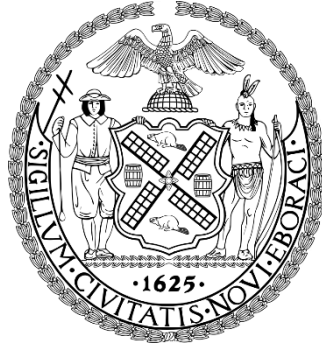


COMMITTEE ON WOMEN AND GENDER EQUITY:

Brenda McKinney, *Counsel*
Chloë Rivera, *Senior Policy Analyst*
Monica Pepple, *Financial Analyst*

COMMITTEE ON EDUCATION:

Malcom M. Butehorn, *Senior Counsel*
Jan Atwell, *Senior Policy Analyst*
Kalima Johnson, *Senior Policy Analyst*
Chelsea Baytemur, *Financial Analyst*
Masis Sarkissian, *Financial Analyst*



THE COUNCIL OF THE CITY OF NEW YORK

BRIEFING PAPER OF THE HUMAN SERVICES DIVISION

Jeffrey Baker, *Legislative Director*
Andrea Vazquez, *Deputy Director*

COMMITTEE ON WOMEN AND GENDER EQUITY

Hon. Helen K. Rosenthal, *Chair*

COMMITTEE ON EDUCATION

Hon. Mark Treyger, *Chair*

December 16, 2020

Oversight: The Impact of COVID-19 on Childcare in New York City

RES. NO. 1324 By Council Members Louis, Cornegy, Treyger, Kallos, Chin, Rosenthal and Rose

TITLE: Resolution calling on the New York City Department of Education to partner with nonprofit organizations to provide on-site pro bono legal assistance at schools to help students and their families with housing issues

RES. NO. 1473 By Council Members Louis, Treyger, Chin, Rosenthal and Rose

TITLE: Resolution calling upon the New York City Department of Education to provide families of children with disabilities the necessary training and equipment to properly enable distance learning

I. INTRODUCTION

On December 16, 2020, the Committee on Women and Gender Equity, chaired by Council Member Helen K. Rosenthal, and the Committee on Education, chaired by Council Member Mark Treyger, will hold a joint oversight hearing on *The Impact of COVID-19 on Childcare in New York City* (“NYC” or “City”). In addition, the Committees will hear Resolution No. 1324, which calls on the NYC Department of Education (DOE) to partner with nonprofit organizations to provide on-site pro bono legal assistance at schools to help students and their families with housing issues, and Resolution No. 1473, which calls on the DOE to provide families of children with disabilities the necessary training and equipment to properly enable distance learning, both sponsored by Council Member Farah Louis. Witnesses invited to testify include representatives from the DOE and the NYC Commission on Gender Equity (CGE), as well as unions, think tanks, advocacy groups and organizations, and other interested stakeholders.

II. BACKGROUND

Access to Childcare Pre-COVID-19

Access to affordable childcare was limited¹ well before NYC became the national epicenter of the novel coronavirus (“COVID-19”).² Childcare challenges are a barrier to work, especially for mothers, who disproportionately take on unpaid caregiving responsibilities when their family cannot find or afford childcare.³ While the City has invested in universal pre-kindergarten programs for three- and four-year-olds,⁴ many low- and moderate-income caregivers still struggle with the high cost of childcare for infants and toddlers, and for after school care for children of all ages.⁵

According to a 2019 report by the NYC Comptroller on care for children under three (“Comptroller’s 2019 Report”), the best available data on childcare costs at the local level come from a survey of childcare providers conducted by the New York State Office of Children and Family Services (OCFS), which sets childcare subsidy market rates at the 69th percentile of the prices reported by providers.⁶ As of 2018, when the market-rate survey was last conducted, the annual cost of center-based care at the 69th percentile in NYC was \$21,112 for infants and \$16,380 for toddlers, or \$18,746 on average for children under three.⁷ The annual cost of family day care provided in a residence averaged \$10,331 for children under three, with the difference in costs likely reflecting the added

¹ See for example, NYC Comptroller Scott M. Stringer, *NYC Under 3: A Plan to Make Child Care Affordable for New York City Families* (May 2019), available at <https://comptroller.nyc.gov/wp-content/uploads/documents/Child-Care-Report.pdf>.

² Centers for Disease Control and Prevention, “COVID-19 Outbreak — New York City, February 29–June 1, 2020” Morbidity and Mortality Weekly Report (MMWR) (Nov. 20, 2020), available at <https://www.cdc.gov/mmwr/volumes/69/wr/mm6946a2.htm>.

³ John Halpin, et al., *Affordable Child Care and Early Learning for All Families*, Center for American Progress (2018), available at <https://cdn.americanprogress.org/content/uploads/2018/09/12074422/ChildCarePolling-report.pdf>.

⁴ NYC Mayor Bill de Blasio, “Mayor de Blasio and Chancellor Carranza Announce Over 9,500 Families Receiving 3-K for All Offers,” Press Office (May 30, 2019), available at <https://www1.nyc.gov/office-of-the-mayor/news/270-19/mayor-de-blasio-chancellor-carranza-over-9-500-families-receiving-3-k-all-offers#:~:text=As%20part%20of%20the%202019,up%20from%20six%20originally%20planned.>

⁵ *Supra* note 1.

⁶ NYC Comptroller Scott M. Stringer, “NYC Under 3: A Plan to Make Child Care Affordable for New York City Families,” May 2019, accessed at <https://comptroller.nyc.gov/wp-content/uploads/documents/Child-Care-Report.pdf>.

⁷ *Id.*

overhead to run center-based programs, which are often large commercial properties that serve more children, and generally require more staffing.⁸ Center-based care for an infant would consume more than two-thirds (68 percent) of the income of a single parent working full-time at the minimum wage,⁹ and family day care provided in a residence would comprise one-third of such a family's income.¹⁰

While there is some public funding available to help both parents and providers offset the cost of childcare, it is not sufficient to meet the need; only about one in seven infants and toddlers in families income-eligible for assistance actually receive a subsidy.¹¹ As a result, according to NYC Administration for Children's Services childcare data from February 2019, only seven percent of all infants and toddlers were in publicly-funded childcare, compared to an estimated 45 percent of three- and four-year-olds.¹²

Additionally, childcare centers are generally located in higher-income communities and do not have the capacity to accommodate a significant percentage of children.¹³ The Comptroller's 2019 Report estimated that childcare centers and family day care providers had capacity for only 22 percent of children under the age of two in the city.¹⁴ Nearly half of all of NYC's community districts meet the definition of an infant care desert, with a ratio of childcare capacity to children of less than 20 percent and, in the 10 neighborhoods with the least capacity, there were more than 10 times as many infants as there were available childcare spaces.¹⁵

Despite the City's efforts to meet the needs of NYC families, challenges remain for those in need of childcare, and the COVID-19 pandemic has further exposed and exacerbated that need.

⁸ *Id.*

⁹ See New York State Department of Labor, Minimum Wage (n.d.), available at <https://labor.ny.gov/workerprotection/laborstandards/workprot/minwage.shtm>.

¹⁰ *Supra* note 1.

¹¹ *Id.*

¹² *Id.*

¹³ *Id.*

¹⁴ *Id.*

¹⁵ *Id.*

Impact of COVID-19 on Childcare

On March 7, 2020, following the outbreak of the COVID-19 pandemic in the United States (U.S.), New York State Governor Andrew M. Cuomo issued a State disaster emergency.¹⁶ The following week, on March 12, Mayor Bill de Blasio issued an Emergency Executive Order directing agency heads to take appropriate actions,¹⁷ followed by a March 15th Mayoral announcement that DOE schools would be closing,¹⁸ and directive from Governor Cuomo for NYC to develop a childcare plan.¹⁹

By the time DOE schools closed on March 16th, many childcare centers had shut down as demand waned, as they could no longer sustain themselves on already thin margin lines.²⁰ While the State offered waivers to local services districts that wanted to expand childcare services to families affected by the coronavirus, care providers were also required to implement costly cleaning, sanitizing and disinfecting routines to ensure the health and safety of staff and children.²¹ At a time when little was known about COVID-19 and its transmission, many families chose, or otherwise had to keep their children from attending childcare, resulting in the loss of business for those providers.²² Data from the National Association for the Education of Young Children and Early Care & Education

¹⁶ NYC Board of Health, *Order of the Board of Health of the City of New York for the Closure of Certain Child Care Programs and Family Shelter-Based Drop-Off Child Supervision Programs*, City of New York (Apr. 3, 2020), available at <https://www1.nyc.gov/assets/doh/downloads/pdf/imm/covid-19-closure-of-child-care.pdf>.

¹⁷ *Id.* (directing all agency heads “to take all appropriate and necessary steps to preserve public safety and to render all required and available assistance to protect the security, well-being and health of [New Yorkers]”)

¹⁸ Office of the Mayor press release, “New York City to Close All School Buildings and Transition to Remote Learning” (Mar. 15, 2020) available at <https://www1.nyc.gov/office-of-the-mayor/news/151-20/new-york-city-close-all-school-buildings-transition-remote-learning>.

¹⁹ Office of the Governor press release, “Governor Cuomo Announces All New York City, Westchester, Suffolk and Nassau Public Schools Will Close This Week to Limit Spread of COVID-19” (Mar. 15, 2020), available at <https://www.governor.ny.gov/news/governor-cuomo-announces-all-new-york-city-westchester-suffolk-and-nassau-public-schools-will> (directing the City “[to] develop a plan within the next 24 hours to ensure children who rely on school breakfast and lunch programs will continue to receive that support, and parents—especially critical healthcare workers and first responders—will be provided access to childcare as needed.”)

²⁰ Kendra Hurley, “The Last Daycares Standing” Bloomberg CityLab (Mar. 28, 2020), available at <https://www.bloomberg.com/news/articles/2020-03-28/will-daycares-survive-the-covid-19-outbreak>.

²¹ New York State Office of Children and Family Services, Coronavirus Information (COVID-19): News and Updates (March 16-October 19, 2020), available at <https://ocfs.ny.gov/main/news/COVID-19/>.

²² Dana Goldstein and Julie Bosman, “As Day Care Centers Reopen, Will Parents Send Their Children?” NY Times (May 29, 2020), available at <https://www.nytimes.com/2020/05/29/us/coronavirus-child-care-centers.html>.

Consortium suggests that programs nationally lost nearly 70 percent of their daily attendance in one week alone during the pandemic.²³ Eventually, the State required the temporary closure of childcare centers, which hit low-income childcare workers hard and led to the permanent closure of many childcare businesses.²⁴ Nationally, according to the U.S. Bureau of Labor Statistics, COVID-19 cost the childcare industry more than 335,000 jobs in March and April alone, about a third of the pre-pandemic total.²⁵

The COVID-19 pandemic has highlighted inequities in healthcare, as the disease has killed Black and Latinx New Yorkers at a much higher rate than white New Yorkers.²⁶ Not only did the pandemic lay bare the profound health care disparities that have been long known in the city, but it widened other socioeconomic inequities for these same groups. In NYC, according to the 2017 American Community Survey, among employed women childcare providers, 42 percent are Latina; 32 percent are Black, non-Latinx; 14 percent are white, non-Latinx; and nine percent are Asian, non-Latinx.²⁷ Moreover, 93 percent of employed childcare providers in the city are women, and 25 percent live in poverty while 53 percent have incomes low enough to qualify for a childcare subsidy.²⁸ Clearly, in addition to families, the pandemic has had a harmful impact on childcare providers and employees, particularly affecting low-income workers and communities.

²³ *Id.*

²⁴ New York State Office of Children and Family Services, Coronavirus Information (COVID-19): News and Updates (March 16-October 19, 2020), available at <https://ocfs.ny.gov/main/news/COVID-19/>.

²⁵ U.S. Bureau of Labor Statistics, *Table B-1. Employees on nonfarm payrolls by industry sector and selected industry detail*, U.S. Department of Labor (n.d.), available at <https://www.bls.gov/news.release/empsit.t17.htm>.

²⁶ Beckie Strum, “Blacks, Latinos in NYC disproportionately fall victim to coronavirus” CityWatch, MarketWatch (Apr. 9, 2020), available at <https://www.marketwatch.com/story/blacks-latinos-in-nyc-disproportionately-fall-victim-to-coronavirus-2020-04-08>.

²⁷ *Id.*, Comptroller’s Office analysis of U.S. Census Bureau, 2013-2017 American Community Survey 5-Year Estimates, using IPUMS USA, University of Minnesota, available at www.ipums.org.

²⁸ *Id.*

School Reopening Timeline

Beyond the impact on providers and staff, constant changes in the timeline for school reopening, as well as intermittent school closures, added tremendously to the uncertainty and disruption for families. On July 8th, Mayor de Blasio and DOE Chancellor Richard Carranza unveiled “Blended Learning,” their school reopening plan featuring a combination of in-school instruction and remote learning for students.²⁹ In August, the Mayor set a school reopening date of September 10th, which was shortly thereafter postponed to September 21st, and then again delayed to September 29th for elementary schools and October 1st for middle and high schools.³⁰ While DOE schools were once again shut down on November 19th, after the citywide COVID-19 infection rate exceeded three percent over a seven-day rolling average,³¹ the Mayor abandoned the three percent COVID-19 infection rate threshold less than three weeks later.³² The uncertainty and instability caused by these changing plans, coupled with the adjustment to the hybrid model, have left many NYC-parents feeling uneasy, if not unprepared to identify reliable childcare on such short timeframes.³³ As of the writing of this Committee Report, the Administration has not provided a timeframe for when middle and high schools will resume in-person learning.³⁴ However, school buildings reopened for students in 3-K and Pre-K programs on December 7th, and those who opted for in-person learning in grades K–5.³⁵

²⁹ NYC Department of Education, Elected Official Briefing – Schools Reopening Plan, July 8, 2020.

³⁰ Emma G. Fitzsimmons, Jeffery C. Mays and Eliza Shapiro, “How N.Y.C.’s Mayor Ignored Warnings and Mishandled Reopening Schools” NY Times (Sept. 18, 2020), available at <https://www.nytimes.com/2020/09/18/nyregion/schools-reopen-delay-nyc.html>.

³¹ Eliza Shapiro, “New York City to Close Public Schools Again as Virus Cases Rise,” NY Times (Nov. 18, 2020), available at <https://www.nytimes.com/2020/11/18/nyregion/nyc-schools-covid.html> (explaining that, as a result of this decision, more than 300,000 students who had been attending in-person classes transitioned to remote learning)

³² Christianna Silva, “New York City Schools Will Reopen With New COVID-19 Testing Protocol,” November 29, 2020, NPR, accessed at: <https://www.npr.org/sections/coronavirus-live-updates/2020/11/29/939902582/new-york-city-schools-will-reopen-with-new-covid-19-testing-protocol>.

³³ See, e.g., *Id.*; Sophia Chang, *Parents Who Work In NYC Schools Still Wondering What To Do With Their Own Kids* (Aug. 11, 2020), available at <https://gothamist.com/news/parents-who-work-nyc-schools-still-wondering-what-do-their-own-kids>.

³⁴ Office of the Mayor press release, “Mayor de Blasio and Chancellor Carranza Announce Plan to Return to In-Person Learning in New York City Schools” (Nov. 29, 2020), available at <https://www1.nyc.gov/office-of-the-mayor/news/817-20/mayor-de-blasio-chancellor-carranza-plan-return-in-person-learning-new-york..>

³⁵ *Id.*

School buildings reopened on December 10th for District 75 schools.³⁶ While an additional concern for parents has been that only students who had originally signed-up for in-person learning would be permitted to participate in the City’s latest reopening plans,³⁷ the back-and-forth of closing and reopening school buildings, the short notice for plan changes and the limited options for in-person learning have left parents and caregivers repeatedly scrambling for childcare options after the City’s plan for free childcare through Learning Bridges was delayed.³⁸

III. REGIONAL ENRICHMENT CENTERS

One early plan that provided promise families to have access to childcare early on was the “Regional Enrichment Center” (REC) model.³⁹ On March 23rd, in order to meet the Governor’s mandate and ensure that essential frontline workers, including medical personnel, transit workers and other key personnel, could continue to report to work,⁴⁰ the DOE created childcare for essential workers.⁴¹ The DOE ran more than 90 REC sites in DOE buildings, DOE pre-K centers and

³⁶ *Id.*

³⁷ Eliza Shapiro, “New York City Will Reopen Elementary Schools and Reduce Hybrid Learning” NY Times (Nov. 29, 2020), available at <https://www.nytimes.com/2020/11/29/nyregion/schools-reopening-partially.html> (explaining that out of approximately 335,000 students who chose in-person learning, roughly 190,000 are eligible to participate in this new reopening plan for elementary and District 75 schools)

³⁸ *Id.*

³⁹ *See, e.g.*, Liam Stack and Nate Schweber, *Parents Work the Front Lines. Where do Their Children Go All Day?* (Mar. 28, 2020), available at <https://www.nytimes.com/2020/03/28/nyregion/nyc-enrichment-centers-schools.html>. Note, however, that RECs were not without some criticism. At the September 3 Committee on Education hearing, education advocates criticized the DOE for not allowing students in temporary housing to attend RECs unless their parents fell into one of its employee categories. Testimony called for the prioritization of students “whose academic and developmental progress is most dependent on the social environment and consistency of in-person education,” which, in addition to early and elementary school students, students with Individualized Education Programs and multilingual learners, includes students in temporary housing, such homeless shelters, hotels, transitional housing, shared housing, domestic violence shelters and other home situations, many of which lack internet access, and do not provide an environment conducive for academic enrichment and learning. *See* NYC Council, Res 1410-2020 Version A, Committee on Education (Sept. 3, 2020), available at <https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=4624915&GUID=A250ED3A-2F72-458E-B525-18C9B94CD96D&Options=&Search=>.

⁴⁰ NYC June 2020 Adopted Budget. available at <https://www1.nyc.gov/site/omb/publications/finplan06-20.page> (Since opening on March 23, the list of eligible professions whose children could enroll in RECs expanded multiple times and eventually numbered more than 30 categories, including ferry workers, grocery store workers, pharmacy workers, utility workers and employees of many City agencies like corrections, fire, health, homeless services, parks, police and health).

⁴¹ NYC Department of Education, “Regional Enrichment Centers” (n.d.), available at <https://www.schools.nyc.gov/enrollment/enrollment-help/regional-enrichment-centers>.

community-based programs across the five boroughs.⁴² RECs were staffed by “DOE employees and community-based organization partners, and provided children with three daily hot meals, remote learning time with their teachers, and activities like art, music, and physical education, and social and emotional support.”⁴³ Hours of operation for RECs were 7:30 a.m. to 6:00 p.m.⁴⁴

Further, the Fiscal 2021 Adopted Budget recognized \$136 million in federal Coronavirus Aid, Relief, and Economic Security (CARES) Act revenue for Fiscal 2020 to support the full expense of the RECs, including \$120 million funded personnel salaries, \$12 million funded early childhood education contract extensions with community based providers and the remainder of the \$136 million covering expenses such as cleaning supplies and personal protective equipment (PPE) costs.⁴⁵

To keep RECs safe, the DOE instituted guidelines which imposed social distancing protocols, including maintaining six feet of distance between people and limiting classrooms were to be limited to fewer than nine students.⁴⁶ Additionally, DOE nurses were required to check the temperature of any person entering a REC, anyone who felt sick was to be directed to stay home and sites were regularly cleaned and disinfected.⁴⁷

The City permanently closed RECs on September 11, 2020, in order to prepare for schools reopening on September 21st.⁴⁸ In anticipation of continued childcare needs upon the resumption of in-person learning (which would end earlier than the 6:00 pm closing of the RECs), the de Blasio

⁴² *Id.*; Sophia Chang and Jessica Gould, ““There Are No Kids Here”: Some Enrichment Centers For Children Of Essential Personnel See Light Attendance On Day One,” *The Gothamist*. March 23, 2020. Accessed at: <https://gothamist.com/news/rec-enrichment-centers-doe-education-coronavirus>.

⁴³ New York City Department of Education, “Regional Enrichment Centers.” Accessed at: <https://www.schools.nyc.gov/enrollment/enrollment-help/regional-enrichment-centers>.

⁴⁴ Jessica Gould, “DOE “Enrichment Centers” Open As City Scrambles To Care For Kids Of Emergency Workers,” *The Gothamist* (Mar. 23, 2020), available at <https://gothamist.com/news/doe-enrichment-centers-open-city-scrambles-care-kids-emergency-workers>.

⁴⁵ NYC June 2020 Adopted Budget. available at <https://www1.nyc.gov/site/omb/publications/finplan06-20.page>

⁴⁶ New York City Department of Education, “Regional Enrichment Centers.” Accessed at: <https://www.schools.nyc.gov/enrollment/enrollment-help/regional-enrichment-centers>.

⁴⁷ *Id.*

⁴⁸ *Id.*

Administration moved forward with a plan to provide free childcare for 100,000 children for students in blended learning on days they were not in school.⁴⁹

IV. LEARNING BRIDGES

On September 21st, the DOE and NYC Department of Youth and Community Development (DYCD) launched the “Learning Bridges” program, to provide free childcare options for students in 3-K through eighth grade in the blended learning model on days when they are scheduled for remote learning.⁵⁰ Learning Bridges provides care for three- and four-year-olds through an expansion of its early-childhood education portfolio, while DYCD serves K through 8th grade students in “Learning Labs.”⁵¹ Like RECs, Learning Bridges provide opportunities for children to engage in remote learning activities and art, recreation, and other age-appropriate activities.⁵² Priority for the program is given to:

- Families in temporary housing, including shelters and hotels;
- Children of DOE school and program staff, including Learning Bridges staff and other contracted early childhood providers;
- Families residing in NYC Housing Authority (NYCHA) developments;
- Children in family foster care or receiving other child welfare services;
- Students with disabilities; and
- Children whose parent/guardian is an essential worker or was previously enrolled in a REC.⁵³

⁴⁹ City of New York, “Mayor de Blasio Announces Free Childcare for 100,000 Students in the Fall” Office of the Mayor (Jul. 16, 2020), available at <https://www1.nyc.gov/office-of-the-mayor/news/525-20/mayor-de-blasio-free-childcare-100-000-students-the-fall>; see also Ryan W. Miller “New York City Says Child Care Will Be Available for 100K Children in the Fall as Schools Partially Reopen” USA TODAY (Jul. 16, 2020), available at <https://www.usatoday.com/story/news/nation/2020/07/16/new-york-bill-de-blasio-announces-child-care-covid-19/5450628002/>.

⁵⁰ NYC Department of Education, “Learning Bridges” (n.d.), available at <https://www.schools.nyc.gov/enrollment/enrollment-help/learning-bridges>.

⁵¹ Sophia Chang, “New York City Plans To Offer 100,000 ‘Learning Lab’ Childcare Spots For Working Families This Fall” Gothamist (Jul. 16, 2020), available at <https://www.gothamist.com/news/new-york-city-plans-offer-100000-learning-lab-childcare-spots-working-families-fall> (explaining that Learning Labs is offered by DYCD through partnerships with community-based and cultural organizations, such as libraries, museums and community centers, and provides supervision and programmatic activities on remote-instruction days).

⁵² New York City Department of Education, “Learning Bridges,” accessed at <https://www.schools.nyc.gov/enrollment/enrollment-help/learning-bridges>.

⁵³ *Id.*

In addition to these categories, priority for enrollment is given to students living in the 27 neighborhoods most disproportionately impacted by the COVID-19 virus.⁵⁴

Learning Bridges Priority Communities		
Borough	Community District	Community Name
Bronx	1	Mott Haven and Melrose
	2	Longwood and Hunts Point
	3	Morrisania and Crotona
	4	Highbridge
	5	Morris Heights
	6	East Tremont
	8	Van Cortland Park and Jerome Park
	9	Soundview and Soundview Bruckner
	Brooklyn	3
4		Bushwick
5		East New York and Starrett City
7		Sunset Park
13		Brighton Beach
16		Brownsville
17		East Flatbush
18		Canarsie
Manhattan	3	LES & Chinatown
	9	Hamilton Heights & Morningside Heights
	10	Central Harlem
	11	East Harlem
	12	Washington Heights & Inwood
Queens	1	Queensbridge
	4	Corona
	8	Briarwood
	12	Jamaica
	14	Rockaway and Far Rockaway
Staten Island	1	Stapleton – St. George

Table 1. Neighborhood location of DOE Learning Bridges programs.
 (Source: NYC Department of Education, “Learning Bridges,” available at <https://www.schools.nyc.gov/enrollment/enrollment-help/learning-bridges>.)

Learning Bridges programs operate from 8:00 a.m. until 3:00 p.m., five days a week and participating children are provided with breakfast, lunch and a snack.⁵⁵ To enroll a child, a parent or a guardian has to fill out an application on the DOE website and then await an offer letter with the

⁵⁴ DOE and DYCD- City Council Learning Bridges Briefing September 8, 2020

⁵⁵ NYC Department of Education, “Learning Bridges Summary” (Sept. 2020), available at https://www1.nyc.gov/assets/queenscb2/downloads/pdf/notices/2020/nyc_department_of_education_learning_bridges_summary.pdf.

assigned program site and details.⁵⁶ At program sites, which are supposed to be within proximity to the child’s school, children are sorted into small groups with children from the same school on the same schedule.⁵⁷ Program staff and participants are also required to wear masks and to undergo daily health screenings, with nurses available for in-person visits and telehealth appointments.⁵⁸ Additional health and safety measures implemented at program sites include frequent hand washing as well as cleaning and disinfecting.⁵⁹

In September 2020, the Administration announced that it planned on enrolling 100,000 students to the Learning Bridges program on a rolling basis, with a goal of filling 30,000 slots by September; 70,000 slots by the end of October; and finally 100,000 slots by December 2020.⁶⁰ As of December 2020, DOE reports a capacity of 45,000 slots for 3-K to 8th grade, of which 39,000 slots have been offered to families.⁶¹ Current enrollment for the program is unclear. Additionally, as of November 5, 2020, there were 216 Learning Labs sites serving children in grades K through eight across the five boroughs: 47 in the Bronx, 59 in Brooklyn, 57 in Manhattan, 38 in Queens and 15 in Staten Island.⁶²

The November 2020 Financial Plan adds \$44.9 million to DOE’s Fiscal 2021 budget for the early childhood education portion of Learning Bridges.⁶³ This funding supports the expansion of existing 3-K and pre-K general and special education contracts to support Learning Bridges childcare (\$40.6 million), center leases (\$2.4 million), and costs associated with center provided meals, facility maintenance and cleaning, and central administrative expenses (\$1.9 million). DOE expressed to the

⁵⁶ *Id.*

⁵⁷ *Id.*

⁵⁸ *Id.*

⁵⁹ *Id.*

⁶⁰ DOE and DYCD- City Council Learning Bridges Briefing September 8, 2020

⁶¹ City Council Finance and DOE Finance November Plan Briefing, December 1, 2020.

⁶² New York City Department of Education, “Learning Bridges,” accessed at <https://www.schools.nyc.gov/enrollment/enrollment-help/learning-bridges>.

⁶³ November 2020 Financial Plan. Accessed at <https://www1.nyc.gov/site/omb/publications/finplan11-20.page>

Council that \$44.9 million covers the entirety of the early childhood education portion, however it is expected that the cost associated with the program will rise.⁶⁴ This funding is only added for one year, and as the need for childcare during the pandemic continues to increase, it is likely additional funding will need to be added in the Fiscal 2022 Preliminary Financial Plan. Additionally, the Financial Plan reflects \$45.9 million in CARES Act revenue for DYCD’s portion of the Learning Bridges program (K-8).⁶⁵

V. AFTER-SCHOOL PROGRAMS

One potential resource available to parents seeking reliable care and educational opportunities for their children is the City’s after-school programs, which are operating during COVID-19, although some programs are limiting services or offering them remotely.⁶⁶ The City’s numerous City-funded after-school programs, provided through DYCD, for students in grades K-12 throughout the city,⁶⁷ including but not limited to the Comprehensive After School System of NYC (COMPASS NYC), School’s Out New York City (SONYC), Beacon programs and Cornerstone Programs.⁶⁸

COMPASS NYC serves students in grades K-12 and consists of more than 900 programs operated by a network of providers offering academics, recreation, enrichment and cultural activities.⁶⁹ COMPASS programs are free, and located in public and private schools, community

⁶⁴ *Id.*

⁶⁵ *Id.*

⁶⁶ DYCD, “After-school programs for students,” accessed 12/14/20 at <https://growingupnyc.cityofnewyork.us/programs/compass/#section-application>.

⁶⁷ NYC Department of Education, “After-School,” accessed 12/1/20 at <https://www.schools.nyc.gov/school-life/school-environment/after-school>.

⁶⁸ NYC Department of Youth and Community Development, “After School,” accessed 12/1/20 at <https://www1.nyc.gov/site/dycd/services/after-school.page>.

⁶⁹ NYC Department of Youth and Community Development, “Comprehensive After School System of New York City (COMPASS),” accessed 12/1/20 at <https://www1.nyc.gov/site/dycd/services/after-school/comprehensive-after-school-system-of-new-york-city-compass.page>.

centers, religious institutions, public housing, and recreational facilities throughout the five boroughs.⁷⁰

SONYC is COMPASS NYC's middle school model for 6th, 7th and 8th graders.⁷¹ Programming is offered three hours a day, five days a week and are structured like clubs, offering young people a choice in how they spend their time, featuring sports and arts, and require youth leadership through service.⁷² The COMPASS NYC portfolio of programs, including SONYC, are funded under the program area of Out of School Time or "OST." In Fiscal 2021, \$334.9 million was allocated towards all OST after-school program areas, with a budgeted number of slots totaling 102,821 participants across programs.⁷³

Beacon programs are school-based community centers serving school-age children, youth, and adults.⁷⁴ There are currently 91 Beacons located in public schools across NYC operating year-round in the afternoons and evenings, as well as on weekends, and during school holidays and vacation periods, including summer.⁷⁵ Typical Beacon youth programming features academic enhancement; life skills; career awareness/school to work transition; civic engagement/community building; recreation/health & fitness; and culture/art.⁷⁶ The Beacon program includes \$69.4 million in Fiscal 2021, with a budgeted number of slots totaling 100,450 participants across all ages served.⁷⁷

Cornerstone programs provide year-round programs for young people and adults and are located at 94 NYCHA Community Centers throughout the city.⁷⁸ Programs are operated in

⁷⁰ *Id.*

⁷¹ NYC Department of Youth and Community Development, "School's Out New York City (SONYC)," accessed 12/1/20 at <https://www1.nyc.gov/site/dycd/services/after-school/schools-out-new-york-city-sonyc.page>.

⁷² *Id.*

⁷³ Data provided to Council Finance from OMB and DYCD via email on November 17, 2020.

⁷⁴ NYC Department of Youth and Community Development, "Beacon Programs," accessed 12/1/20 at <https://www1.nyc.gov/site/dycd/services/after-school/beacon.page>.

⁷⁵ *Id.*

⁷⁷ Data provided to Council Finance from OMB and DYCD via email on November 17, 2020.

⁷⁸ NYC Department of Youth and Community Development, "Cornerstone Programs," accessed 12/1/20 at <https://www1.nyc.gov/site/dycd/services/after-school/cornerstone.page>.

partnership with NYCHA and a network of nonprofit providers, and typically include academic supports; high school and college prep; project-based activities; STEM; creative and performance arts; and other activities.⁷⁹ The Cornerstone program includes \$69.4 million in Fiscal 2021, with a budgeted number of approximately 75,000 slots across all ages served.⁸⁰

While DYCD acknowledges that some programs are limiting services or offering them remotely due to the pandemic,⁸¹ it is unclear how much COVID-19 protocols and guidance has impacted the activities of and number of students served by these after-school programs.

VI. EARLY CHILDCARE

Ongoing access to childcare for children from birth to five is a major concern during the pandemic, especially in light of a pre-pandemic shortage of seats and reduction in early childcare capacity over the past decade.⁸² NYC has the largest municipal childcare system in the country, which was administered by the NYC Administration for Children’s Services (ACS) until 2018, when most of the system transitioned to DOE management.⁸³ Subsidized childcare in NYC for income-eligible families includes informal care provided in the home of an unlicensed provider (usually a family member or friend); family (three to eight children) or group family day care (seven to sixteen

⁷⁹ NYC Department of Youth and Community Development, “Cornerstone Youth Programs,” accessed 12/1/20 at <https://www1.nyc.gov/site/dycd/services/after-school/cornerstone-youth-programs.page>.

⁸⁰ Data provided to Council Finance from OMB and DYCD via email on November 17, 2020.

⁸¹ DYCD, “After-school programs for students,” accessed 12/14/20 at <https://growingupnyc.cityofnewyork.us/programs/compass/#section-application>.

⁸² NYC Independent Budget Office, Fiscal Brief, “A System in Flux: New Programs, Administrative Changes Create Challenges for New York City’s Traditional Subsidized Child Care Programs” (Jun. 2017), *available at* <http://www.ibo.nyc.ny.us/iboreports/a-system-in-flux-new-programs-administrative-changes-create-challenges-for-new-york-citys-traditional-subsidized-child-care-programs.html>.

⁸³ NYC Independent Budget Office, Fiscal Brief, “A System in Flux: New Programs, Administrative Changes Create Challenges for New York City’s Traditional Subsidized Child Care Programs” (Jun. 2017), *available at* <http://www.ibo.nyc.ny.us/iboreports/a-system-in-flux-new-programs-administrative-changes-create-challenges-for-new-york-citys-traditional-subsidized-child-care-programs.html>; *see also* NYC Council Committee Report of the Committees on Education and General Welfare, “Oversight: Implementation of UPK and 3K Expansion and the Transition of EarlyLearn NYC to DOE” (Jun. 27, 2018), *available at* <https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=3503433&GUID=151D7841-897B-4B01-A313-53940E87D9B8&Options=Advanced&Search=>.

children), provided in the home of a licensed caregiver; and center-based day care in a licensed facility, including Head Start centers.⁸⁴ Subsidy payments are made either directly to providers under contract or through vouchers, with informal care provided solely through vouchers, while family and center-based care are paid by a mix of contracts and vouchers.⁸⁵ While some subsidies are available for school-aged children in after-school programs, the remainder of this section will focus on early childcare for children from six weeks to four years old.

Despite NYC having the largest municipal childcare system, there has been a reduction in subsidized childcare enrollment over the past decade for a number of reasons, including City and federal funding cuts, with the largest capacity loss occurring since 2012.⁸⁶

In 2012, ACS began implementation of EarlyLearn NYC, which blended all contracted childcare and Head Start programs into one system to improve quality of care while expanding services to communities with the greatest need.⁸⁷ EarlyLearn NYC was designed to emphasize quality over quantity and included changes in the way that contractors were funded, with higher spending per slot but a decreased number of slots, resulting in a loss of subsidized childcare capacity.⁸⁸ A number of changes that occurred under EarlyLearn NYC implementation, such as the way that contractors were funded, created challenges for providers that also led to reduced capacity.⁸⁹ Previously, contracted childcare providers were paid based on program capacity and costs, but with the initial EarlyLearn NYC RFP, providers were paid a daily rate based on the number of children actually

⁸⁴ *Id.*

⁸⁵ *Id.*

⁸⁶ *Id.*

⁸⁷ *Id.*

⁸⁸ *Id.* For more detailed discussion, *see also* NYC Council Committee Report of the Committees on Education and General Welfare, “Oversight: Implementation of UPK and 3K Expansion and the Transition of EarlyLearn NYC to DOE,” June 27, 2018, accessed at <https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=3503433&GUID=151D7841-897B-4B01-A313-53940E87D9B8&Options=Advanced&Search=>.

⁸⁹ *Id.*

enrolled, leaving some providers struggling to run their programs if not fully enrolled.⁹⁰ In addition, the new contracts required the providers themselves to contribute at least 6.7 percent of total annual operating costs and failed to cover health insurance, workers compensation, and unemployment insurance for childcare employees, leaving it to the providers to deliver these benefits.⁹¹

Starting in September 2014, Mayor de Blasio launched Pre-K for All, which significantly expanded the Universal Prekindergarten (UPK) program. In doing so, enrollment in prekindergarten increased by 28.9 percent from 55,734 in October 2013 to 71,845 in October 2015.⁹² According to DOE’s report on enrollment for the 2018-2019 school year, the enrollment for pre-K was 69,409.⁹³ The widespread availability of full-day prekindergarten programs provided an alternative to childcare vouchers for many families with four year olds, thereby reducing some demand for subsidized childcare slots.⁹⁴ DOE’s budget for Universal Pre-K in Fiscal 2021 is currently \$864 million, growing to \$882.8 million in Fiscal 2022.⁹⁵ This excludes the costs associated with 3-K, which is referenced in the following section.

In April 2017, Mayor de Blasio announced the “3-K for All” program “to provide universal, free, full-day, high-quality early childhood education for every three-year-old child regardless of family income.”⁹⁶ DOE offers 3-K programs free to parents in the following four setting: NYCEEC’s;

⁹⁰ *Id.*

⁹¹ *Id.*

⁹² *Id.*

⁹³ NYC Department of Education Report on Enrollment School Year 2018-2019, available at <https://infohub.nyc.ed.org/reports/government-reports/student-applications-admissions-and-offers>.

⁹⁴ New York City Independent Budget Office, Fiscal Brief, “A System in Flux: New Programs, Administrative Changes Create Challenges for New York City’s Traditional Subsidized Child Care Programs,” June 2017, accessed at <http://www.ibo.nyc.ny.us/iboreports/a-system-in-flux-new-programs-administrative-changes-create-challenges-for-new-york-citys-traditional-subsidized-child-care-programs.html>. For more detailed discussion, see also NYC Council, Committee Report of the Committees on Education and General Welfare, “Oversight: Implementation of UPK and 3K Expansion and the Transition of EarlyLearn NYC to DOE” (Jun. 27, 2018), available at <https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=3503433&GUID=151D7841-897B-4B01-A313-53940E87D9B8&Options=Advanced&Search=>.

⁹⁵ November 2020 Financial Plan. Accessed at <https://www1.nyc.gov/site/omb/publications/finplan11-20.page>

⁹⁶ Office of the Mayor press release, “Mayor de Blasio Announces 3-K for All” (Apr. 24, 2017), available at <http://www1.nyc.gov/office-of-the-mayor/news/258-17/mayor-de-blasio-3-k-all#/0>.

DOE District Schools; pre-K Centers; and Family Childcare or home-based programs.⁹⁷ Similar to UPK expansion, availability of 3-K for All programs provided an alternative to childcare vouchers for many families with 3-year olds, further reducing demand for subsidized childcare slots.⁹⁸

While subsidized childcare slots for three- and four-year olds have decreased, demand for children ages zero to two has increased.⁹⁹ Additionally, as part of the original 3-K expansion announced in 2017, the Fiscal 2018 Executive Budget identified a new need of \$349.3 million for Fiscal 2018 and in the out years.¹⁰⁰ Of this \$349.3 million new need, \$156.7 million was added to the Fiscal 2021 Budget.¹⁰¹ In February 2020, DOE and the Administration announced an accelerated 3-K expansion and added District 12 and District 29 to the 2020-2021 roll out, which already included expansion to District 1 and District 14, however this was halted as a result of the COVID-19 Pandemic.¹⁰² The Fiscal 2021 Executive Financial Plan identified \$43.8 million in savings related to the delay in the expansion of 3-K.¹⁰³ Of the total savings \$9 million is associated with District 12 and \$12 million is associated with District 29. The remaining savings are associated with Districts 1 and 14.¹⁰⁴ The cost of expanding to a new district varies based on the enrollment and capacity within that District. DOE's Fiscal 2021 budget for 3-K is currently \$238.4 million, growing to \$242.5 million in Fiscal 2022.¹⁰⁵

⁹⁷ NYC Department of Education, 3-K, <https://www.schools.nyc.gov/enrollment/enroll-grade-by-grade/3k>.

⁹⁸ Kendra Hurley & Angela Butel, "By the Numbers: Five Trends Re-shaping New York's Changing World of Child Care," The New School, Center for New York City Affairs (Jun. 2018), available at <http://www.centernyc.org/by-the-numbers.>

⁹⁹ *Id.*

¹⁰⁰ City Council Finance Report on the Fiscal 2021 Executive Budget for the Department of Education, available at <https://council.nyc.gov/budget/wp-content/uploads/sites/54/2020/05/Department-of-Education.pdf>.

¹⁰¹ *Id.*

¹⁰² *Id.*

¹⁰³ *Id.*

¹⁰⁴ *Id.*

¹⁰⁵ November 2020 Financial Plan. Accessed at <https://www1.nyc.gov/site/omb/publications/finplan11-20.page>.

VII. ISSUES AND CONCERNS

Overall, the Committees are interested in learning whether the Administration is providing a sufficient number of childcare slots and coverage time to serve the needs of families throughout the city, especially those who must work outside the home. The plan to provide free childcare options for 100,000 children this fall for those in 3-K through 8th grade has not come to fruition; as of October 18th, four weeks after schools had reopened, only 18,564 students were being served in Learning Bridges locations, while thousands remained on waiting lists.¹⁰⁶ In October, a DYCD spokesperson stated that they would “continue adding seats on a rolling basis throughout the fall, eventually reaching 100,000 slots by December.”¹⁰⁷ Critics contended that even the original number of 100,000 slots was inadequate to serve the needs of a school system with 1.1 million students.¹⁰⁸

Further, the original Learning Bridges announcement lacked clarity and initial media reports implied that the program would also cover after school hours.¹⁰⁹ In fact, unlike RECs which were open from 7:30 am to 6:00 pm,¹¹⁰ Learning Bridges programs operate only from 8:00 am until 3:00 pm, with no after school coverage.¹¹¹ The lack of extended day coverage is problematic for most working parents, especially teachers and other school staff who must often start their work day before 8:00 am, and whose work site may be far from their child’s Learning Bridges site.¹¹² Additionally,

¹⁰⁶ Reuven Blau, “Tens of Thousands of Child Care Slots De Blasio Promised to Working Parents Still Missing” The City (Oct. 18, 2020) available at <https://www.thecity.nyc/2020/10/18/21522525/new-york-city-childcare-slots-de-blasio-promised-parents>.

¹⁰⁷ *Id.*

¹⁰⁸ *Id.*

¹⁰⁹ Chang, Sophia, “New York City Plans To Offer 100,000 ‘Learning Lab’ Childcare Spots For Working Families This Fall,” *Gothamist*, July 16, 2020, accessed at <https://www.gothamist.com/news/new-york-city-plans-offer-100000-learning-lab-childcare-spots-working-families-fall>.

¹¹⁰ Jessica Gould, “DOE ‘Enrichment Centers’ Open As City Scrambles To Care For Kids Of Emergency Workers,” *The Gothamist*, March 23, 2020, accessed at <https://gothamist.com/news/doe-enrichment-centers-open-city-scrambles-care-kids-emergency-workers>.

¹¹¹ New York City Department of Education, “Learning Bridges Summary,” September 2020, accessed at https://www1.nyc.gov/assets/queenscb2/downloads/pdf/notices/2020/nyc_department_of_education_learning_bridges_summary.pdf.

¹¹² Christina Veiga, “NYC children are back in schools. But working parents, including teachers, are still struggling with child care” Chalkbeat New York (Oct. 6, 2020), available at <https://ny.chalkbeat.org/2020/10/6/21505028/nyc-schools-child-care>.

while DYCD will continue to operate many of their existing after school programs, most are located in school buildings and a DYCD representative indicated in a call with elected officials that those sites cannot accommodate Learning Bridges students, as they only have room for the students attending school on a given day due to social distancing protocols.¹¹³

Further, DOE states that students with disabilities are among priority groups to receive seats in Learning Bridges programs,¹¹⁴ but advocates say there are too few seats to meet the needs of this vulnerable student population for whom remote learning provides significant challenges.¹¹⁵ Advocates also contend that some Learning Bridges programs are illegally turning away students with serious challenges, such as autism.¹¹⁶

In addition, as previously noted, there have been numerous changes in school reopening dates and start and stop of in-person learning whenever schools were closed—because they were in a zone of high COVID-19 incidence, or when cases of the virus are discovered in specific schools, or when the Mayor closed all public schools citywide on November 19th.¹¹⁷ Subsequently, Mayor de Blasio reopened 3-K, pre-K and elementary grades K-5 on December 7th, followed by District 75 programs on December 10th, but offered no reopening plans for students in grades 6 and higher.¹¹⁸ All of these changes prevent parents/guardians from confidently balance their own schedules with the ever-changing ones of their children.¹¹⁹ Parents/guardians have also objected to changes in the way families

¹¹³ September 9, 2020 call with elected officials, including Josh Wallack (DOE), Susan Haskell (DYCD) and Shanna Middleton (OMB).

¹¹⁴ New York City Department of Education, “Learning Bridges,” accessed 12/7/20 at <https://www.schools.nyc.gov/enrollment/enrollment-help/learning-bridges>.

¹¹⁵ Testimony of Advocates for Children before the New York City Council Committees on Education and Mental Health, Disabilities and Addiction on October 23, 2020, *available at* https://www.advocatesforchildren.org/sites/default/files/on_page/testimony_covid_sw_d_102320.pdf?pt=1.

¹¹⁶ *Id.*

¹¹⁷ Eliza Shapiro, “New York City to Close Public Schools Again as Virus Cases Rise,” November 18, 2020, *NY Times*, accessed at: <https://www.nytimes.com/2020/11/18/nyregion/nyc-schools-covid.html>.

¹¹⁸ Sophia Chang, “Parents Plead For Consistency As Some NYC Students Head Back To School. Again. For Now.” *The Gothamist* (Dec. 6, 2020), *available at* <https://gothamist.com/news/parents-plead-consistency-some-nyc-students-head-back-school-again-now>.

¹¹⁹ *Id.*

could enroll their children in in-person learning; while originally promised an opportunity to opt-in to blended learning each quarter, there was only one additional opportunity to enroll for the rest of the school year, which ended in mid-November.¹²⁰ Since Learning Bridges programs are only available to students enrolled in blended learning, families that did not opt-in by mid-November are also closed out of Learning Bridges programs for the remainder of the school year.

There has also been a reduction in available early childhood seats across the city, due to COVID-19. At the outset of the pandemic, all preschools were forced to close, with some later allowed to reopen, but many independent preschools are worried that they will not survive.¹²¹ According to a coalition of nine settlement house providers, DOE's recent Birth to Five/Early Head Start RFP, with funding set to begin July 1, 2021, will eliminate a large number of childcare slots, particularly extended day slots.¹²² Just among this coalition of nine providers, the provisional RFP awards will result in a loss of 39 percent of the 1,352 childcare slots serving low-income, working families they collectively had in Fiscal 2020.¹²³ Worse, extended day slots for these providers may be cut dramatically. For these nine providers, 91 percent of Fiscal 2020's 1,352 slots were year-round extended day slots from 8:00 am to 6:00 pm, but only 41 percent (344) of the currently-awarded 831 slots are extended, full day slots, for a net loss of 888 slots which is a 72 percent reduction from last year's extended day total.¹²⁴ These cuts would also impact early childcare workers, who are primarily women/women of color whose annual average income is \$40,000, and would result in the loss of more than 125 jobs among these nine providers alone.¹²⁵ However, DOE maintains that these cuts

¹²⁰ *Id.*

¹²¹ Christina Veiga, "Families will need child care to reopen NYC, but preschools fear they won't survive the coronavirus shutdown" Chalkbeat New York (May 21, 2020), *available at* <https://ny.chalkbeat.org/2020/5/21/21266712/childcare-nyc-coronavirus-reopen>.

¹²² "NEW YORK CITY DOE BIRTH TO FIVE RFP RESULTS: ANALYSIS OF NINE SETTLEMENTHOUSE PROVIDERS," presentation on file with Committee staff.

¹²³ *Id.*

¹²⁴ *Id.*

¹²⁵ *Id.*

stem from an effort to redirect funding to neighborhoods deemed to have higher needs and will not result in a loss of seats overall.¹²⁶ DOE has not yet released any data on the RFP awards as yet.

Finally, while the cost of childcare in NYC is comparatively high,¹²⁷ data show that the pandemic has exacerbated inequities and barriers for working mothers, who, as described above, disproportionately take on unpaid caregiving responsibilities when their family cannot find or afford childcare,¹²⁸ and those working in the childcare industry, which are largely women of color.¹²⁹

VIII. CONCLUSION

At today's hearing, the Committees on Women and Gender Equity and Education seek an overview of the City's childcare services and programming. This includes an examination of the programming implemented by the DOE during the height of the pandemic, as well as the City's plans to provide childcare as the rate of COVID-19 infections increase across the five boroughs. More specifically, the Committees are interested in learning how the City will build on successes and how the DOE will continue to serve children and their families. Lastly, the Council is specifically interested in how the City will target and serve low-income and families of color, and continue to support them throughout the pandemic and how the Council can best support these efforts.

¹²⁶ Michel Gartland, "NYC kids will lose childcare slots under new city policy: local officials," NY Daily News, (Dec. 3, 2020), available at <http://www.nydailynews.com/news/politics/new-york-elections-government/ny-nyc-child-care-funds-20201203-aqx3spoqvtgtnchiwapwz54jze-story.html>.

¹²⁷ NYC Comptroller Scott M. Stringer, "NYC Under 3: A Plan to Make Child Care Affordable for New York City Families," May 2019, accessed at <https://comptroller.nyc.gov/wp-content/uploads/documents/Child-Care-Report.pdf>.

¹²⁸ See Amanda Taub, "Pandemic Will 'Take Our Women 10 Years Back' in the Workplace" NY Times (Sept. 26 2020), available at <https://www.nytimes.com/2020/09/26/world/covid-women-childcare-equality.html>.

¹²⁹ *Id.*; See Cristina Novoa, "How Child Care Disruptions Hurt Parents of Color Most" American Progress (Jun. 29, 2020), available at <https://www.americanprogress.org/issues/early-childhood/news/2020/06/29/486977/child-care-disruptions-hurt-parents-color/>; Elliot Haspel, "Why Are Child Care Programs Open When Schools Are Not?" NY Times (Aug. 24, 2020), available at <https://www.nytimes.com/2020/08/04/parenting/schools-day-care-children-divide.html>.

Res. No. 1324

Resolution calling on the New York City Department of Education to partner with nonprofit organizations to provide on-site pro bono legal assistance at schools to help students and their families with housing issues.

By Council Members Louis, Cornegy, Treyger, Kallos, Chin, Rosenthal and Rose

Whereas, Ten percent of students in New York City lacked stable housing in 2019, according to a report by Advocates for Children; and

Whereas, Shelter providers estimate more than 22,000 children in New York City sleep in homeless shelters each night; and

Whereas, Instability in living situations and homelessness negatively impacts student performance and achievement; and

Whereas, Lacking stable housing often prevents students from being engaged in class or coming to school at all on a consistent basis; and

Whereas, Almost two-thirds of students who live in shelters are chronically absent from school, according to Advocates for Children; and

Whereas, The national graduation rate for homeless students is approximately twenty percent lower than the graduation rate for students overall, according to the National Center for Homeless Education; and

Whereas, New York City dedicates significant resources to provide supports to students who are homeless, or students living in temporary housing, including additional school coordinators and social workers to help families with enrollment, getting immunizations and school records, and arranging transportation to and from school, among other things; and

Whereas, School staff have additionally devoted extra time outside of school to help students who are struggling with housing problems, by doing activities such as accompanying students to seek temporary shelter or picking up students to go to school; and

Whereas, New York City public schools have experienced positive results partnering with nonprofit organizations to provide greater opportunities and supports for students and families who need assistance, such as in community schools where nonprofit partners work to provide food assistance and health and social services supports for students and their families; and

Whereas, Schools partnering with nonprofit organizations to provide on-site pro bono legal assistance to students and families to help with housing-related problems has proved to be beneficial to students and families in areas outside of New York City, such as in Atlanta, Georgia, where thousands of youth are also estimated to be either homeless or lacking stable housing according to the 2018 Atlanta Youth Count; and

Whereas, The nonprofit Atlanta Volunteer Lawyers Foundation has described how its program “Standing with Our Neighbors” has helped hundreds of families and children by providing on-site assistance with housing-related problems in at least eight schools, resulting in children staying in school longer without moving and experiencing less eviction and displacement; and

Whereas, In the past the New York City Council has acknowledged its commitment to providing support for low-income New Yorkers experiencing housing struggles by enacting local law 136 of 2017 to provide legal services in housing court for low-income tenants who are subject to eviction proceedings, and on-site pro bono legal assistance at schools would provide additional needed support for low-income New Yorkers experiencing such housing struggles; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York City Department of Education to partner with nonprofit organizations to provide on-site pro bono legal assistance at schools to help students and their families with housing-related problems.

JB

(page left intentionally blank)

Res. No. 1473

Resolution calling upon the New York City Department of Education to provide families of children with disabilities the necessary training and equipment to properly enable distance learning.

By Council Members Louis, Treyger, Chin, Rosenthal and Rose

Whereas, The Individuals with Disabilities Education Act (IDEA) guarantees a free appropriate public education to eligible children with disabilities in the U.S. and ensures special education and related services to those children; and

Whereas, As required by the IDEA, the New York City Department of Education (DOE) provides special education services to students with disabilities, defined as any child with an Individualized Education Program (IEP); and

Whereas, According to DOE, in the 2019-20 school year, there were approximately 231,000 students with disabilities, more than 20.4 percent of the total 1.1 million students enrolled in City public schools; and

Whereas, In response to the global COVID-19 pandemic, Mayor Bill de Blasio closed all New York City public schools effective Monday, March 16, in an effort to limit the spread of the virus; and

Whereas, On Monday, March 23, 2020 DOE transitioned to providing online instruction, commonly referred to as distance learning or remote learning, to all students at home, including students with disabilities; and

Whereas, Due to the pandemic and emergency closure of schools, there was very little preparation and training for teachers on how to switch to online instruction and no training provided for parents on how to assist their children with remote learning; and

Whereas, Numerous media reports recounted problems experienced by students with remote learning, including lack of engagement, as well as parents' frustration over the lack of preparation and support to enable them to assist their children; and

Whereas, According to parents and advocates, difficulties with the remote learning environment are even more severe for students with disabilities; and

Whereas, While DOE attempted to provide students with disabilities instruction and related services, such as speech and physical therapy, via video “teletherapy” sessions, many families reported that the online therapy provided little help and their children have significantly regressed since schools were closed, as reported in a June 17, 2020 *Chalkbeat* article and other press accounts; and

Whereas, The proposed school reopening plans for September 2020 recently announced by Mayor De Blasio and Chancellor Carranza will give families the option of selecting either a blend of in-school and remote learning for students, or continuing with remote learning only; and

Whereas, It is also widely recognized that distance learning will increasingly be used by schools across the country in future years, as described in an April 24, 2020 article from The Brookings Institution; and

Whereas, Families with children with disabilities face unprecedented challenges in light of the transition to distance learning, as reported in an April 18, 2020 article in *The Atlantic* entitled, “The Pandemic Is a Crisis for Students With Special Needs”; and

Whereas, According to *The Atlantic*, students with disabilities require properly trained educators and many also rely on assistive technology, such as screen-reader software to read text aloud, in order to learn successfully; and

Whereas, To ensure that remote learning is as effective as possible for students with disabilities, who require special instruction and services and are particularly vulnerable to learning loss and regression, it is imperative that their parents be well-prepared and receive all necessary support and materials to assist their children with remote learning; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York City Department of Education to provide families of children with disabilities the necessary training and equipment to properly enable distance learning.

LS#15006
JA
8/18/20