th Floor – 250 Broadway, 10 a.m.

Committee on General Welfare, Committee Room, 16th Floor – 250 Broadway, 10:30 a.m.

Committee on Technology, Committee Room – City Hall, 1 p.m.

Committee on Public Safety, Council Chambers – City Hall, 1 p.m.

Committee on Governmental Operations, Committee Room, 16th Floor – 250 Broadway, 1:30 p.m.

Committee on Recovery and Resiliency, Committee Room, 14th Floor – 250 Broadway, 1:30 p.m.

Committee on Housing and Buildings, Committee Room, 16th Floor – 250 Broadway, 2 p.m.

Committee on Higher Education, Committee Room, 16th Floor – 250 Broadway, 2:30 p.m.

Committee on Immigration, Committee Room, 16th Floor – 250 Broadway, 3 p.m.

Tuesday October 17th

Committee on Finance, Committee Room - City Hall, 10 a.m.

Committee on Rules, Privileges and Elections, Council Chambers – City Hall, 10:30 a.m.

City Council Stated Meeting, Council Chambers – City Hall, 1:30 p.m.

Wednesday October 18th

Committee on Finance, Committee Room – City Hall, 10 a.m.

Committee on Parks and Recreation, Committee Room, 16th Floor – 250 Broadway, 1 p.m.

Committee on Governmental Operations, Committee Room, – City Hall, 1 p.m.

Thursday October 19th

Committee Room on Housing and Buildings, Council Chambers – City Hall, 10 a.m.

Committee on Immigration, Council Chambers – City Hall, 10 a.m.

Committee Economic Development, Council Chambers – City Hall, 1 p.m.

Committee on Waterfronts, Council Chambers – City Hall, 1 p.m.

Committee on Transportation, Council Chambers – City Hall, 1 p.m.

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