NYC

Mayor's Office of Operations

February 26, 2024

Dear Speaker Adams,

Local Laws 126, 127, and 128 of 2016 require the Mayor's Office of Operations (Operations) to conduct an annual review of all forms issued by the Department of Social Services (DSS), Administration for Children's Services (ACS), the Department of Homeless Services (DHS), the Department of Health and Mental Hygiene (DOHMH), the Department for the Aging (DFTA), the Department for Youth and Community Development (DYCD), and the Department of Education (DOE), that meet criteria set forth in these laws, and to submit a report to the City Council within 60 days of such review that includes: a list of all forms reviewed, which includes both eligible and ineligible forms submitted by the agency, and a list of all forms that are eligible for updating to include the demographic information specified in the laws (ancestry and languages spoken; multiracial ancestry or ethnic origin; and sexual orientation and gender identity, respectively). The local laws only mandate a review of forms that collect the relevant demographic information, are completed by persons seeking services, and are within the relevant agency's authority to edit or amend. Therefore, this report shall no longer list forms that do not meet all these criteria in the body of the report. Forms that the Mayor's Office of Operations received that do not meet all criteria will be listed in an appendix, accompanied by the reason why each form is not eligible for review.

The criteria for reviewing the forms, as indicated in the local laws, include:
- Forms that are voluntarily completed by persons seeking social services from designated agencies and the agencies' contracted providers of social services. "Social services" (a subset of "human services" as defined in Admin. Code § 6-129), includes but is not limited to: day care, home care, homeless assistance, housing and shelter assistance, preventive services, youth services, and senior centers, and exclusive of other types of human services, such as health or medical services, including those provided by health maintenance organizations; legal services; employment assistance services, vocational and educational programs; and recreation programs.
- Forms that collect the enumerated types of demographic information (specified in each local law):
  - Local Law 126 of 2016 (ancestry groups and languages spoken)
  - Local Law 127 of 2016 (multiracial ancestry or ethnic origin)
  - Local Law 128 of 2016, as amended by Local Law 76 of 2018 (sexual orientation, gender identity and the gender pronoun(s) that an individual identifies with and that others should use when talking to or about that individual)
- Whether the agency has the authority to amend or edit (i.e. update) such forms.

In determining whether a named agency has the authority to amend or edit (i.e. update) a form, Operations asked the respective agencies to cite any law, regulation, oversight agency, or contractual restriction that would prevent the agency from editing or amending the form. Operations also separately offered agencies an opportunity to comment if they had any practicability concerns with updating such forms to include expanded demographic data questions and response options to reflect those which are in the local laws. The named agencies have evaluated all relevant forms against these criteria and provided them to Operations for review. The results of each agency's findings are included in this report. Operations has been in discussions with the agencies about all 18 forms that have been deemed eligible for updating, excluding forms that have been previously identified as eligible and successfully updated to compliance.

In accordance with these local laws, the Mayor's Office of Operations will, prospectively, conduct this annual review as new forms are created and evaluated, as it looks forward to continuing to best serve residents of all backgrounds and identities.

Sincerely,

Daniel Steinberg
Director, Mayor's Office of Operations

2023 Demographics Report Overview

The Mayor's Office of Operations determined that 18 forms were eligible for updating and 9 were updated since the 2022 Annual Demographics Report.

Below is a guide for reading each agency section.
- For each demographic data question type in the tables below, the following classification system is used:
  - "**Compliant**" = question is present in the form and compliant with the local law requirements
  - "**Yes**" = question is present in the form and eligible for update
  - "**NA**" = question is absent from the form

- Where a form asks the service seeker's name and gender but does not explicitly have a gender-pronoun question, this report automatically lists a positive eligibility under "LL-128 Gender Pronouns" since gender pronouns are typically used when interacting with or referring to that service seeker and might otherwise be assumed.

- If the form is not eligible for updating, the reason is included in appendix. Reasons some might not be eligible for updating include:
  - **Does not contain any Demo Data questions**: The form does not contain questions related to the demographic categories associated with Local Laws 126, 127, and 128 of 2016 and therefore updating the form is not applicable.
  - **Not within agency's authority to edit or amend:** The form is issued by the City agency; however, Demographic Data questions are at least in part subject to oversight from some other authority (i.e.: state or federal government).
  - **Not a City-issued form:** Although the form in question is used by a City agency, the form is issued by another entity, and as such the agency is dependent on the issuer and unable to alter the form contents.

<p align="center">**Agency Reportable Forms Summary**</p>

<p align="center">**Administration for Children's Services (ACS)**</p>

Forms that qualify for review: 3
Forms deemed eligible for updating: 0
Eligible forms updated since last year: 0
Forms newly compliant this year: 0

Notes:
- ACS does not have any forms deemed eligible for updating. All three forms reviewed required New York State Office of Children and Family Services (OCFS) approval to amend. OCFS has not granted permission to amend the forms because the forms must be consistent with OCFS's federal data reporting requirements.
- Mandated ACS services (e.g. foster care) are excluded from this form review report as they are not services that are voluntarily sought.
- In Summer 2022, OCFS updated their statewide Child Care Application to include gender identity for each member of the household. ACS adopted those changes into the CFWB-012 and resubmitted the application to OCFS for their approval. Approval is currently pending with OCFS. Until the update is granted, this form is considered ineligible as it is not within ACS's authority to amend, and updates must come from OCFS.
- See ineligible forms in appendix.

<p align="center">**Department for the Aging (DFTA)**</p>

Forms that qualify for review: 5
Forms deemed eligible for updating: 0
Eligible forms updated since last year: 0
Forms newly compliant this year: 4

Notes:
- DFTA does not have any forms eligible for updating. All five forms reviewed were already in compliance or not within the agency's authority to amend. The following four forms were previously reported as eligible for updating and were updated in 2022, becoming fully compliant with all demographic laws this year: Caregiver Assessment, FV Client Assessment, NORC Assessment, Client Profile – Demographic and Social History. They will no longer be reported here. The remaining form reviewed was a Compass form, DFTA's case management assessment, which is not a city-issued form and not within the agency's authority to amend, thus not eligible for updating under the laws.
- See ineligible forms in appendix.

Department of Education (DOE)

Forms that qualify for review: 24
Forms deemed eligible for updating: 5
Eligible forms updated since last year: 0
Forms newly compliant this year: 0

Notes:
- DOE has five forms eligible for updating, all which are in relation to student enrollment. All other 19 forms reviewed, which include forms for public schools and programs, the ReStart Academy, and the Young Adult Borough Center, either do not contain any demographic data questions or are not within the agency's authority to amend or edit because they require state and/or federal approval, as they must comply with New York State Education Department (NYSED) Commissioner's Regulation Part 154, the Family Education Rights and Privacy Act of 1974 (FERPA), and/or related federal guidance.
- Individual schools may maintain their own contracts. Such contractor forms are not included below.
- See ineligible forms in appendix.

DOE Forms Eligible for Updating

#	Form Name	Eligible for updating?						
		LL-126		LL-127		LL-128		
		Ancestry Groups	Languages Spoken	Multiracial Ancestry	Ethnic Origin	Sexual Orientation	Gender Identity	Gender Pronouns
1	Contractor Form: 21st CCLC	Compliant	Compliant	Compliant	Compliant	Compliant	Yes	Compliant
2	Contractor Form: Empire Enrollment Form	Compliant	Compliant	Compliant	Compliant	Compliant	Yes	Compliant
3	NYCEEC Full-Day Pre-k Program Registration Form	NA	Yes	Compliant	Yes	NA	Compliant	Yes
4	School - Student Registration Form	NA	Yes	NA	NA	NA	Yes	Yes
5	Family Welcome Center Intake Form	NA	Yes	NA	NA	NA	Yes	Yes

Department of Health and Mental Hygiene (DOHMH)

Forms that qualify for review: 19
Forms deemed eligible for updating: 3
Eligible forms updated since last year: 0
Forms newly compliant this year: 0

Notes:
- There are 3 forms eligible for updating from the Healthy Start Brooklyn (HSB) and Newborn Home Visiting Program (NHVP). All 16 forms from the Nurse-Family Partnership service are ineligible for updating because they do not contain any demographic data questions and/or are not a city-issued form as they belong to the Nurse-Family Partnership National Service Office, a national non-profit organization.
- Excluded from the below list are forms from the Office of School Health, as these forms are used for the provision of health and mental health clinical services and are not completed by individuals voluntarily seeking social services.
- See ineligible forms in appendix.

DOHMH Forms Eligible for Updating

#	Form Name	Eligible for updating?						
		LL-126		LL-127		LL-128		
		Ancestry Groups	Languages Spoken	Multiracial Ancestry	Ethnic Origin	Sexual Orientation	Gender Identity	Gender Pronouns
1	HSB – Client Information Form*	NA	Yes	Compliant	Compliant	NA	NA	NA
2	HSB – Partner Information Form*	NA	Yes	Compliant	Compliant	NA	Yes	Yes
4	NHVB – Intake Form	NA	Yes	NA	NA	NA	Yes	Yes

*The federal Health Resources and Services Administration, the federal funder of the Healthy Start program, has developed standardized data collection forms that all Healthy Start programs must adopt as is. DOHMH is in the process of migrating these forms with updated demographic questions to a new database.

Department of Youth and Community Development (DYCD)

Forms that qualify for review: 2
Forms deemed eligible for updating: 1
Eligible forms updated since last year: 1
Forms newly compliant this year: 1

Other notes:
- The Online Universal Application form was updated and became compliant this year. It asks demographic data questions on languages spoken, multiracial ancestry, ethnic origin, sexual orientation, gender identity and gender pronouns. All other programs use this compliant DYCD Online Universal Application.
- There are no other DYCD forms not compliant and/or ineligible for updating.
- See ineligible forms in appendix.

DYCD Forms Eligible for Updating

#	Form Name	Eligible for updating?						
		LL-126		LL-127		LL-128		
		Ancestry Groups	Languages Spoken	Multiracial Ancestry	Ethnic Origin	Sexual Orientation	Gender Identity	Gender Pronouns
1	Summer Youth Employment Program (SYEP) Application Form	NA	Compliant	Yes	Compliant	Compliant	Compliant	Compliant

Department of Social Services (DSS): Human Resources Administration (HRA) & Department of Homeless Services (DHS)

Forms that qualify for review: 24
Forms deemed eligible for updating: 9
Eligible forms updated since last year: 5
Forms newly compliant this year: 0

Notes:
- There are 9 forms eligible for updating, five of which have been updated this year to comply with certain requirements of the demographic laws but are still working towards full compliance. All other 15 forms, which include forms for child support, child care, public assistance, SNAP, health insurance, utility assistance, burial assistance, and home care medical services, are ineligible for updating because they do not contain any demographic data questions and/or are not within the agency's authority to edit or amend as they would require one or multiple of its oversight agencies – New York State Office of Temporary and Disability Assistance, New York State Department of Health, and New York State Office of Children and Family Services – to amend them, in accordance with 18 NYCRR § 320.1.
- See ineligible forms in appendix.

DSS Forms Eligible for Updating

#	Form Name	Eligible for updating?						
		LL-126		LL-127		LL-128		
		Ancestry Groups	Languages Spoken	Multiracial Ancestry	Ethnic Origin	Sexual Orientation	Gender Identity	Gender Pronouns
1	Consumer Directed Personal Assistance Program Application Form*	NA	Yes	NA	NA	NA	Compliant	Compliant
2	Supportive Housing Application	NA	Yes	Compliant	Compliant	NA	Yes	Compliant
3	HASA Request for Program Admission Form	NA	NA	Yes	Yes	NA	Yes	Yes
4	Long Term Care Web Application (LTCWEB)	NA	Compliant	NA	NA	NA	Yes	Yes

5	Adult Protective Services Web Application (APSNET)	NA	Yes	Compliant	Compliant	NA	Yes	Yes
6	Fair Fares Application	NA	Yes	Compliant	Compliant	NA	Compliant	Compliant
7	HASA Web	NA	Compliant	Compliant	Compliant	NA	Yes	Compliant
8	DHS Streetsmart	NA	Yes	Yes	Compliant	NA	Compliant	Compliant
9	DHS Cares	NA	Compliant	Yes	Yes	NA	Compliant	Compliant

*Data captured by the Consumer Directed Personal Assistance Program Application Form isn't housed within DSS as the back end is managed by the State Welfare Management System (WMS). Though DSS is able to make front-end updates to the form, changes would not currently propagate to the back end. DSS is advocating for updates to be made to the State WMS back-end so that front-end form changes are properly captured.

Appendix:
Ineligible Forms by Agency Summary

Administration for Children's Services (ACS)
Forms that were reviewed and deemed ineligible for updating: 3

Forms that are ineligible because they are not within the agency's authority to edit or amend:
1. Division of Child and Family Well-Being Childcare Application CFWB-012
2. Division of Child and Family Well-Being Childcare Recertification

Forms that are ineligible because they are not a city-issued form:
3. Division of Preventive Services Form LE-DSS-2921

Department for the Aging (DFTA)
Forms that were reviewed and deemed ineligible for updating: 1

Forms that are ineligible because they are not a city-issued form:
1. Compass Form

Department of Education (DOE)
Forms that were reviewed and deemed ineligible for updating: 19

Forms that are ineligible because they are not within the agency's authority to edit or amend:
1. Home Language Identification survey
2. NYCDOE Pre-Kindergarten Language Needs Survey
3. Federal Parent/ Guardian Student Ethnic & Race Identification
4. 3-K Application
5. Pre-K Application
6. Kindergarten Application
7. MS Application
8. HS Application
9. MySchools Online Application

Forms that are ineligible because they do not contain any demographic data questions:
10. Non-Parent Custodian Affidavit
11. ACES Application
12. Housing Questionnaire
13. ASD Application
14. ReStart Intake Form
15. YABC Guidance Referral Form YES-1
16. Third Party Statement of Residency
17. Parent Affidavit of Residency
18. Parent Affidavit

Forms that are ineligible because they do not contain any demographic data questions and are not within the agency's authority to edit or amend:
19. ELL Parent Survey and Program Agreement

Department of Health and Mental Hygiene (DOHMH)
Forms that were reviewed and deemed ineligible for updating: 16

Forms that are ineligible because they are not a city-issued form:
1. Nursing-Family Partnership (NFP) – Infant Birth Form
2. NFP – Demographics Pregnancy-Intake
3. NFP – Referrals to NFP Program

Forms that are ineligible because they do not contain and demographic data questions and are not a city-issued form:
4. NFP – Referrals to Services
5. NFP – Use of Government & Community Services
6. NFP – Patient Health Questionnaire-9
7. NFP – ASQ (ASQ-3)
8. NFP – Demographics Update
9. NFP – Infant Health Care
10. NFP – Health Habits
11. NFP – Maternal Health Assessment: Pregnancy-Intake
12. NFP – DANCE ETO Coding Sheet
13. NFP – Clinical IPV Assessment
14. NFP – Generalized Anxiety Disorder - 7 (GAD-7)
15. NFP – Client Dismissal/ Transfer
16. NFP – STAR Framework

Department of Youth and Community Development (DYCD)
Forms that were reviewed and deemed ineligible for updating: 0

Department of Social Services (DSS): Human Resources Administration (HRA) & Department of Homeless Services (DHS)
Forms that were reviewed and deemed ineligible for updating: 15

Forms that are ineligible because they are not within the agency's authority to edit or amend:
1. ACCESS HRA Cash Assistance Application
2. LDSS-3174 - New York State Recertification Form for Certain Benefits and Services (CA Recertification)
3. LDSS-4826 – SNAP-Only Application/Recertification
4. DOH-4328 - Medicare Savings Program Application
5. Home Energy Assistance (HEAP)
6. DOH-4220 – Access NY Health Care Medicaid
7. LDSS-2921 - New York State Application for Certain Benefits and Services (Common Application for CA, SNAP, and/or MA)
8. LDSS-4700 – Enrollment Form for Legally-Exempt Group Child Care Program
9. LDSS-5171 - Acknowledgment of Parentage
10. LDSS-4699 – Enrollment Form for Provider of Legally-Exempt Child Care
11. LDSS-5166 – SNAP-Only Application / Recertification
12. LDSS-5258 – NYS Child Support Enrollment Form

Forms that are ineligible because they do not contain any demographic data questions:
13. Medical Request for Home Care
14. Application for Burial Allowance

Forms that are ineligible because they do not contain any demographic data questions and are not within the agency's authority to edit or amend:

15. DOH-4495A – Access NY Supplement A Form