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| Committee on Women and Gender Equity: | Brenda McKinney, *Counsel*Anastassia Zimina, *Policy Analyst*Eisha Wright, *Finance Unit Head* |



**The Council of the City of New York**

Committee Report of the Human Services Division

Andrea Vazquez*, Legislative Director*

Smita Deshmukh*, Deputy Director*

**Committee on Women and Gender Equity**

Hon. Tiffany L. Cabán, *Chair*

**June 29, 2022**

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| **Int. No. 242** | By Council Members Gutiérrez, Won, Sanchez, Hanif, Joseph, Brewer, Brooks-Powers, Stevens, Menin, Schulman, Riley, Narcisse, Barron, Ossé, Ayala, Restler, Cabán, Abreu, Krishnan, Richardson Jordan, Nurse, Ung, Williams, De La Rosa, Avilés, Hudson and Louis |
| **Title:** | A Local Law in relation to the establishment of a Marshall plan for moms task force to develop and issue recommendations on how to support working mothers and caregivers, particularly in light of the issues that have become more acute due to the COVID-19 pandemic |
| **ADMINISTRATIVE CODE:** | None |
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| **Int. No. 477** | By Council Members Hudson, Menin, Brooks-Powers, Joseph, Nurse, Abreu, Louis, Restler and The Speaker (Council Member Adams) |
| **Title:** | A Local Law in relation to establishing a child care task force |
| **ADMINISTRATIVE CODE:** | None |
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| **Int. No. 485** | By Council Members Menin, Ayala, Schulman, Riley, Won, Narcisse, Hudson, Joseph, De La Rosa, Stevens, Gutiérrez, Cabán, Louis, Lee, Hanif, Brooks-Powers, Krishnan, Brewer, Dinowitz, Sanchez, Nurse, Marte, Ung, Abreu, Velázquez, Williams, Ossé, Restler, Gennaro, Feliz and Farías |
| **Title:** | A Local Law to amend the administrative code of the city of New York, in relation to an electronic child care directory |
| **ADMINISTRATIVE CODE:** | Adds Section 17-1308 |
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| **Int. No. 486** | By Council Members Menin, Ayala, Schulman, Riley, Won, Narcisse, Hudson, Joseph, De La Rosa, Stevens, Gutiérrez, Cabán, Louis, Lee, Brooks-Powers, Krishnan, Brewer, Dinowitz, Sanchez, Nurse, Marte, Ung, Bottcher, Powers, Velázquez, Williams, Ossé, Hanif, Gennaro, Abreu, Feliz and Farías |
| **Title:** | A Local Law to amend the New York city charter, in relation to establishing a child care advisory board |
| **ADMINISTRATIVE CODE:** | Adds Section 62 |
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| **Int. No. 487** | By Council Members Menin, Ayala, Schulman, Riley, Won, Narcisse, Hudson, Joseph, De La Rosa, Stevens, Gutiérrez, Cabán, Louis, Lee, Hanif, Brooks-Powers, Krishnan, Brewer, Dinowitz, Sanchez, Nurse, Marte, Ung, Bottcher, Abreu, Velázquez, Williams, Ossé, Restler, Gennaro, Feliz and Farías |
| **Title:** | A Local Law to amend the administrative code of the city of New York, in relation to establishing a child care subsidy information portal |
| **ADMINISTRATIVE CODE:** | Adds Section 17-1308 |
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| **Int. No. 488** | By Council Members Menin, Ayala, Schulman, Riley, Won, Narcisse, Hudson, Joseph, De La Rosa, Stevens, Gutiérrez, Cabán, Louis, Lee, Hanif, Brooks-Powers, Krishnan, Dinowitz, Sanchez, Nurse, Marte, Ung, Bottcher, Abreu, Velázquez, Williams, Ossé, Restler, Gennaro, Feliz and Farías |
| **Title:** | A Local Law to amend the administrative code of the city of New York, in relation to establishing a child care program fund |
| **ADMINISTRATIVE CODE:** | Adds Section 21-922 |
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| **Int. No. 489** | By Council Members Menin, Louis, Krishnan, Brewer, Dinowitz, Sanchez, Nurse, Marte, Ung, Schulman, Bottcher, Abreu, Velázquez, Williams, Ossé, Hanif, Feliz and Farías |
| **Title:** | A Local Law to amend the administrative code of the city of New York, in relation to a child care certification program |
| **ADMINISTRATIVE CODE:** | Adds Section 3-119.6 |
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| **Int. No. 526** | By Council Members Cabán, Hanif, Louis, Menin, Ung and Gutiérrez |
| **Title:** | A Local Law to amend the New York city charter, in relation to childcare services at public meetings |
| **ADMINISTRATIVE CODE:** | Adds Section 1069.2 |
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| **Res. No. 69**  | By Council Member Menin, the Public Advocate (Mr. Williams) and Council Members Cabán, Restler, Ossé, Stevens, Won, Brannan, Hanif, Joseph, Richardson Jordan, Brewer, Velázquez, Avilés, Krishnan, Ung, Barron, Gutiérrez, Williams, Hanks, Gennaro, Farías, Brooks-Powers, Sanchez, Hudson, Schulman, Lee, Narcisse, Ayala, Bottcher, De La Rosa, Riley, Rivera and Louis |
| **Title:** | Resolution calling on the New York State Legislature to pass, and the Governor to sign, S. 7595/ A. 8623, S. 6706B/ A. 7582A, and S. 7615/ A. 8625, legislation supporting the provision of financial assistance to families and child care providers in order to make child care more accessible and affordable. |

1. **Introduction**

 On June 29, 2022, the Committee on Women and Gender Equity, chaired by Council Member Tiffany L. Cabán, will hold a legislative hearing to hear Introduction No. (Int. No.) 242, sponsored by Council Member Jennifer Gutiérrez, A Local Law in relation to the establishment of a Marshall plan for moms task force to develop and issue recommendations on how to support working mothers and caregivers, particularly in light of the issues that have become more acute due to the COVID-19 pandemic; Int. No. 477, sponsored by Council Member Crystal Hudson, a Local Law to amend the administrative code of the city of New York, in relation to an electronic child care task force; and Int. No. 526, sponsored by Council Member Cabán, a Local Law to amend the New York city charter, in relation to childcare services at public meetings. The Committee will also hear the following pieces of legislation sponsored by Council Member Julie Menin: Resolution No. (Res. No.) 69, a Resolution calling on the New York State Legislature to pass, and the Governor to sign, S. 7595/ A. 8623, S. 6706B/ A. 7582A, and S. 7615/ A. 8625, legislation supporting the provision of financial assistance to families and child care providers in order to make child care more accessible and affordable; Int. No. 485, a Local Law to amend the administrative code of the city of New York, in relation to an electronic child care directory; Int. No. 486, a Local Law to amend the New York city charter, in relation to establishing a child care advisory board; Int. No. 487, a Local Law to amend the administrative code of the city of New York, in relation to establishing a child care subsidy information portal; Int. No. 488, a Local Law to amend the administrative code of the city of New York, in relation to establishing a child care program fund; and Int. No. 489, a Local Law to amend the administrative code of the city of New York, in relation to a child care certification program. Witnesses invited to testify include representatives from the NYC Department of Health and Mental Hygiene (DOHMH), the NYC Commission on Gender Equity (CGE), as well as unions, think tanks, advocacy groups and organizations, and other interested stakeholders.

1. **Background**

*The Importance of Childcare*

Studies have shown that the early years of a child’s life are critical for healthy brain development and lay the groundwork for future educational achievement, economic productivity, and lifelong health.[[1]](#footnote-2) High-quality childcare[[2]](#footnote-3) and early learning programs have a high return on investment for both children and parents.[[3]](#footnote-4) With affordable childcare options, parents can stay in the workforce and grow their incomes, while children can gain foundational skills to succeed in school and life, and benefit from their parents’ and teachers’ economic stability.[[4]](#footnote-5)

*Issues with Childcare in the City*

While access to affordable childcare was limited well before NYC became the national epicenter of the 2019 novel coronavirus (“COVID-19”) in 2020,[[5]](#footnote-6) the COVID-19 pandemic brought to light an existing problem with childcare in the City:[[6]](#footnote-7) that childcare providers do not have the funds to adequately pay workers, the supply of childcare programs has long been insufficient to meet the demand, and that many families are unable to afford the services available to them.[[7]](#footnote-8) While the City has invested in universal pre-kindergarten programs for three- and four-year-olds,[[8]](#footnote-9) 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.[[9]](#footnote-10) Enrollment in childcare programs can cost more than $2,600 per month, or $21,000 per year, which is too high for most low-income and middle-income families.[[10]](#footnote-11) 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.[[11]](#footnote-12) 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.[[12]](#footnote-13) 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 overhead to run center-based programs, which are often large commercial properties that serve more children, and generally require more staffing.[[13]](#footnote-14) 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,[[14]](#footnote-15) and family day care provided in a residence would comprise one-third of such a family’s income.[[15]](#footnote-16)

Additionally, childcare providers, whose workforce is mostly made up of women of color, have been underpaid for their work.[[16]](#footnote-17) Childcare providers are unable to pay sufficient wages to their workers, which leads to high turnover and challenges with recruitment, which can impact the availability and quality of care.[[17]](#footnote-18) Childcare providers in the City only have capacity for 22% of children under the age of two, and nearly half of all community districts are considered an infant care desert, where the ratio of childcare capacity to children is less than 20%.[[18]](#footnote-19)

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.

*Childcare Funding and Regulation*

Childcare programs in the City are funded at the federal, state and local level, and are administered and regulated by both state and local entities, including the New York State Office of Children and Family Services (OCFS), New York City Department of Education (DOE) and New York City Department of Health and Mental Hygiene (DOHMH).[[19]](#footnote-20) OCFS and DOHMH have created safety regulations and requirements for childcare services in the City, and provide information on childcare for providers and families, including guidance for childcare programs to navigate through the COVID-19 pandemic, and how to apply for childcare grants and subsidies.[[20]](#footnote-21)

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.[[21]](#footnote-22) 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.[[22]](#footnote-23)

*Types of Childcare in the City*

There are several different types of childcare services in the City:

1. Family day care and group family day care programs, regulated by the State, which are home-based services located in residences that provide childcare on a regular basis for more than three hours per day per child;
2. School-age childcare programs, regulated by the State, which provide care for a group of seven or more school-age children in a non-residential setting;
3. Group childcare programs, regulated by the City, which are center-based services located primarily in non-residential spaces that provide childcare to three or more children under 6 years old, and operate for five or more hours per week, for more than 30 days in a 12-month period;
4. School-based programs, regulated by the City, which provide instruction for children ages 3 through 5 and are located within a school or are part of a school;
5. Summer camps, regulated by the City, which provide childcare for children younger than 16, or younger than 18 for overnight camps, and operate during the summer months primarily for the purpose of organized group activity; and
6. Informal or legally exempt childcare programs, which must be approved, enrolled and monitored by the nonprofit organization Women’s Housing and Economic Development Corporation.[[23]](#footnote-24) *Informal child care* “refers to child care provided in a residence, which is not required to be licensed or registered pursuant to section 390 of the Social Services Law. Informal child care means In-Home Child Care and Family Child Care.” [[24]](#footnote-25) *Legally exempt group child care* “means a program in a facility, other than a residence, in which child care is provided on a regular basis and is not required to be licensed by or registered with the Office or licensed by the City of New York but which meets all applicable State or local requirements for such child care programs. Legally exempt group child care includes, but is not limited to:
	* + 1. pre-kindergarten and nursery school programs for children three years of age or older, and programs for school-age children conducted during non-school hours, operated by public school districts or by private schools or academies which provide elementary or secondary education or both in accordance with the compulsory education requirements of the Education Law, provided that such pre-kindergarten, nursery school or school-age programs are located on the premises or campus where the elementary or secondary education is provided;
			2. nursery schools and programs for pre-school-aged children operated by non-profit agencies or organizations or private proprietary agencies which provide services for three or less hours per day;
			3. summer day camps operated by non-profit agencies or organizations or private proprietary agencies in accordance with Subpart 7-2 of the State Sanitary Code;
			4. Center-based child care programs located on Federal property which are not certified to operate by the United States Department of Defense when such programs are operated in compliance with the applicable Federal laws and regulations for such child care programs;
			5. Center-based child care programs located on tribal property which are legally operating under the auspices of a tribal authority that is not a Child Care and Development Fund grantee, and are in compliance with the applicable tribal laws and regulations for such child care programs; and
			6. child care programs caring for not more than six school-age children during non- school hours.”[[25]](#footnote-26)
7. **Bill Analysis**

*Int. No. 242*

This bill would require the creation of a Marshall Plan for Moms task force to study, develop and issue proposals and recommendations on how to support working mothers and caregivers, particularly in light of the issues that have become more acute due to the COVID-19 pandemic. The task force would be composed of the Executive Directors of the City’s Commission on Gender and the Office for Economic Opportunity, the Commissioners of Citywide Administrative Services, the Office of Labor Relations and the Department of Social Services, as well as three members appointed by the Mayor and one member appointed by the Speaker of the Council. The task force would be required to submit a report within one year of the task force’s convening, including recommendations for legislation, policy and best practices relating to supporting working mothers and a summary of information the task force considered in formulating its recommendations. If passed, the bill would take effect immediately after it becomes law.

*Int. No. 477*

This bill would establish a childcare task force to examine how to make childcare more affordable and accessible for families in the City, and how the City could provide additional support and funding to child care providers and workers. The task force would be required to submit a report that includes recommendations for establishing child care for all children in the City ages five and under. If passed, the bill would take effect immediately after it becomes law.

*Int. No. 485*

This bill would require the Department of Health and Mental Hygiene to coordinate with the Department of Information Technology and Telecommunications to create a website that provides a list of every child care provider that operates in the City. The website would include, for each child care provider, the provider’s name, address, telephone number, program type, status of any permit or license required to operate the program, and whether the program is regulated by New York State or New York City. The website would also be required to include a search function, where users could search by key words for a child care provider by name and location. If passed, the bill would take effect 30 days after it becomes law.

*Int. No. 486*

This bill would establish a Child Care Advisory Board, which would be responsible for submitting an annual report that includes an assessment of the needs of child care providers and recipients across the City. The Board would be required to make recommendations on how to improve child care and make it more affordable, including reviewing and assessing universal child care and subsidies to families whose income equals up to 300% and 400% of the federal poverty guidelines. If passed, the bill would take effect immediately after it becomes law.

*Int. No. 487*

This bill would require the Administration for Children’s Services to coordinate with the Department of Health and Mental Hygiene and the Department of Information Technology and Telecommunications to create an online portal that provides information on child care subsidies. The portal would include information on each subsidy provided by local, state and federal agencies, the eligibility for each subsidy, and instructions on how to apply for each subsidy. The portal would also include the forms needed to apply for each subsidy, including any electronic forms available which may be submitted online through the portal. If passed, the bill would take effect 30 days after it becomes law.

*Int. No. 488*

This bill would require the Administration for Children’s Services (ACS) to establish a child care program fund to award grants to child care programs in the City. To be eligible for a grant, a child care program would have to be experiencing a significant risk of closure or displacement, in addition to meeting other requirements as determined by ACS. ACS would be permitted to award grants of $1,000 per full-time employee of a child care program, up to a maximum of 20 employees. This bill would also require ACS to submit an annual report to the Mayor and the Speaker of the Council on grants awarded to child care programs in the preceding fiscal year, and would require ACS to publish on its website information on child care grants, including eligibility, instructions for the application process, and required documentation. If passed, the bill would take effect immediately after it becomes law.

*Int. No. 489*

This bill would require the Mayor to designate an administering agency to create a child care certification program by which building owners that provide space in buildings for child care programs may apply to be recognized as a child care certified building. A certification would be issued upon submission of an application and documentation that a child care program operates in the building and meeting other requirements as determined by the administering agency. The certification would be valid for three years and may be renewed. This bill would also require the administering agency to maintain a database on its website containing a list of the buildings that are certified pursuant to the program. If passed, the bill would take effect 120 days after it becomes law, except that the administering agency shall take such measures as are necessary for the implementation of this local law, including the promulgation of rules, before such date.

*Int. No. 526*

This bill would require the provision of childcare services, upon request, for certain public meetings held by a mayoral agency. If passed, the bill would take effect one year after it becomes law.

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| Int. No. 242 By Council Members Gutiérrez, Won, Sanchez, Hanif, Joseph, Brewer, Brooks-Powers, Stevens, Menin, Schulman, Riley, Narcisse, Barron, Ossé, Ayala, Restler, Cabán, Abreu, Krishnan, Richardson Jordan, Nurse, Ung, Williams, De La Rosa, Avilés, Hudson and Louis A Local Law in relation to the establishment of a Marshall plan for moms task force to develop and issue recommendations on how to support working mothers and caregivers, particularly in light of the issues that have become more acute due to the COVID-19 pandemic Be it enacted by the Council as follows: Section 1. Marshall plan for moms task force. a. Definitions. For purposes of this local law, the following terms have the following meanings:City. The term “city” means the city of New York.COVID-19. The term “COVID-19” means the 2019 novel coronavirus or 2019-nCoV.Task force. The term “task force” means the Marshall plan for moms task force.b. There shall be a Marshall plan for moms task force. Such task force shall study, develop and issue proposals and recommendations on how to support working mothers and caregivers, particularly in light of the issues that have become more acute due to the COVID-19 pandemic. Such proposals and recommendations shall include, but not be limited to, the following:1. The benefits of providing recurring direct cash payments to moms and other caregivers and of a comprehensive paid family leave policy for all employers in the city and any barriers to the implementation of such policies;2. How to best revitalize and restore the role of mothers in the workforce through the COVID-19 pandemic and following recovery;3. The biggest contributors to and solutions for addressing the lack of family-supportive workplaces;4. Access to rent relief, public assistance and financial support for mothers and caregivers in the workforce, including with regard to addressing barriers to such relief and assistance;5. Rebuilding and stabilizing the childcare industry, including with regard to addressing the lack of care infrastructure and with regard to improving support for individuals working in the childcare industry;6. Access to culturally sensitive, affordable and quality healthcare for women and families, regardless of job status; and7. Access to mental health support for mothers and other caregivers, which is essential to maintaining the health of the family.c. Membership. 1. The task force shall be composed of the following members:(a) The executive director of the commission on gender equity or such executive director’s designee, who shall serve as chair;(b) The executive director of the office for economic opportunity or such executive director’s designee;(c) The commissioner of citywide administrative services or such commissioner’s designee;(d) The commissioner of the office of labor relations or such commissioner’s designee;(e) The commissioner of the department of social services or such commissioner’s designee;(f) Three members appointed by the mayor who shall be individuals with expertise in gender pay disparity or economic self-sufficiency, including individuals who do advocacy work or research in such topics; and(g) One member appointed by the speaker of the council who shall be an individual with expertise in gender pay disparity or economic self-sufficiency, including individuals who do advocacy work or research in such topics.2. All appointments required by this section shall be made no later than 90 days after the effective date of this local law.3. Each member of the task force shall serve at the pleasure of the officer who appointed the member. In the event of a vacancy on the task force, a successor shall be selected in the same manner as the original appointment. All members of the task force shall serve without compensation.d. Meetings. 1. The chair shall convene the first meeting of the task force no later than 30 days after the last member has been appointed.2. The task force may invite relevant experts and stakeholders to attend its meetings and to otherwise provide testimony and information relevant to its duties.3. The task force shall meet no less than once each quarter to carry out the duties described in section three. The task force shall hold at least one public hearing before submitting the report required by subdivision 2.4. The meeting requirement of paragraph 3 of this subdivision shall be suspended when the task force submits its report as required by subdivision e.e. Report. 1. No later than one year after the first meeting of the task force, the task force shall submit a report to the mayor and the speaker of the council setting forth its recommendations for legislation, policy and best practices relating to supporting working mothers, particularly in light of the issues that have become more acute due to the COVID-19 pandemic. The report shall include a summary of information the task force considered in formulating its recommendations.2. The commission on gender equity shall publish the task force’s report electronically on its website no later than 30 days after its submission to the mayor and the speaker of the council.f. Agency support. Each agency affected by this local law shall provide appropriate staff and resources to support the work of such agency related to the task force.g. Termination. The task force shall terminate 180 days after the date on which it submits its report, as required by section subdivision e.§ 2. This local law takes effect immediately.    Session 12BGLS #85764/14/22 Session 11BAMLS #17556 / 17563Int. 2300-2021 |

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| Int. No. 477 By Council Members Hudson, Menin, Brooks-Powers, Joseph, Nurse, Abreu, Louis, Restler and The Speaker (Council Member Adams) A Local Law in relation to establishing a child care task force Be it enacted by the Council as follows: Section 1. Definitions. For purposes of this local law, the following terms have the following meanings:City. The term “city” means the city of New York.Task force. The term “task force” means the child care task force established by this local law.§ 2. Task force established. There is hereby established a task force to be known as the child care task force.§ 3. Duties. The task force shall study how to make child care more affordable through free or low-cost child care, determine how to make child care more accessible for families in the city, examine ways to provide support and funding to child care providers and workers, and make recommendations for establishing child care for all children ages five and under in the city. Such recommendations shall take into account the number of children ages five and under in the city, the capacity of child care providers, the average incomes of families with children in the city, the projected costs of implementing any recommended programs, and any other considerations the task force deems relevant.§ 4. Membership. a. The task force shall be composed of the following members:1. The commissioner of health and mental hygiene or such commissioner’s designee, who shall be designated as chair;2. The chancellor of the city school district of the city of New York or such chancellor’s designee;3. The commissioner of buildings or such commissioner’s designee;4. The commissioner of children’s services or such commissioner’s designee;5. One school principal employed by the department of education to be appointed by the mayor;6. One teacher employed by the department of education to be appointed by the speaker of the council;7. One child care provider of a child care program in the city to be appointed by the mayor;8. One child care worker of a child care program in the city to be appointed by the speaker of the council;9. One parent of a child under the age of three who is enrolled in a child care program in the city to be appointed by the mayor;10. One parent of a child between the ages of four and five who is enrolled in a child care program in the city to be appointed by the mayor; and11. Three members to be appointed by the mayor in consultation with the speaker of the council and the public advocate, who are experts in child care advocacy or reform or are members, employees or directors of, or otherwise affiliated with, an organization engaged in child care advocacy or reform work.b. The mayor shall invite the commissioner of the office of children and family services or such commissioner’s designee to participate in the work of the task force, and may invite other officers and representatives of relevant federal, state and local agencies and authorities to participate in the work of the task force.c. All appointments required by this section shall be made no later than 90 days after the effective date of this local law.d. Each member of the task force shall serve at the pleasure of the officer who appointed the member. In the event of a vacancy on the task force, a successor shall be appointed in the same manner as the original appointment for the remainder of the unexpired term. All members of the task force shall serve without compensation.§ 5. Meetings. a. The chair shall convene the first meeting of the task force no later than 30 days after the last member has been appointed, except that where not all members of the task force have been appointed within the time specified in section four of this local law, the chair shall convene the first meeting of the task force within 10 days of the appointment of a quorum.b. The task force may invite experts and stakeholders to attend its meetings and to provide testimony and information relevant to its duties.c. The task force shall meet no less than once each month to carry out the duties described in section three of this local law.d. The meeting requirement of subdivision c of this section shall be suspended when the task force submits its report as required by section six of this local law.§ 6. Report. a. No later than 270 days after the effective date of this local law, the task force shall submit a report to the mayor, the speaker of the council and the public advocate setting forth its recommendations for establishing child care for all children ages five and under in the city, making child care more affordable and accessible for families in the city and providing support and funding to child care providers and workers, and shall include but need not be limited to the following:1. Any challenges associated with implementing child care programs in each city school district;2. The projected costs associated with implementing child care programs in all city school districts;3. Recommendations for policies and programs to make the costs of child care in the city more affordable for families;4. Recommendations for increasing support and funding to child care providers and workers, such as providing training or other free or low-cost resources;5. Recommendations for increasing the number of child care facilities in the city, including ways to increase the number of applications for licensed child care programs; and6. A summary of information the task force considered in formulating its recommendations.b. The commissioner of health and mental hygiene shall publish the report required by this section on the website of the department of health and mental hygiene no later than 10 days after its submission to the mayor and the speaker of the council.§ 7. Agency support. Each agency affected by this local law shall provide appropriate staff and resources to support the work of such agency related to the task force.§ 8. Termination. The task force shall terminate 180 days after the date on which it submits its report, as required by section six of this local law.§ 9. This local law takes effect immediately.    JEFLS #7335/76525/25/2022 12:05pm |

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| Int. No. 485 By Council Members Menin, Ayala, Schulman, Riley, Won, Narcisse, Hudson, Joseph, De La Rosa, Stevens, Gutiérrez, Cabán, Louis, Lee, Hanif, Brooks-Powers, Krishnan, Brewer, Dinowitz, Sanchez, Nurse, Marte, Ung, Abreu, Velázquez, Williams, Ossé, Restler, Gennaro, Feliz and Farías A Local Law to amend the administrative code of the city of New York, in relation to an electronic child care directory Be it enacted by the Council as follows: Section 1. Chapter 13 of title 17 of the administrative code of the city of New York is amended by adding a new section 17-1308 to read as follows:§ 17-1308 Child care directory. a. Definitions. As used in this section, the term “child care program” means any program that meets the definition provided in subdivision d of section 47.01 of the New York city health code, and any program that provides child day care as such term is defined in paragraph (a) of subdivision 1 of section 390 of the New York state social services law, including group family day care homes, family day care homes and school age child care as such terms are defined in paragraphs (d), (e) and (f) of subdivision 1 of section 390 of the New York state social services law.b. Electronic directory. By October 1, 2022, the department shall coordinate with the department of information technology and telecommunications to publish a website that provides a list of all child care programs located within the city. Such website shall include, for each child care program, the name, address, telephone number, program type, status of any permit or license required to operate the program, and whether such program is regulated by the state of New York or the city of New York. Such website shall include a search function that allows users to search by key words for child care programs by name and location, including by borough, city school district, community district and zip code.§ 2. This local law takes effect 30 days after it becomes law.   JEFLS # 80515/23/2022 7:09pm    |

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| Int. No. 486 By Council Members Menin, Ayala, Schulman, Riley, Won, Narcisse, Hudson, Joseph, De La Rosa, Stevens, Gutiérrez, Cabán, Louis, Lee, Brooks-Powers, Krishnan, Brewer, Dinowitz, Sanchez, Nurse, Marte, Ung, Bottcher, Powers, Velázquez, Williams, Ossé, Hanif, Gennaro, Abreu, Feliz and Farías A Local Law to amend the New York city charter, in relation to establishing a child care advisory board Be it enacted by the Council as follows: Section 1. Chapter 24-b of title the New York city charter is amended by adding a new section 620 to read as follows:§ 620 Child care advisory board. a. Definitions. As used in this section, the term “board” means the child care advisory board established by this section.b. Board established. There is hereby established a child care advisory board.c. Duties. The board shall have the power and duty to conduct studies and reports on child care in the city, including to provide an assessment of the needs of the city’s child care programs, and the city’s progress towards providing universal child care. The board shall also have the power and duty to make recommendations to the mayor and the speaker of the council on legislation, regulation, policies, procedures and initiatives to help to make child care more affordable.d. Membership. 1. The board shall be comprised of the following members:(a) The commissioner of the administration for children’s services, or such commissioner’s designee;(b) The chancellor of the city school district of the city of New York, or such chancellor’s designee;(c) The commissioner of the department of health and mental hygiene, or such commissioner’s designee;(d) One member to be appointed by the mayor;(e) One member to be appointed by the speaker of the council;(f) One member to be appointed by the comptroller; and(g) One member to be appointed by the public advocate.2. All members shall serve for a term of two years and shall serve without compensation. Members may be removed by the appointing officer for cause.3. All appointments required by this section shall be made no later than 90 days after the effective date of the local law that added this section.4. Upon appointment of all members, the board shall elect a chair from its membership by a majority vote of such board. Any vacancy on the board shall be filled in the same manner as the original appointment.e. Meetings. The board shall keep a record of its deliberations and determine its own rules of procedure, which shall include a procedure or mechanism by which members of the public may make submissions to the board. The first meeting of the advisory board shall be convened within 120 days after the effective date of the local law that added this section. The board shall meet quarterly, and such meetings shall be open to the public.f. Report. No later than September 1, 2023, and annually thereafter, the board shall submit a report to the mayor and the speaker of the council setting forth its assessment of child care programs in the city, and recommendations for making child care more affordable, and shall include, but need not be limited to, the following for the preceding fiscal year:1. Any challenges child care programs faced in providing quality child care;2. The city’s advancement towards universal child care, including any actions taken by city agencies or legislation or policies introduced;3. The projected annual costs for the next five years associated with implementing universal child care;4. The recommended costs associated with expanding child care subsidies to families in the city whose income equals up to 300% and 400% of the federal poverty guidelines; and6. A summary of information the board considered in formulating its recommendations to make child care more affordable.§ 2. The title of section 619 of the New York city charter, as added by local law number 61 for the year 2010, is amended to read as follows:Juvenile justice advisory [Advisory] board.§ 3. This local law takes effect immediately. JEFLS # 66975/24/2022 2:37pm ***(Page intentionally left blank)***

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| Int. No. 487 By Council Members Menin, Ayala, Schulman, Riley, Won, Narcisse, Hudson, Joseph, De La Rosa, Stevens, Gutiérrez, Cabán, Louis, Lee, Hanif, Brooks-Powers, Krishnan, Brewer, Dinowitz, Sanchez, Nurse, Marte, Ung, Bottcher, Abreu, Velázquez, Williams, Ossé, Restler, Gennaro, Feliz and Farías A Local Law to amend the administrative code of the city of New York, in relation to establishing a child care subsidy information portal Be it enacted by the Council as follows: Section 1. Chapter 13 of title 17 of the administrative code of the city of New York is amended by adding a new section 17-1308 to read as follows:§ 17-1308 Child care subsidy information portal. a. Within 180 days of the effective date of this local law, the department, in collaboration with the department of health and mental hygiene and the department of information technology and telecommunications, shall create and maintain on the department’s website a publicly accessible online portal of information on child care subsidies. The portal shall include, but need not be limited to, the following information:1. Each child care subsidy provided by local, state and federal agencies;2. Eligibility requirements for each such subsidy;3. Instructions on how to apply for each such subsidy; and4. All of the forms needed to apply for each such subsidy, including electronic forms that may be submitted for application through the portal as practicable.b. Privacy. The department, in consultation with the mayor’s office of information privacy, shall ensure the online portal as required by subdivision a of this section is secure to protect the privacy of families who access and utilize such portal to obtain information about and apply for child care subsidies.§ 2. This local law takes effect 30 days after it becomes law.   JEFLS # 80525/23/2022 6:48pm    |

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| Int. No. 488 By Council Members Menin, Ayala, Schulman, Riley, Won, Narcisse, Hudson, Joseph, De La Rosa, Stevens, Gutiérrez, Cabán, Louis, Lee, Hanif, Brooks-Powers, Krishnan, Dinowitz, Sanchez, Nurse, Marte, Ung, Bottcher, Abreu, Velázquez, Williams, Ossé, Restler, Gennaro, Feliz and Farías A Local Law to amend the administrative code of the city of New York, in relation to establishing a child care program fund 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 21-922 to read as follows:§ 21-922 Child care program fund. a. Definitions. As used in this section, the term “fund” means the child care program fund established by this section.b. Fund. 1. No later than July 1, 2023, the commissioner shall establish, subject to appropriation, a child care program fund from which grants may be awarded to child care programs, in accordance with the requirements of this section.2. The commissioner may award to a child care program annually a grant in an amount equal to $1,000 per full-time employee of the child care program, up to a maximum of 20 full-time employees, except that the total combined grants paid to all child care programs in a fiscal year shall not exceed the appropriations for the fund for such fiscal year. The commissioner may award a grant to a child care program pursuant to this section only if the commissioner determines that there is a significant risk of closure or displacement of the child care program, and the child care program:(a) Files an application for the grant with ACS on a form prepared by the commissioner;(b) Certifies the number of full-time employees employed by the child care program; and(c) Meets any other requirements for the grant established by rules promulgated by the commissioner in accordance with this section.c. Rules. No later than May 1, 2023, the commissioner shall promulgate rules to carry out the provisions of this section, including with respect to criteria for determining how grant awards from the fund may be allocated to child care programs each year in the most equitable manner.d. Report. No later than September 1, 2024, and annually thereafter, the commissioner shall submit to the mayor and the speaker of the council a report that includes, but need not be limited to, the following information for each grant awarded pursuant to this section in the preceding fiscal year:1. The name and address of the grant recipient;2. The amount of the grant;3. The type of child care program operated by the grant recipient;4. Whether the grant recipient has previously received a grant under this section, and if so, the amount of each such grant; and5. The reasons for providing a grant to the grant recipient.e. Website. No later than July 1, 2023, ACS shall post on its website, and update as appropriate, information on child care program grants available through the fund. Such information shall include, but need not be limited to, eligibility for grants, instructions for the application process and required documentation.§ 2. This local law takes effect immediately.      JEFLS # 87745/24/2022 12:35pm    |

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| Int. No. 489 By Council Members Menin, Louis, Krishnan, Brewer, Dinowitz, Sanchez, Nurse, Marte, Ung, Schulman, Bottcher, Abreu, Velázquez, Williams, Ossé, Hanif, Feliz and Farías A Local Law to amend the administrative code of the city of New York, in relation to a child care certification program Be it enacted by the Council as follows: Section 1. Subchapter 1 of chapter 1 of title 3 of the administrative code of the city of New York is amended by adding a new section 3-119.6 to read as follows:§ 3-119.6 Child care certification program. a. Definitions. As used in this section, the following terms have the following meanings:Administering agency. The term “administering agency” means the agency that the mayor designates to administer the child care certification program established by this section.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.Program. The term “program” means the child care certification program established by this section.b. Certification. The mayor shall designate an agency to administer a child care certification program by which building owners that provide space in buildings for child care programs may apply to be recognized as a child care certified building by the administering agency. A certification issued pursuant to this section shall be valid for a period of three years, and may be renewed upon satisfaction of the requirements set forth in this section. The administering agency shall provide to a building owner issued a certification pursuant to this section a seal stating the building’s status as a child care certified building, which may be placed on the interior of the front door of the building.c. Requirements. The administering agency shall issue a certification pursuant to this section to any building owner that:1. Applies for certification on a form prescribed by the administering agency;2. Provides documentation that a child care program with a valid permit or license to operate is located in such owner’s building; and3. Complies with the requirements of this section and any other requirements as prescribed by the administering agency.d. Program. The program shall include, but need not be limited to, the following:1. A process for building owners to apply for certification pursuant to this section;2. Assistance to ensure that the space in buildings provided for child care programs meet the requirements for operation of such programs; and3. Any other non-financial assistance that the administering agency deems appropriate.e. Renewal. A certification issued pursuant to this section shall expire three years after the date of issuance. To renew a certification, a building owner shall submit an application for renewal on a form, and provide other relevant documentation, as prescribed by the administering agency.f. Revocation. The administering agency may revoke a building owner’s certification upon finding that such owner has failed to comply with the requirements of the program.g. Website. The administering agency shall maintain, and update as necessary, a database on the administering agency’s website of all buildings that are certified pursuant to this section.§ 2. This local law takes effect 120 days after it becomes law, except that the administering agency shall take such measures as are necessary for the implementation of this local law, including the promulgation of rules, before such date.      JEFLS # 88755/26/2022 10:16am    |

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| ***(Page intentionally left blank)***Int. No. 526By Council Members Cabán, Hanif, Louis, Menin, Ung and Gutiérrez A Local Law to amend the New York city charter, in relation to childcare services at public meetings Be it enacted by the Council as follows:                     Section 1. Chapter 47 of the New York city charter is amended to add a new section 1069.2 to read as follows:§ 1069.2 Childcare at public meetings. a. For the purposes of this section, the following terms have the following meanings:Administering agency. The term “administering agency” means the administration for children’s services.Child. The term “child” means a natural person under the age of thirteen years or a natural person with a disability under the age of nineteen years.Childcare Services. The term “childcare services” means care for a child at a location in proximity to a covered meeting by a provider licensed and registered pursuant to section 390 of the New York state social services law or by a legally exempt childcare provider who meets the requirements set forth in section 415.13 of subchapter c of the New York state regulations of the department of social services.Covered Meeting. The term “covered meeting” means any public meeting held by a mayoral agency at which testimony from the public is accepted, but does not include any event or activity for which the primary purpose is entertainment or recreation.b. The administering agency shall, upon request in a form and manner to be determined by such agency, provide childcare services at all covered meetings. Such request shall be submitted no less than five business days prior to the covered meeting by a parent, step-parent or guardian that will be attending the covered meeting.c. Any invitation, advertisement, poster or public notice for a covered meeting, whether in print or via electronic means, shall contain information on how a request for childcare services may be submitted and the deadline for when such a request must be received.d. For any meeting, other than a covered meeting or an event or activity for which the primary purpose is entertainment or recreation, that is open to the public and held by a city governmental entity other than a mayoral agency, such city governmental entity may request that childcare services be provided for such meeting pursuant to subdivision b of this section, provided that a request from a parent, step-parent or guardian that will be attending the meeting has been received and that the administering agency is informed no less than five business days prior to the meeting.e. The requirements of this section shall be limited by the appropriation of funds available for such purpose.§ 2. This local law takes effect 1 year after it becomes law.    Session 12TSWLS #879406/10/22 6:30pm Session 11BJRLS #255LS #10041/ Int. 1711-2017Int. #0941-2018 |

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| Res. No. 69 Resolution calling on the New York State Legislature to pass, and the Governor to sign, S. 7595/ A. 8623, S. 6706B/ A. 7582A, and S. 7615/ A. 8625, legislation supporting the provision of financial assistance to families and child care providers in order to make child care more accessible and affordable. By Council Member Menin, the Public Advocate (Mr. Williams) and Council Members Cabán, Restler, Ossé, Stevens, Won, Brannan, Hanif, Joseph, Richardson Jordan, Brewer, Velázquez, Avilés, Krishnan, Ung, Barron, Gutiérrez, Williams, Hanks, Gennaro, Farías, Brooks-Powers, Sanchez, Hudson, Schulman, Lee, Narcisse, Ayala, Bottcher, De La Rosa, Riley, Rivera and Louis Whereas, The early years in a child’s life are critical for healthy brain development and lay the groundwork for future educational achievement, economic productivity, and lifelong health; andWhereas, A study conducted by The Heckman Equation found that high-quality child care and early learning programs benefit both children and parents, by permitting parents to grow their income while children gain foundational skills to succeed in school and life; andWhereas, Enrollment in child care programs in New York State can cost more than $2,600 per month or $21,000 per year, which is too high for most low-income and middle-income families, according to a report prepared by the Office of Senator Jabari Brisport and the Alliance for Quality Education; andWhereas, The lack of government spending on child care in New York has meant that many parents are unable to meet eligibility requirements for needed child care subsidies and early childhood education is one of the lowest paid professions; andWhereas, According to the report prepared by Senator Brisport’s office and the Alliance for Quality Education, child care providers are not able to pay sufficient wages to child care workers, which can result in child care facilities operating at less than full capacity; andWhereas, The New York City Comptroller reported that child care centers and family day care providers in New York City only have capacity for 22% of children under the age of two, and nearly half of all community districts are considered an infant care desert, where the ratio of child care capacity to children is less than 20%; andWhereas, According to a survey conducted by the NY Early Childhood Professional Development Institute and the Bank Street College of Education’s Straus Center for Young Children and Families, approximately 32% of early childhood educators and providers in New York report that they have reduced staff hours, furloughed, or laid off staff as a result of restrictions caused by the COVID-19 pandemic, and nearly one in four of the respondents stated they were uncertain if their program would reopen once such restrictions would be lifted; andWhereas, The Universal Child Care Act, S. 7595, introduced by Senator Brisport and pending in the New York State Senate, and companion bill A. 8623, introduced by Assembly Member Andrew Hevesi and pending in the New York State Assembly, would provide for the establishment and funding of universal child care in the state of New York; andWhereas, S. 6706B, introduced by Senator Brisport and pending in the New York State Senate, and companion bill A. 7582A, introduced by Assembly Member Andrew Hevesi and pending in the New York State Assembly, would expand existing child care assistance eligibility to families that make up to 85% of the state median income; andWhereas, The Early Learning Child Care Act, S. 7615, introduced by Senator Jessica Ramos and pending in the New York State Senate, and companion bill A. 8625, introduced by Assembly Member Sarah Clark and pending in the New York State Assembly, would establish the Early Learning Child Care Program to provide subsidies to covered children to attend early learning child care programs, establish the New York State Child Care Board, and impose a payroll tax on certain employers for the purposes of addressing child care affordability, accessibility, and quality for families with children under five years of age; andWhereas, Each of these bills would work to expand and fortify New York’s child care infrastructure, including by ensuring child care is affordable for parents and that child care workers are paid just wages; now, therefore, be itResolved, That the Council of the city of New York calls on the New York State Legislature to pass, and the Governor to sign, S. 7595/ A. 8623, S. 6706B/ A. 7582A, and S. 7615/ A. 8625, legislation supporting the provision of financial assistance to families and child care providers in order to make child care more accessible and affordable.    Session 12JEFLS #6698, 7104, 7105, 7291, 79843/7/2022 |

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1. Julie Kashen, Loris Toribio, Emma Vadehra, Chansi Powell, Jaylen Hackett, Halley Potter, Nancy Park and Ayana Batholomew, “Building a High-Quality Child Care and Early Learning Infrastructure for New York City,” The Century Foundation (Jul. 22, 2021), available at: https://tcf.org/content/report/building-high-quality-child-care-early-learning-infrastructure-new-york-city/?session=1&session=1&session=1&session=1. [↑](#footnote-ref-2)
2. This Committee Report uses the terms “childcare,” except where “child care” is used in legislation. In that case, the terms “child care” and “childcare” are used interchangeably. [↑](#footnote-ref-3)
3. *Supra* note 1. [↑](#footnote-ref-4)
4. “Return on Investment in Birth-to-Three Early Childhood Development Programs,” The Heckman Equation (Sep. 6, 2018). [↑](#footnote-ref-5)
5. 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>. [↑](#footnote-ref-6)
6. Julie Kashen, Loris Toribio, Emma Vadehra, Chansi Powell, Jaylen Hackett, Halley Potter, Nancy Park and Ayana Batholomew, “Building a High-Quality Child Care and Early Learning Infrastructure for New York City,” The Century Foundation (Jul. 22, 2021), available at: https://tcf.org/content/report/building-high-quality-child-care-early-learning-infrastructure-new-york-city/?session=1&session=1&session=1&session=1.

 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>. [↑](#footnote-ref-7)
7. Julie Kashen, Loris Toribio, Emma Vadehra, Chansi Powell, Jaylen Hackett, Halley Potter, Nancy Park and Ayana Batholomew, “Building a High-Quality Child Care and Early Learning Infrastructure for New York City,” The Century Foundation (Jul. 22, 2021), available at: https://tcf.org/content/report/building-high-quality-child-care-early-learning-infrastructure-new-york-city/?session=1&session=1&session=1&session=1. [↑](#footnote-ref-8)
8. 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>. [↑](#footnote-ref-9)
9. *Supra* note 1. [↑](#footnote-ref-10)
10. The Child Care Crisis in New York State, Office of Senator Jabari Brisport and the Alliance for Quality Education (Dec. 2021), available at: https://www.nysenate.gov/sites/default/files/childcaretourreport.pdf. [↑](#footnote-ref-11)
11. 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>. [↑](#footnote-ref-12)
12. *Id.* [↑](#footnote-ref-13)
13. *Id.* [↑](#footnote-ref-14)
14. *See* New York State Department of Labor, Minimum Wage (n.d.), *available at* <https://labor.ny.gov/workerprotection/laborstandards/workprot/minwage.shtm>. [↑](#footnote-ref-15)
15. *Supra* note 1.. [↑](#footnote-ref-16)
16. Julie Kashen, Loris Toribio, Emma Vadehra, Chansi Powell, Jaylen Hackett, Halley Potter, Nancy Park and Ayana Batholomew, “Building a High-Quality Child Care and Early Learning Infrastructure for New York City,” The Century Foundation (Jul. 22, 2021), available at: https://tcf.org/content/report/building-high-quality-child-care-early-learning-infrastructure-new-york-city/?session=1&session=1&session=1&session=1. [↑](#footnote-ref-17)
17. *Id.* [↑](#footnote-ref-18)
18. “NYC Under Three: A Plan to Make Child Care Affordable for New York City Families,” Office of the New York City Comptroller (May 17, 2019), available at: https://comptroller.nyc.gov/reports/nyc-under-three-a-plan-to-make-child-care-affordable-for-new-york-city-families/. [↑](#footnote-ref-19)
19. Julie Kashen, Loris Toribio, Emma Vadehra, Chansi Powell, Jaylen Hackett, Halley Potter, Nancy Park and Ayana Batholomew, “Building a High-Quality Child Care and Early Learning Infrastructure for New York City,” The Century Foundation (Jul. 22, 2021), available at: https://tcf.org/content/report/building-high-quality-child-care-early-learning-infrastructure-new-york-city/?session=1&session=1&session=1&session=1. [↑](#footnote-ref-20)
20. *See* Child Care, New York City Department of Health and Mental Hygiene, last visited May 6, 2022, available at: https://www1.nyc.gov/site/doh/business/permits-and-licenses/children-and-adolescents-childcare.page; Division of Child Care Services, New York State Office of Children and Family Services, last visited May 6, 2022, available at: https://ocfs.ny.gov/programs/childcare/. [↑](#footnote-ref-21)
21. *Id.* [↑](#footnote-ref-22)
22. *Id.* [↑](#footnote-ref-23)
23. *See* New York City Department of Health and Mental Hygiene, Child Care (last visited May 6, 2022), *available at:* https://www1.nyc.gov/site/doh/business/permits-and-licenses/children-and-adolescents-childcare.page; *see also* Voucher Providers and Other Programs, New York City Administration for Children’s Services, last visited May 6, 2022, available at: https://www1.nyc.gov/site/acs/early-care/voucher-providers-other-programs.page#five. [↑](#footnote-ref-24)
24. 18 NYCRR 415.1(h) [↑](#footnote-ref-25)
25. 18 NYCRR 415.1(i) [↑](#footnote-ref-26)