

THE CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, N.Y. 10007

EXECUTIVE ORDER NO. 26

January 11, 1996

**ESTABLISHMENT OF THE POSITIONS OF
COMMISSIONER OF CHILDREN'S SERVICES
AND SPECIAL ADVISER TO THE MAYOR;
AMENDMENT OF EXECUTIVE ORDER NO. 82 DATED APRIL 26, 1985**

WHEREAS, the Child Welfare Administration ("CWA") is charged with protecting children from abuse and neglect, investigating allegations of child abuse and neglect, providing preventive services to families to maintain the safety of children, and placing children in foster care or adoptive homes when necessary;

WHEREAS, the operations of CWA currently are supervised and coordinated by the City's Human Resources Administration ("HRA") under the jurisdiction of the City's HRA Administrator/Department of Social Services Commissioner;

WHEREAS, the Mayor is committed to continuing and supplementing the improvements which are being made to the operations and management of CWA by HRA;

WHEREAS, the Mayor has established an inter-agency group (the "Inter-Agency Group") chaired by the Commissioner of the Department of Investigation to make recommendations to improve the operations of CWA;

WHEREAS, the Inter-Agency Group has made a number of recommendations which are designed to substantially improve CWA's operations;

WHEREAS, the Mayor has directed the Inter-Agency Group to immediately implement its recommendations, and further has directed CWA to engage in an in-depth management review of its functions and operations;

WHEREAS, the Mayor has determined that, by virtue of the importance of its mission and the magnitude of its budget, CWA should immediately begin to operate separately from HRA to the maximum extent possible, and should be headed by its own Commissioner;

WHEREAS, the Mayor further believes that the mission of CWA will be enhanced if the City's Office of Child Support Enforcement ("OCSE") and the City's Head Start program are supervised and coordinated by the CWA Commissioner, and that these programs will benefit from direct supervision by the CWA Commissioner;

WHEREAS, the Mayor wishes to rename CWA as the Administration for Children's Services;

WHEREAS, the Mayor further anticipates proposing appropriate local legislation as may be necessary to create the Administration for Children's Services as a new agency whose primary function will be to protect and serve the City's children;

WHEREAS, the Mayor wishes to appoint a Special Adviser on Children's Services to coordinate the provision of youth and social services to children by the Mayoral agencies;

NOW, THEREFORE, by the power vested in me as the Mayor of the City

of New York, it hereby is ordered:

Section 1. Commissioner of the Administration for Children's Services.

The functions of CWA hereby are continued, and CWA hereafter shall be referred to as the Administration for Children's Services ("AFCS"). The head of the AFCS shall be a Commissioner, who shall report directly to the Mayor with regard to all matters relating to this Order, and also shall serve as Special Adviser to the Mayor on Children's Services. The Commissioner further shall possess the qualifications of, and serve as, a Deputy Commissioner of the City Department of Social Services for the purposes of the state social services law.

Section 2. Powers and Duties of Commissioner. The AFCS

Commissioner/Special Adviser to the Mayor on Children's Services, to the maximum extent consistent with existing law, shall be responsible for:

1. Directing and supervising the management, operations, budget and funding of the AFCS in all respects;
2. Directing and supervising the management, operations, budget and funding of the OCSE and the Head Start Program;
3. Directing and supervising the implementation of the recommendations of the Inter-Agency Group within the AFCS, and supervising and directing the in-depth analysis of the AFCS' operations and procedures directed by the Mayor;
4. Advising and assisting the Mayor in planning for increased coordination and cooperation among Mayoral agencies that are

involved in providing youth and social services to children;

5. Working with OMB to review the budget requests of all Mayoral agencies for programs related to youth and social services for children and recommending to the Mayor budget priorities among such programs; and
6. Performing such other duties as the Mayor may assign.

Section 3. Office of Child Support Enforcement and Head Start Program.

The City's OCSE and the Head Start Program shall be continued, and shall hereafter be maintained under the supervision and direction of the AFCS Commissioner.

Section 4. Transition to Agency Status. The AFCS Commissioner further shall be responsible for supervising, directing and managing the transition of the AFCS to the status of a new agency, and for the development of any appropriate plans as may be directed by the Mayor for the integration of other functions relating to children within such agency.

Section 5. Budgeting. The AFCS Commissioner, subject to the supervision of the Mayor, shall work directly with the City's Office of Management and Budget with regard to the funding and administration of the City's budgets for the AFCS, the OCSE, and for the Head Start Program.

Section 6. Cooperation of City Departments and Agencies. The Mayor's Office of Management and Budget, the Mayor's Office of Operations, the Mayor's Office of Labor Relations, the Police Department, the Department of Investigation, the Human Resources Administration, and the Law Department shall form a Management Working

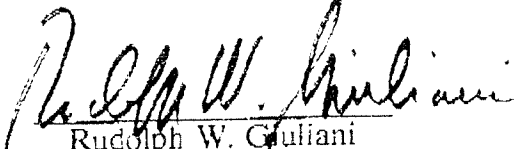
Group to assist the AFCS Commissioner in the implementation of this Order. All other departments and agencies of the City shall cooperate with the Commissioner to effectuate the terms of this Order.

Section 7. Coordinated Administration with HRA. The AFCS, OCSE and the Head Start Program, to the extent that the AFCS Commissioner determines is appropriate, shall continue to have the benefit of, and access to, all legal, administrative and support services currently provided to them by HRA, and HRA shall continue to provide such services to the AFCS, the OCSE and the Head Start Program.

Section 8. Prior Order Amended. Section 1 of Executive Order No. 82, dated April 26, 1985, is amended to read as follows:

Section 1. Human Resources Administration. There is in the Executive Office of the Mayor a Human Resources Administration ("Administration") with the responsibility to establish, coordinate and implement city policies with regard to social service, human resources and community development programs currently supervised by the Administration. The Administration will not be responsible for the Administration for Children's Services ("AFCS"), the Office of Child Support Enforcement ("OCSE"), and the Head Start Program. The Administration shall, however, provide legal, administrative and support services to the AFCS, the OCSE and the Head Start Program upon request of the AFCS Commissioner.

Section 9. Effective Date. This Order shall take effect February 12, 1996.


Rudolph W. Giuliani
Mayor