
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 265 Session of
1993

INTRODUCED BY PESCI, STURLA, TRELLO, BELARDI, DALEY, KENNEY,
BELFANTI, PISTELLA, JOSEPHS AND ROEBUCK, FEBRUARY 8, 1993

REFERRED TO COMMITTEE ON URBAN AFFAIRS, FEBRUARY 8, 1993

AN ACT

1 Providing for grants by the Secretary of Community Affairs to
2 promote social services for Pennsylvania's ethnic and
3 multicultural communities and to insure that ethnic groups
4 are not discriminated against or prohibited from receiving
5 services because of language barriers, cultural obstacles,
6 lack of education or lack of accessibility to government-
7 related or public social programs.

8 The General Assembly of the Commonwealth of Pennsylvania
9 hereby enacts as follows:

10 Section 1. Short title.

11 This act shall be known and may be cited as the Ethnic-
12 American and Multicultural Social Services Act.

13 Section 2. Legislative intent.

14 This legislation is enacted in recognition of the
15 heterogeneous composition and heritage of this Commonwealth and
16 of the fact that, in a multiethnic society, an increasing number
17 of Pennsylvania's ethnic constituency are poorly educated and
18 have limited English speaking, reading and writing abilities. It
19 is the purpose of this act to reach out to these needy people
20 who require these vital social services but have not previously

1 been recognized by government as having obstacles to acquiring
2 these services or as having social problems which could lead to
3 discrimination while trying to obtain these services and who,
4 due to language or cultural barriers, are unable to communicate
5 with the various Federal, State and local government agencies,
6 departments, offices, representatives, etc. It is the intent of
7 this public policy initiative to further promote and encourage
8 the use of the English language with the ethnic persons served
9 by this act. It is further recognized that many of the
10 government agencies do not have adequate personnel to cope with
11 this dilemma and have not made adequate outreach into ethnic
12 communities; and it is recognized and noted on the record that
13 such government offices currently rely on various cultural
14 groups and social service organizations for assistance in coping
15 with the various cultural obstacles and needs without
16 compensation for their services.

17 Section 3. Definitions.

18 The following words and phrases when used in this act shall
19 have the meanings given to them in this section unless the
20 context clearly indicates otherwise:

21 "Bona fide social service organization." A private,
22 nonprofit organization recognized by the Internal Revenue
23 Service under section 501(c)(3) of the Internal Revenue Code of
24 1986 (Public Law 99-514, 26 U.S.C. § 501(c)(3)) and which is
25 representative of the community or a significant segment of the
26 target group to be served. The organization must have a history
27 of servicing an American ethnic constituency or be able to
28 demonstrate a capability of responding to the special needs of
29 the constituency as identified in this act.

30 "Department." The Department of Community Affairs of the

1 Commonwealth.

2 "Secretary." The Secretary of Community Affairs of the
3 Commonwealth.

4 "Target group." Any large ethnic population living in a
5 certain geographic area or neighborhood which is experiencing
6 severe handicaps, such as language, cultural or educational, in
7 obtaining services from public or private agencies, programs or
8 government offices or who are facing any type of discrimination
9 and whose needs are not presently being addressed.

10 Section 4. Ethnic and multicultural social service grants
11 administration.

12 (a) Grants.--The secretary is authorized to make grants to
13 bona fide social service organizations that will conduct
14 services for the ethnic and multicultural citizenry of this
15 Commonwealth to assist them with their unique language, cultural
16 and educational barriers and to promote and avail this
17 constituency of the various services it deserves and needs. The
18 secretary shall establish standards as may be necessary to
19 fulfill the purposes of this act.

20 (b) Application process.--Each qualified bona fide social
21 service organization shall apply to the department for grants to
22 carry out the purposes of this act. The application shall be on
23 a form prescribed by the department, and it shall include at
24 least the following information:

25 (1) Name of organization.

26 (2) Address of organization.

27 (3) Executive director of organization.

28 (4) Contact person and telephone number of organization.

29 (5) IRS determination letter and IRS tax-exemption
30 number.

- 1 (6) Length of time established.
- 2 (7) Amount of grant requested (not to exceed \$150,000).
- 3 (8) Duration of the contract (not to exceed one year).
- 4 (9) Program categories addressed or type of services
5 rendered, which may include, but need not be limited to, the
6 following:
- 7 (i) General information and referral.
- 8 (ii) Assistance in completing forms.
- 9 (iii) Translations.
- 10 (iv) Outreach programs which educate and inform the
11 community about services and programs available.
- 12 (v) Programs to help improve the quality of life and
13 promote independence among elderly, low-income and poorly
14 educated persons and those with language barriers or
15 cultural obstacles.
- 16 (vi) Counseling.
- 17 (10) Type of target group to be served.
- 18 (11) Statement certifying that the organization has the
19 capability and expertise to reach the entire target group
20 within a reasonable geographic area, not just one small
21 neighborhood, unless the one neighborhood encompasses the
22 entire target group within a reasonable geographic area.
- 23 (12) Credibility statement certifying the qualifications
24 of the personnel who will direct or supervise the program.
- 25 (13) An assessment of the need.
- 26 (14) Program goals and objectives.
- 27 (15) Methods of operation.
- 28 (16) Evaluation procedures that will be used to
29 determine the impact of the program.
- 30 (17) Expected number to be served.

1 (18) Certification or signature of officiating board
2 chairman, or equivalent, of the organization and date signed.

3 (19) Number of positions funded all or in part by this
4 program.

5 (20) A summary of the program budget and projected
6 expenses for the duration of the contract. This shall
7 include, but not be limited to, personnel costs and operating
8 costs but shall not include capital or equipment purchases
9 which are prohibited under this act. All other miscellaneous
10 costs, such as costs for consultants to be utilized and audit
11 costs, must be stated.

12 (c) Application review process.--The department shall,
13 within 90 days of receiving an application from a bona fide
14 social service organization, accept or reject such application.
15 The application must be complete with all questions answered.

16 (d) Use and amount.--Grants shall not be used for capital
17 expenditures. No grant shall exceed \$150,000. An organization
18 may submit applications for more than one program. Each grant
19 application shall be reviewed independently. The application
20 procedure and process shall be on a 12-month basis. No grant
21 shall be awarded to a social service organization which
22 possesses a license under the act of April 12, 1951 (P.L.90,
23 No.21), known as the Liquor Code. Organizations may be single-
24 purpose or multipurpose groups but must meet all the criteria
25 set forth in this section. If a program is to service more than
26 one target group, the applicant must prove the capability of
27 reaching a majority of the members in each target ethnic group
28 within a reasonable geographic area. Servicing of other than a
29 stated target group is permitted if other ethnic groups live in
30 target group communities. It is not the intent of this act to

1 discriminate against other groups but in fact to help eliminate
2 discrimination against those with language or cultural
3 obstacles. Subcontracting is not permitted under this act. At
4 least half of all personnel hired under this act must be
5 bilingual and bicultural in the language and culture of the
6 target group to be served. For multiethnic programs there shall
7 be at least one fluently bilingual and bicultural position per
8 ethnic group to be served. The social service organization must
9 operate within the confines of this Commonwealth, and the
10 program funded must serve only ethnic and cultural
11 constituencies of this Commonwealth.

12 Section 5. Rules and regulations.

13 The department shall, in the manner provided by law,
14 promulgate the rules and regulations necessary to carry out this
15 act.

16 Section 6. Audit and report.

17 (a) Audit.--The Auditor General shall conduct an annual
18 audit of the program established by this act.

19 (b) Report.--The department shall submit an annual report to
20 the General Assembly on the administration of this act and the
21 effectiveness of the program established hereunder in meeting
22 the needs of individuals in the target group.

23 Section 7. Funding.

24 The department may use any existing appropriations made to
25 the department to carry out this act.

26 Section 8. Effective date.

27 This act shall take effect immediately.