

New York State Education Law Article 23 - A SERVICE CENTERS FOR INDEPENDENT LIVING

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§ 1120. Declaration of intent.

Persons with disabilities comprise a large percentage of New York's total population. The legislature hereby finds and declares that action is necessary to assist these individuals to integrate and live more independently in the community. Since their inception, service centers for independent living have enhanced the ability of persons with disabilities to pursue an independent and active lifestyle within their community. In order to achieve this, it is necessary for the state to provide funding to maintain existing service centers designed to promote independent living and to encourage the establishment of new centers. In addition, the office of vocational rehabilitation should have the responsibility and authority for the encouragement of the planning, development, funding, evaluation and monitoring of such service centers.

§ 1121. Service centers for independent living; purpose and duties.

1. A service center for independent living shall be a community based non-residential program designed to promote independent living for persons with disabilities.
 - (a) Such center shall:
 - (i) be a private not-for-profit corporation, pursuant to subdivision five of paragraph a of section one hundred two of the not-for-profit corporation law; provided, however, that persons with disabilities comprise at least fifty-one percent of the membership of the board of directors;
 - (ii) be staffed by persons experienced in assisting persons with disabilities;
 - (iii) provide services designed to meet the needs of persons with disabilities, including such services as assisting persons with disabilities to obtain housing, employment referral, transportation referral, attendant care, independent living skills, peer counseling, advocacy services, job training, health care, homemaker services, and other such services as approved by the commissioner;

(iv) train personnel for the purpose of attendant care in assisting and serving persons with disabilities; and

(v) serve persons with disabilities.

(b) Such center may also, but need not limit itself to, provide disability awareness programs, peer counseling, role modeling and any other appropriate services within elementary and secondary schools.

2. Such service centers shall not be established or operated as a residential or housing facility.

3. Such service centers shall make maximum use of existing resources available to persons with disabilities and shall not duplicate any existing services or programs, to the extent that such services or programs are available through other state sources to meet the needs of persons with disabilities. Such centers shall however provide necessary information and referral to assist a person with a disability in obtaining such services and coordinate where possible the delivery of such services to persons with disabilities.

4. Such service centers shall be in compliance with all applicable local laws and ordinances.

§ 1122. Education department; responsibilities.

The department shall assist individuals and organizations in the planning and establishment of such service centers. The department shall ensure program accountability and shall monitor and evaluate such centers.

§ 1123. Regulations.

The commissioner shall promulgate rules and regulations necessary for the implementation of this article.

§ 1124. Distribution of funds.

1. Service centers for independent living shall be funded out of appropriations available for such purposes to the extent of the entire approved budget of such centers.

2. Budgets submitted by service centers shall be approved in accordance with regulations of the commissioner, subject to approval of the director of the budget.

3. Service centers shall be located in the cities of Albany, Buffalo, Rochester, Syracuse, Utica, White Plains, Binghamton, Kingston, Poughkeepsie, Jamestown, Yonkers, the counties of Queens, Kings, Nassau, Bronx, Richmond and New York

and the township of Brookhaven with a satellite center in Central Islip in the county of Suffolk.

4. Additional service centers shall be located in the cities of Niagara Falls, Olean, Troy, Amsterdam, Newburgh, Corning, Ithaca, Cortland, Auburn, Watertown, Plattsburgh, Batavia, Massena and Glens Falls, the counties of Delaware and Rockland, the county of Orange, in either the city of Middletown or Port Jervis or in the town of Deerpark, Greenville, Mount Hope, Warwick or Wawayanda or in the village of Goshen, in the county of New York to serve the Harlem community, and in the counties of Putnam, Sullivan and Herkimer.