

CHAPTER 347
FORMERLY
HOUSE BILL NO. 389

AN ACT TO AMEND TITLE 31 OF THE DELAWARE CODE RELATING TO RUNAWAY AND HOMELESS YOUTH.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Findings and Declarations.

The General Assembly finds and declares that the current system of identifying, supporting, and statistically tracking runaway and homeless youth is ineffective at meeting the needs of this population at-risk. Runaway and homeless youth is a serious issue which impacts Delaware's social and economic future. Data suggests that downturns in the economy yield increases in runaway and homeless youth.

(1) Nationally, there are approximately 1.3 million homeless youth living unsupervised on the streets, in abandoned buildings, with friends or with strangers;

(2) Homeless youth are at a higher risk for physical abuse, sexual exploitation, mental health disabilities, substance abuse, and death;

(3) It is estimated that 5,000 unaccompanied youth die each year as a result of assault, illness, or suicide;

(4) National data reveals that one in seven young people between the ages of 10 and 18 will run away, and 75 percent of those runaways are female;

(5) Youth age 12 to 17 are more at risk of homelessness than adults;

(6) It is further estimated that nationally 46 percent of runaway and homeless youth reported being physically abused, 38 percent reported being emotionally abused, 17 percent reported being forced into unwanted sexual activity by a family or household member, and 75 percent of homeless or runaway youth have dropped out or will drop out of school;

(7) The General Assembly finds and declares that tracking the number of runaway and homeless youth in Delaware, identifying specialized state support services, and assessing the effectiveness of those support services, will provide for better coordination of existing state resources, and the development of policy recommendations to address the needs of this at-risk population.

Section 1. Amend § 4060, Title 31 of the Delaware Code as follows:

§ 4060. Delaware Interagency Council on Homelessness.

(a) The Delaware Interagency Council on Homelessness is hereby established.

(b) The duties of the Council shall include, but not be limited to, the following:

(1) Oversee the implementation of a plan to reduce homelessness and end chronic homelessness in Delaware;

(2) Review, on a continuing basis, all state policies, plans, programs and activities concerning individuals and families who are homeless, assisted, in whole or part, by state departments, agencies or funds in order to determine whether such policies, programs, plans and activities effectively meet the needs;

(3) Use the data on homelessness from the Homeless Management Information System (HMIS) and other nonduplicative, technology-based methods of collecting such information for analyses;

(4) Effectively coordinate and maximize resources of existing programs and activities to prevent homelessness and to assist individuals and families who are homeless to obtain housing;

(5) Identify impediments, including any statutory and regulatory restrictions, to the effective provision of needed services to individuals and families who are homeless in Delaware;

(6) Recommend such changes in existing programs and services, expansion of existing programs and services, and additional programs and services as may be necessary to address the diverse causes and conditions of homelessness;

(7) Provide the Governor, the General Assembly, and the general public with review and comment, as well as analyses and recommendations on all state and federal legislative proposals and regulations and policies affecting homeless people. Propose and promote such legislation, regulations and policies to improve the delivery of services to homeless individuals; and

(8) Prepare and submit to the Governor and the General Assembly an annual report of the activities of the Council and the status of services and programs for individuals and families who are homeless.

(9) On or before April 1, 2013, and annually on that same date thereafter, the Council, in conjunction with the Department of Services for Children, Youth & Their Families shall prepare and submit a report to the Governor and the General Assembly analyzing the status and effectiveness of existing programs for runaway and homeless youth, as well as the need for additional programs and services. The report shall specifically address, but not be limited to, the following issues:

a. Runaway and homeless youth identification and needs assessment.

The report shall encompass data indicating the number of Delaware runaway and unaccompanied homeless youth, as defined across the agencies and state systems, and an assessment of programmatic needs for this at-risk population.

b. Street and community outreach and drop-in programs. Youth drop-in centers.

The report shall identify community services that provide walk-in access to crisis intervention and ongoing supportive services, including one-to-one case management services on a self-referral basis, and street outreach programs which locate, contact and provide information, referrals and services to runaway and homeless youth. Information, referrals and services provided may include, but are not limited to family reunification services; conflict resolution or mediation counseling; assistance in obtaining temporary emergency shelter; case management aimed at obtaining food, clothing, medical care or mental health counseling; counseling regarding violence, prostitution, substance abuse, sexually transmitted diseases, HIV and pregnancy; referrals to other agencies that provide support services to runaway and homeless youth; assistance with education, employment and independent living skills; aftercare services; and specialized services for highly vulnerable runaways and homeless youth, including teen parents, sexually exploited youth, and youth with mental illness or developmental disabilities.

c. Emergency shelter programs.

The report shall identify emergency shelter programs which provide runaway and homeless youth with referrals and walk-in access to short-term residential care on an emergency basis. The identified programs must provide runaway and homeless youth with safe, dignified, voluntary housing, including private shower facilities, beds and at least one meal each day. Additional services should include, but should not be limited to, family reunification services or referral to safe, dignified housing; individual, family and group counseling; assistance obtaining clothing; access to medical and dental care and mental health counseling; education and employment services; recreational activities; case management, advocacy and referral services; independent living skills training; and aftercare, follow-up services and transportation.

d. Transitional living programs.

The report shall identify transitional living programs that help runaway and homeless youth find and maintain safe, dignified housing. The identified programs should also provide rental assistance and related supportive services or may refer youth to other organizations or agencies that provide such services. Services provided may include, but should not be limited to, provision of safe, dignified housing; educational assessment and referrals to educational programs; career planning, employment, job skills training, and independent living skills training; job placement; budgeting and money management; assistance in securing housing appropriate to needs and income; counseling regarding violence, prostitution, substance abuse, sexually transmitted diseases and pregnancy; referral for medical services or chemical dependency treatment; parenting skills; self-sufficiency support services or life skills training; and aftercare and follow-up services.

(c) For administrative purposes, this Council is placed within the Delaware State Housing Authority.

(d) The Council shall be composed of 25 members appointed by, and serving at the pleasure of the Governor. Members of the Council shall be persons charged with the management of programs mandated and authorized by the McKinney-Vento Homeless Assistance Act [42 U.S.C. § 11301 et seq.] in Delaware and persons currently charged with the management of other public funds targeted to services for the homeless in Delaware. The Council shall include representatives from appropriate administering entities within the following departments or agencies:

(1) The Director of the Delaware State Housing Authority or a designee of the Director;

- (2) The Secretary of the Department of Health and Social Services or a designee of the Secretary;
- (3) The Secretary of the Department of Services for Children, Youth, and Their Families or a designee of the Secretary;
- (4) The Secretary of the Department of Labor or a designee of the Secretary;
- (5) The Secretary of the Department of Education or a designee of the Secretary;
- (6) The Commissioner of the Department of Correction or a designee of the Commissioner;
- (7) The Chairs of the Senate Community/County Affairs Committee and the House of Representatives Housing and Community Affairs Committee or a designee of the Chairs;
- (8) The County Executive of New Castle County or the Executive's designee;
- (9) The Kent County Administrator or the Administrator's designee;
- (10) The Sussex County Administrator or the Administrator's designee;
- (11) The Mayor of the City of Wilmington or the Mayor's designee;
- (12) The Mayor of the City of Dover or the Mayor's designee;
- (13) A person who is homeless or formerly homeless;
- (14) One private citizen from each county;
- (15) Three representatives from homeless service providers;
- (16) A representative of the Homeless Planning Council;
- (17) A representative of the Delaware Apartment Association; and
- (18) A representative of the following councils and committees:
 - a. State Council for Persons with Disabilities;
 - b. Council on Public Health; and
 - c. Criminal Justice Council.

(e) Members of the Council shall serve without compensation except that they may be reimbursed for reasonable and necessary expenses incident to their duties as members of the Council.

(f) A Chairperson of the Council shall be chosen by the members of the Council from among the Council members and shall serve in that capacity for a term of 1 year and shall be eligible for reappointment.

(g) The Council shall determine its meeting schedule, but there shall be not less than 4 meetings each calendar year, open to the public, held in an accessible place and with accommodations for people with disabilities.

(h) The Council shall have the authority to draft and adopt bylaws governing its operations, consistent with the provisions herein.

(i) The Council may establish committees as may be necessary and practicable to carry out the aforementioned duties.

(j) A simple majority of the total membership shall constitute a quorum which shall be necessary to vote on any issue.

Approved July 18, 2012