



Legislation Text

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Int. No. 1643

By the Public Advocate (Ms. James) and Council Members Salamanca, Cohen, Maisel and Gentile

A Local Law to amend the administrative code of the city of New York, in relation to a child care report and plan to address the need for expanded child care capacity

Be it enacted by the Council as follows:

Section 1. Chapter 9 of title 21 of the administrative code of the city of New York is amended by adding a new section 21-910 to read as follows:

§ 21-910 Child care report and plan. a. Definitions. For purposes of this section, the following terms have the following meanings:

Area of economic transition. The term “area of economic transition” means a zip code in the bottom 40 percent of zip codes with respect to median household income in the city in 2000 that experienced an increase of over 20 percent in median household rent between 2000 and 2014, according to data from the United States census bureau.

Child care. The term “child care” means care for a child on a regular basis provided away from the child’s residence for less than 24 hours per day by a person other than the parent, step-parent, guardian or relative within the third degree of consanguinity of the parents or step-parents of such child.

Child care center. The term “child care center” means a program or facility permitted by the department of health and mental hygiene that is not a residence and that provides child care to three or more children ages six weeks through five years old.

Child care gap ratio. The term “child care gap ratio” means the total of the number of children enrolled in child care centers and family child care programs, the number of vacant slots in child care centers and family

child care programs, and the number of children receiving informal care with a mandated voucher or non-mandated voucher, divided by the number of children in the city under 13 years old.

Family child care program. The term “family child care program” means a program registered or licensed by the department of health and mental hygiene that provides child care in a residence to three or more children ages six weeks through 12 years old.

Higher-income area. The term “higher-income area” means a zip code in the top 60 percent of zip codes with respect to median household income in the city in 2014.

Income eligible child. The term “income eligible child” means a child under 13 years old with a family income up to 200 percent of the federal poverty level as updated annually by the federal department of health and human services.

Informal child care. The term “informal child care” means child care for one or two children provided in a residence by a person not required to be registered or licensed by the department of health and mental hygiene, or care for a child provided in the child’s own residence by a person not required to be registered or licensed by the department of health and mental hygiene.

Mandated voucher. The term “mandated voucher” means child care assistance funds that ACS is required to provide to certain families pursuant to section 410-w of the social services law.

Non-mandated voucher. The term “non-mandated voucher” means child care assistance funds that ACS may provide to certain families pursuant to section 410-w of the social services law.

Subsidized child care center. The term “subsidized child care center” means a program or facility directly funded by ACS and permitted by the department of health and mental hygiene that is not a residence and that provides free or low cost child care to three or more children ages six weeks through four years old.

Subsidized child care gap ratio. The term “subsidized child care gap ratio” means the total of the number of children enrolled in subsidized child care centers and subsidized family child care programs, the number of vacant slots in subsidized child care centers and subsidized family child care programs, and the

number of children receiving informal care with a mandated voucher or non-mandated voucher, divided by the number of eligible children.

Subsidized family child care program. The term “subsidized family child care program” means a program directly funded by ACS and registered or licensed by the department of health and mental hygiene that provides free or low cost child care in a residence to three or more children ages six weeks through four years old.

b. Beginning April 1, 2017, and quarterly thereafter, ACS, in consultation with the department of health and mental hygiene, shall submit to the mayor and speaker of the council and post on its website, no later than 30 days after the end of each quarter, a report regarding child care capacity in the city. Such report shall include, but need not be limited to:

1. The number of children under 13 years old, disaggregated by total citywide, borough, community district and zip code, and by the age ranges of 0 to 23 months, 24 to 35 months, 36 to 47 months, 48 to 59 months, and 60 months to 12 years old;

2. The number of income eligible children, disaggregated by total citywide, borough, community district and zip code, and by the age ranges of 0 to 23 months, 24 to 35 months, 36 to 47 months, 48 to 59 months, and 60 months to 12 years old;

3. The number of children enrolled in child care centers, disaggregated by total citywide, borough, community district and zip code, and by the age ranges of 0 to 23 months, 24 to 35 months, 36 to 47 months, and 48 to 59 months;

4. The number of children enrolled in family child care programs, disaggregated by total citywide, borough, community district and zip code, and by the age ranges of 0 to 23 months, 24 to 35 months, 36 to 47 months, 48 to 59 months, and 60 months to 12 years old;

5. The number of vacant slots in child care centers and family child care programs, disaggregated by total citywide, borough, community district and zip code;

6. The number of children enrolled in subsidized child care centers, disaggregated by total citywide, borough, community district and zip code, and by the age ranges of 0 to 23 months, 24 to 35 months, and 36 to 47 months;

7. The number of children enrolled in subsidized family child care programs, disaggregated by total citywide, borough, community district and zip code, and by the age ranges of 0 to 23 months, 24 to 35 months, and 36 to 47 months;

8. The number of vacant slots in subsidized child care centers and subsidized family child care programs, disaggregated by total citywide, borough, community district and zip code;

9. The number of children receiving care with a mandated voucher, disaggregated by total citywide, borough, community district and zip code, by enrollment in child care centers, family child care programs and informal child care, and by the age ranges of 0 to 23 months, 24 to 35 months, 36 to 47 months, 48 to 59 months, and 60 months to 12 years old; and

10. The number of children receiving care with a non-mandated voucher, disaggregated by total citywide, borough, community district and zip code, by enrollment in child care centers, family child care programs and informal child care, and by the age ranges of 0 to 23 months, 24 to 35 months, 36 to 47 months, 48 to 59 months, and 60 months to 12 years old.

c. No later than April 1, 2017, ACS shall submit to the mayor and speaker of the council and post on its website a plan to address the need for expanded child care capacity in the city. Such plan shall address, but need not be limited to:

1. How to assist with the creation of additional slots in child care centers and family child care programs in zip codes in which the child care gap ratio is less than 1.0;

2. How to assist with the creation of additional slots in subsidized child care centers and subsidized family child care programs in zip codes in which the subsidized child care gap ratio is less than 1.0;

3. How to assist with the creation and maintenance of adequate slots in subsidized child care centers and

subsidized family child care programs in areas of economic transition;

4. How to assist with the creation and maintenance of adequate slots in subsidized child care centers and subsidized family child care programs in higher-income areas in which over 20 percent of households have incomes below the federal poverty level as updated annually by the federal department of health and human services; and

5. Any other issues related to child care capacity in the city that ACS deems appropriate, including any projected population growth and dispersal due to the creation of affordable housing pursuant to section 23-90 of the zoning resolution.

d. Beginning one year following the submission of the plan required by subdivision c of this section and every year thereafter, ACS shall submit to the mayor and speaker of the council and post on its website a report detailing progress made on the recommendations, initiatives and priorities that result from such plan.

e. ACS shall review and update the plan required by subdivision c of this section as appropriate every four years and shall submit to the mayor and speaker of the council and post on its website the updated plan not later than six months before the last day of each such fourth year.

§ 2. This local law takes effect immediately.

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