



Testimony

of

Jacqueline M. Ebanks, Executive Director

Commission on Gender Equity

before the

New York City Council

Committee on Women and Gender Equity

on

Child Care Legislation

Wednesday, June 29, 2022

Hybrid Hearing

Good Afternoon Chair Cabán and members of the Committee on Women and Gender Equity.

I am Jacqueline Ebanks, Executive Director of New York City's Commission on Gender Equity (CGE). In this role, I also serve as an advisor to the Mayor on policies and issues affecting gender equity in New York City for all girls, women, transgender, and gender non-binary New Yorkers regardless of their ability, age, ethnicity/race, faith, gender expression, immigrant status, sexual orientation, and socioeconomic status.

After my testimony today, I will be joined by Simone Hawkins, Chief Executive of Early Childhood Education Operations at the Department of Education, Corinne Schiff, Deputy Commissioner for Environmental Health at the Department of Health and Mental Hygiene, and Elizabeth Wolkomir, Deputy Commissioner for the Division of Child, and Family Well-being at the Administration for Children's Services, to answer your questions.

As New York City recovers from the debilitating impacts of COVID-19, the Adams Administration is committed to building an inclusive and equitable city for all New Yorkers. It is within this context that CGE works to remove equity barriers across New York City and carries out its activities in three areas of focus, within a human rights framework and using an intersectional lens. Our areas of focus are:

- 1. Economic Mobility and Opportunity.** The goal is to create a City where people of all gender identities and expressions live economically secure lives and have access to opportunities to thrive.
- 2. Health and Reproductive Justice.** The goal is to foster a City free from gender- and race-based health disparities.
- 3. Safety.** The goal is to foster a City free from gender- and race-based violence.

The Adams Administration is committed to supporting ciswomen, transgender, and gender non-binary and nonconforming (TGNBNC) caregivers as they raise the next generation of New Yorkers. Research indicates that in lower-income communities, the average annual cost of center or home-based child-care in New York City can constitute as much as 36 to 65 percent of median household incomes.¹ The high-cost burden of child care, coupled with the lack of flexible and supportive work policies, can hinder parents and caregivers from participating in the economy, especially women. Even when they do participate, they can face pay disparities based on caregiver status and gender, which further entrenches inequities. Last year, a report from the Economic Development Corporation estimated the financial impact of New York City parents leaving the workforce due to lack of child-care access to be \$2.2 billion in tax revenues, further highlighting the link between child care and the city's post-pandemic recovery.² This Administration recognizes that achieving an equitable economic recovery requires a stronger child care infrastructure and better compensation and recognition of caregivers while addressing the discrimination they can face.

¹ <https://s3.amazonaws.com/media.cccnewyork.org/2020/12/NYCs-Child-Care-Affordability-Crisis.pdf>

² https://women.nyc/wp-content/uploads/2021/05/2021-ChildcareInnovation-SOTE_report.pdf

ADMINISTRATION ACTIVITIES AND COMMITMENTS

The landscape of child care services across New York City includes center-based, home-based, pre-K, 3-K, and private care services that are not subsidized. Four agencies play a role in supporting and regulating these kinds of care:

- The Administration for Children’s Services (ACS) administers the Child Care Block Grant funding from the State, which consists largely of federal funds. This includes funding child care assistance for families receiving cash assistance through the Human Resources Administration (HRA), as mandated, as well as providing vouchers to low-income families, unhoused New Yorkers, and child-welfare-involved families. ACS also transfers \$125 million of the Child Care Block Grant funding each year to the Department of Education (DOE) to help fund contracted child care, including Extended Day and EarlyLearn.
- In addition to contracting for Extended Day and EarlyLearn subsidized care, the DOE contracts and provides pre-K to 4-year-olds and 3K to 3-year-olds during the school day, and administers the Head Start grant.
- The Human Resources Administration (HRA/DSS) helps families who receive cash assistance and who are working or going to school to access child care either through contracts or vouchers.
- The Department of Health and Mental Hygiene (DOHMH) regulates childcare, including monitoring compliance with health and safety requirements.

Yesterday, the Administration released A Blueprint for Child Care & Early Childhood Education,³ which lays out our plans to expand equitable access to affordable, high quality childcare. The Blueprint includes common-sense initiatives for a quality system that supports families and child care providers.

This Blueprint is just the beginning of our work to make child care high-quality, affordable, and accessible. It sets goals to:

1. **Increase access** to childcare assistance for thousands of children across New York City, including children in high need neighborhoods, children living in temporary housing, and children whose immigration status precludes them from receiving state and federally funded care.
2. **Make care more affordable by** reducing the amount families receiving subsidized care contribute toward their childcare.
3. **Increase capacity** by creating more childcare and early education seats by leveraging tax abatements and credits to facilitate additional capacity.
4. **Improve the process for** families by creating a single online childcare application portal to make applying for child care easier for families.
5. **Enhance supports for the childcare workforce** to reduce administrative burden, create more financial stability, and achieve higher quality care.
6. **Grow a highly qualified childcare workforce by** widening access to provider career advancement and expanding opportunities for early childhood professionals to earn higher education credentials in partnership with CUNY’s New York Early Childhood Professional Development Institute.

³ <https://www1.nyc.gov/assets/home/downloads/pdf/office-of-the-mayor/2022/Childcare-Plan.pdf>

7. **Leverage leadership from City Hall and the community by** establishing a new centralized Childcare and Early Childhood Education office and convening an advisory group to ensure we are working hand in hand with the community and childcare providers who serve our families every day.

In addition to developing the Blueprint, Mayor Adams also successfully advocated this year for a number of measures at the state level to improve childcare and support families in New York City. For example, the mayor championed an enhancement to the Earned Income Tax Credit in the New York State budget and committed to increasing the City's annual investment to EITC to help put more money back in the pockets of families. The Administration also advocated for the state to increase the income eligibility for families to receive subsidized child care – from 200 percent to 300 percent of the federal poverty line. Therefore, starting in August 2022, a family of four earning up to \$83,250 can access subsidized child care, as opposed to just families earning less than \$55,500.

We will continue to advocate for the State to eliminate the need for families to be earning at least minimum wage in order to be eligible for child care, as well as fight for the state to enable counties to use state dollars to provide child care for undocumented children. The Administration is grateful for the partnership of this City Council, including the Chair of this Committee, to include \$10 million in the FY 2023 City budget for ACS to develop a new program to provide child care to undocumented children.

FEEDBACK ON LEGISLATION

In closing, I'd like to offer a few comments on the bills being considered today. We appreciate the intent of the legislative package and look forward to discussing these bills further with Council.

- **Int. 0242-2022 (Gutiérrez)**
 - This bill would create a Marshall Plan for Moms taskforce, chaired by CGE, to study, develop, and issue proposals and recommendations on how to support working mothers and caregivers given the vulnerabilities exposed by the pandemic. We appreciate the intent of this bill and look forward to working with Council on this further.
- **Int 0477-2022 (Hudson) and Int. 0486-2022 (Menin)**
 - Both of these bills would establish taskforces or advisory bodies to examine challenges and issue recommendations around child care access and provision. The Administration appreciates the intent behind both bills and agrees that bringing government, providers, parents, and advocates together to work on these issues is critical. As outlined in Mayor Adams' Blueprint released yesterday, the Administration intends to establish a solutions-oriented Advisory Board, which we believe can fulfill the goals of these two bills. We look forward to discussing this further with Council to identify alignment across our shared goals.
- **Int 0485-2022 (Menin)**
 - This bill would require DOHMH and the Office of Technology and Innovation (OTI) to collaborate on a website that provides a list and search function for childcare providers operating in New York City. The Health Department already offers such a website—Child

Care Connect—and the Administration supports codification of this important resource. We are also happy to share more information about Child Care Connect with Council, including how families can access this resource.

- **Int 0487-2022 (Menin)**

- This bill would require ACS, DOHMH, and OTI to create an online portal informing the public of childcare subsidies. The administration wholeheartedly agrees that parents and caregivers should not have to navigate complex bureaucracy to get their children care. That is why the first major application of the MyCity web portal will be a single, unified application process for all subsidized child care options offered by the city. The administration is committed to developing and implementing solutions that will ensure families can seamlessly navigate care options. We look forward to keeping the Council informed on our progress as we move ahead with this project.

- **Int 0488-2022 (Menin)**

- This bill would require ACS to establish a child care program fund to award grants of up to \$20,000 to child care programs at significant risk of closure or displacement in the City. We agree that it is essential that we support child care providers. The City has taken several important steps to ensure the financial stability of our providers, which are outlined in the City's Child Care and Early Childhood Blueprint that the Mayor released yesterday. First, we successfully advocated to Albany to increase the maximum amount we can reimburse child care providers and made it easier for providers to apply for those higher reimbursement rates. In addition, throughout the pandemic, we have continued to pay providers for days that children are absent, including due to illness. And we are committed to continuing to listen to providers and families – they will be key partners in the Child Care Advisory Council we are standing up.

- **Int 0489-2022 (Menin)**

This bill would require the Mayor to designate an administering agency to create a childcare certification program so buildings can apply and be recognized as a child care certified building. We share the same goals as Council when it comes to expanding access to child care and we look forward to discussing this with you further.

- **Int 0526-2022 (Cabán)**

This bill would require the provision of child care services, upon request, for certain meetings open to the public. The Administration recognizes the importance of increasing civic engagement opportunities for caregivers, many of whom are women, and are extending child care services throughout the city with this in mind. The Administration has concerns on the complexity of delivering the proposed child care services, due to location licensing and the varied frequency of need and requests of service providers. We would like to discuss this bill further with Council.

CONCLUSION

The Adams Administration understands the critical importance of strengthening the child care sector for families, workers, and New York City's post-pandemic recovery. The Blueprint released yesterday charts a course towards achieving greater access to affordable, high-quality child care and building a system that is innovative and supportive of both families and providers.

Thank you for the opportunity to testify here today. We are happy to answer any questions you may have and look forward to this continuing dialogue.



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July 1, 2022

Honorable Chair Cabán and Members of the Women and Gender Equity Committee:

My name is Steven Morales, and I am the NY Policy Director at All Our Kin. All Our Kin is a non-profit organization that supports hundreds of home-based family child care educators across New York City with relationship-based licensing, business, and educational quality coaching.

Thank you to Chair Cabán, CM Menin, and the members of this committee for recognizing and taking on the child care crisis facing families and educators in our city.

The testimony I share below is grounded in 3 principles:

- **A comprehensive approach to care for children from birth to five;**
- **Reducing fragmentation in our childcare system;**
- **Placing equity and the voices of families and educators at the center of City child care and early learning policies.** This is particularly important for the City's 6,000 family child care providers who make up more than one-third of child care providers across the City and care for more than 50% of our City's infants and toddlers, but whose expertise has frequently been overlooked in policymaking.

We offer the following recommendations to round out the legislation before this committee:

Int. No. 477 Child Care Task Force Bill

- We recommend combining the Child Care Task Force (Int. No. 477) and Child Care Advisory Board (Int. No. 486) and adding language that explicitly includes all types of care in the group's membership. This should include child care providers with Group Family and Family Day Care licenses, parents, and the community based organizations that support them. This will ensure that the group's work reflects the wide range of high quality child care options that parents in this City rely on.
- We also recommend that:
 - Any reports generated by this group directly address the impact of any of its proposals or recommendations on access to high-quality family child care and family child care sustainability.



- Add language to par. 3 on “duties” and par. 6a to specify that focus should be on expanding access to “free or low-cost high-quality care”.
- Par. 4, a, 1.: We believe the City must take steps to reduce fragmentation across City agencies. To this end, the task force should be led jointly by representatives of DOHMH, ACS, DOE, and the Mayor’s office.
- Par. 4 d: Compensation should be provided for low-income parents, family child care providers, and child care staff for any lost wages due to their participation.
- Par. 6, a, 4: Clarify the goal of training to ensure it complements, rather than duplicates, existing training that is available to child care educators. Specify that training should be free or low cost to educators

Int. No. 486 Child Care Advisory Committee

- We recommend consolidating with Int. No. 477 and including changes above. Given the array of challenges facing the City’s child care system, it is essential to have broad stakeholder representation as proposed in 477.

Int. No. 485 Electronic Child Care Directory

We support the Council’s efforts to simplify the process for families who are looking for information about child care and options for paying for it.

- To reduce fragmentation in the application process, we recommend that the child care subsidy portal (Int. No. 487) and directory be consolidated into one platform and coordinated across the multiple agencies that fund child care in our city – including DOE, ACS, HRA, as well as the State OCFS and direct Head Start-EHS grantees. This will give families a true one stop shop and will also help providers as they recruit and support families with their child care needs.
- Legislation should also ensure that:
 - The portal is available in the many languages spoken by families across our city
 - Phone-based and in-person consultation is still available for families who prefer it
 - The portal is developed in direct collaboration with families and child care providers of all types to ensure it meets their needs
 - Care is taken to minimize any additional data collection or reporting burden this places on child care providers.
- Section 1, b): the directory should include quality information when available, age groups served, availability of non-traditional hours care, and all publicly funded payment options including vouchers, EarlyLearn, Pre-K/3K for All, and Head Start.
- Allow for enough time to compile and execute an extensive rollout plan for parents and providers
- For parents’ benefit, the application for subsidized child care should be consolidated so that there is a single application for vouchers, contracted slots, and Pre-K/3K for All.



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Parents should only be asked to complete ONE application and it should be available in their preferred language.

Int. No. 487 Child Care Subsidy Information Portal

- Should be consolidated with 485. See comments on 485 above.

Int. No. 488 Child Care Program Fund

We are excited by the Council's proposed child care program fund.

- We recommend further clarifying the fund's goal.
 - To support the child care workforce, the Council should provide a wage supplement to family child care providers, teachers, and staff.
 - To prevent program closures, the Council should increase funding and develop an equitable formula that makes targeted grants available before closure becomes a significant risk.
- Child care programs, including family child care providers, must be involved in developing and rolling out this program.

Int. No. 489 Child Care Certification for Commercial Buildings

We appreciate the intent of this legislation to make additional space available for child care. Any attempt to do this must be comprehensive. There is a great risk that a certification program designed only for child care centers will result in the closure of locally-owned high-quality family child care programs and smaller centers that already operate and provide a vital service to families in local communities. We recommend:

- Analyzing child care demand/need vs. available supply and potential supply across all modalities by neighborhood.
- Incentivizing providers of all modalities, including family child care, to open in neighborhoods with the greatest need, while supporting existing providers in these communities with funding and professional development. There should be an equivalent incentive program for family child care educators who dedicate space in their own homes to provide child care.
- Equitably distributing funds to providers who need them most: small home-based programs and small centers, programs in child care deserts, a pilot child care facilities fund to support deferred maintenance by small owner-operated programs, or a wage supplement for educators working in certain areas. Tax credits, like the one this bill supports, will be of limited value to providers themselves.
- Avoiding additional licensing and startup processes for child care programs. The City and State already have a vigorous licensing program that examines building and program quality. A new certification program risks adding an additional layer of bureaucracy and confusion over conflicting regulations for providers and building owners.



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- Work with a broad group of stakeholders, including family child care providers and small centers, to assess the potential impacts and any unintended consequences including those we have named above, prior to moving forward with this new process.

In addition to our testimony, we have developed a full set of recommendations for NYC's child care system, which you can find at

<https://allourkin.org/NYC-Child-Care-Crisis-Recommendations>.

Thank you for the opportunity to testify. Between the legislative work of the Council and the Administration's blueprint, we are optimistic about the future of our city's child care system. All Our Kin is here as a partner and collaborator as we continue to recognize and support home-based family child care educators in our City.



Alliance for Quality Education Testimony submitted to the Committee on Women & Gender Equity on legislation related to Child Care in New York City

Thank you for the opportunity to submit testimony. The Alliance for Quality Education is a strong proponent of Universal Child Care, free at the point of service for all families. We believe that it is the responsibility of the federal and state governments to provide the resources and the system for a universal system to become a reality, such that educators are compensated on par with their public school (K-12) counterparts, families can choose the type of program (modality) that best meets their needs, and finding a program is not an impossible task. As we are all working to make that system a reality, we applaud Council Member Menin and all her colleagues who support this effort, to bring New York City closer to universal child care.

As the council is considering the set of bills that move the city toward a universal system, we would urge you to consider the following:

- Any effort toward universal child care must explicitly address the issue of the pay of educators in the child care field compared to the pay of educators in publicly funded pre-K and K-12 education. The best asset any field has to offer is its human capital. The child care field has been weakened by the fact that providers cannot afford to pay themselves and their educators as much as they must in order to keep them in the field and compete with the public school system. Our field is only as strong as the investment we make in our people. No system of universal child care can thrive if we do not identify and address the issue of pay. Real investment means paying people not just a living wage, but a thriving wage so they can afford to stay in the child care field and, at the same time, have a quality of life.

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- Regarding the administration of grants to child care providers who are in danger of closing, AQE fully supports such effort, provided that all types of programs are included and priority is given to programs in child care deserts, run by BIPOC people, etc. We recommend that program provider input is solicited ahead of time to ensure the best way of administering such grants.
- We urge you to promote, if not require, cross sector and agency communication. Oftentimes the Department of Education and the Department of Health and Mental Health do not communicate with each other, operating in silos which presents insurmountable challenges for providers and educators.
- Any advisory board or task force must include providers from all program types (modalities) including family child care, and parent representatives including representatives that work with undocumented families. And, of course must also cut across sectors to ensure global understanding and approach to universal child care. Annual reports created with input from all stakeholders are a great guide to making a system more effective and efficient, as long as that is the goal of creating them. Advisory boards that do not represent the totality of stakeholders in a field do not lead to positive outcomes and transformative change that will lead to universal child care.
- Any new technology tool must be complementary to agent-family interaction, not a replacement of it. Many families and providers continue to struggle with internet and technology access. In addition, these tools must be functional and user friendly for providers who must provide input in how the tools are working. We encourage soliciting feedback from providers and families on existing tools and suggestions for improved accessibility. And, lastly, any tool created must be centered around meeting the needs of families, program providers and educators.

Creating accessible information for families and for providers is crucial. Any tool, portal, or website created must be accessible in all possible ways. That includes multiple languages and limited use of terminology that is highly technical and wonky. If the goal is to make child care more accessible, then language must be accessible as well.

- And lastly, a word regarding the Administration of Children Services and the role it may have in these proposals. Many of the parents and families we interact with have raised the issue of the punitive nature of ACS, as the investigative and

enforcement agency. Many of the families, particularly Black and Latinx families, feel that they do not feel comfortable interacting with the agency as one misstep may result in severe consequences. The lack of trust that many families have toward ACS will likely be an obstacle for them accessing child care assistance and services. We would encourage you to consider establishing an independent agency to oversee and implement policies that lead toward universal child care. At the same time, we would encourage an overhaul of the way ACS interacts with families, especially families with uncertain immigration status and different cultural backgrounds.

We would be remiss if we did not applaud all your efforts to secure child care assistance funding for families with undocumented immigration status. At the state and city level, when we talk about universal child care, we mean ALL, not just some families. Your leadership not only means we will have a just system in New York City, but it sends a powerful message to the state about what we owe to our children. Thank you for all your efforts and look forward to continuing to work with you to make universal child care reality for all our families.



**Citizens' Committee
for Children of NEW YORK**

Testimony of Rebecca Charles
Policy & Advocacy Associate
Citizens' Committee for Children of New York

Provided to the New York City Council Committee on Women and Gender Equity
June 29, 2022

Since 1944, CCC has served as an independent, multi-issue child advocacy organization dedicated to ensuring that every New York child is healthy, housed, educated, and safe. CCC does not accept or receive public resources, provide direct services, or represent a sector or workforce. We document the facts, engage, and mobilize New Yorkers, and advocate for New York City's children.

I would like to thank Chair Cabán and the Committee on Women and Gender Equity for hosting this hearing on child care and these recently introduced child care bills. Over the past eight years, the City and State have made major strides in enhancing access to early care and education, but there is much work to be done to ensure true universality of care from birth to five years old. CCC recognizes and appreciates the efforts of Councilmembers Cabán, Gutiérrez, Hudson, and Menin for championing bills that will address impediments to child care access that exist within the City's child care system. CCC's testimony below addresses recommendations related to bills Int 0485-2022, Int 0486-2022, Int 0487-2022, Int 0488-2022, Int 0489-2022, and Res 0069-2022. Our recommendations are also informed by the recently released City Blueprint for Child Care and the Early Education System.

Int 0485-2022 To establish an electronic child care directory

CCC supports the intent of Int 0485 to strengthen education and access to information on licensed child care providers. However, a searchable child care directory already exists and is operated by the Office of Children and Family Services (OCFS) at the state level and managed at the city level by the Department of Health and Mental Hygiene (DOHMH). Instead of replicating existing efforts and developing a brand new system, **CCC recommends the City Council work with DOHMH and OCFS to identify ways in which to improve and strengthen the current directory drawing on input from providers, parents, and other critical stakeholders.**

Int 0486-2022 To establish a child care advisory board

CCC supports the establishment of a child care advisory board or equivalent. Mayor Adams's newly released [Blueprint for Child Care and Early Education in NYC](#) also outlines a plan to

establish a child care advisory board. We are glad to see the common interest **and we hope the City Council can work closely with Mayor Adams's administration to ensure the voices of parents, providers, advocates are included in this body.** The success of the advisory board will be dependent on inclusion of diverse members with lived experiences working within or relying upon the city's child care and early education system.

Int 0487-2022 To establish a child care subsidy information portal

Mayor Adams' Blueprint also calls for the establishment of a child care subsidy portal, offering an opportunity for **collaboration between the City Council and the Administration, to ensure this resource for families will eliminate administrative burdens and delays faced when applying for child care subsidies.** However, it is important that strong consideration be given to language accessibility and cultural competency of the portal and what role providers of service might play to assist parents with its utilization.

Int 0488-2022 To establish a child care program fund

This bill authorizes grants to child care centers up to \$1,000 per full-time employee for a maximum of 20 employees. Though CCC appreciates the intention of offering resources to struggling child care providers, we feel it is not the best use of funds with so many programs at risk of closure or displacement. **There is an urgent need for the DOE to register and pay FY'22 contracts timely. Hundreds of programs have yet to be paid for services rendered since last July 2021 and others are fronting six month or more of costs because reimbursement is so delayed. The advocacy community is urging DOE and Mayor Adams administration to register contracts timely, and ensure providers are kept whole in FY22 and FY23.**

Int 0489-2022 To establish a child care certification program

We are not prepared to take a position on this bill at this time and seek further clarification on how the bill interacts with existing licensing and health and safety requirements that involve Fire Department inspection and DOHMH codes and licensing requirements, among others.

Res 0069-2022 Calling on the State to pass legislation supporting the provision of financial assistance to families and child care providers

CCC strongly supports the local resolution urging passage and implementation of state bills S.7595/ A.8623 (Brisport/Hevesi), S.6706B/ A.7582A (Brisport/Hevesi), and S.7615/A.8625 (Ramos/Dinowitz) at the state level. These bills would expand access to child care and fund a path toward universal child care. CCC stands ready to advocate for these bills alongside the City Council.

In addition to our above recommendations, CCC, in partnership with the Campaign for Children, urges the City to continue to champion the following priorities:

- **Build on initial pay parity agreements by achieving permanent pay parity for CBO preschool special educators and center directors and addresses compensation for teachers and workers in the sector taking into consideration both longevity and seniority as well as benefits and pension.**
- **Register and pay contracts timely – keeping provider contracts whole in FY22 and FY23; ensuring DOE child care and early education contracts benefit from Indirect reimbursement just as their human service peers do.**
- **Allow for community-based enrollment**

New York City's recovery depends on a strong, stable system of high-quality early care and education system that takes into account the needs of children, parents, and service providers. Thank you for your interest in strengthening the system and improving access for families and for this opportunity to submit testimony.



NYC Council Committee on Women & Gender Equity
Hybrid Hearing on Universal Child Care

Testimony Submitted by the Committee for Hispanic Children & Families (CHCF)
June 30, 2022

Thank you to Hon. Chair Cabán, and the members of the Committee on Women & Gender Equity for the opportunity to offer testimony on child care in New York City. The Committee for Hispanic Children & Families, better known by its acronym, CHCF, is a non-profit organization with a 40-year history of combining education, capacity-building, and advocacy to strengthen the support system and continuum of learning for children and youth from birth through school-age.

CHCF delivers wrap around services through and beyond our state and city contracted birth through school-age programs and services. We know that access to high quality, equitably resourced, and culturally and linguistically responsive and sustaining learning spaces is critical from birth through school-age; and that access to high-quality, responsive early learning spaces have particularly significant impacts on a child's development, long-term academic growth, and life outcomes. CHCF further recognizes that importance of responsive and holistic supports and services that not only meet the needs of the child, but of their family and the many intersecting circumstances that go beyond what occurs in care and educational spaces to impact their well-being and development.

CHCF supports child care and early learning programs, and family access to child care (birth through school-age) in our work as a Child Care Resource & Referral Agency (CCR&R) and through our Family Child Care Network under the Department of Education. The strong majority of early care educators served through CHCF are licensed early care educators in residential settings (Group Family and Family Day Care) who speak Spanish as their primary language. These providers are integral to their communities and offer safe, high-quality, culturally and linguistically response care and early learning for children and families in their programs. Family Child Care programs are often more flexible to the varying needs of their families, holding most infant and toddler seats across the city to accommodating families with mixed-age children; and they are more likely to offer non-traditional hours of care for families that do not work Monday through Friday, 9 to 5.

Our Early Care and Education Institute (ECEI) services are geared towards investing in these highly valuable and necessary program settings and ensuring quality supports and early learning curriculum delivery for all children in their care. We incorporate infant and toddler mental health trainings and ongoing support to providers, culturally and linguistically responsive technical assistance and intensive coaching, as well as culturally responsive and sustaining literacy/learning materials to programs through our City's First Readers partnership. We see the beauty and value of these programs and the essential role of this workforce each and every day, and we want to ensure that all city leaders who are championing child care and a move towards universal access do so in a way that will sustain, equitably invest in, and grow all modalities and programs, which are all such an important part of our communities and the NYC child care sector. Simply put, we need FCC, as well as Legally Exempt programs, to be thought of front and center, along with center-based care. We need our city leaders to learn more about home-based programs and make visits to those in their districts, so that we can





collectively champion all modalities of care and family choice in setting, and push against stigmatization and marginalization of this largely women-of-color-led field.

Through our CCR&R work, we also support families in accessing child care that is responsive to their family's culture, language, schedule and particular child needs; and we support navigation of often complex bureaucratic systems to afford child care. Parents/guardians can be connected to CHCF or any of the CCR&Rs through 311 if they are looking for care, birth through school age, and if they need support in determining potential eligibility for subsidy/vouchers and in navigating city agency systems. We are excited that there is an interest in moving towards a streamlined system of access and hope that impacted community stakeholders, as well as organizations that support families in navigating systems, are brought in as thought partners and in subsequent feedback loops and subsequent systems trials to ensure family needs will be met before a full launch.

Ongoing Concerns

We have been engaged in many conversations with the incoming administration and leaders at those city agencies which oversee parts of the child care sector, alongside many of our advocacy and stakeholder partners in the sector, to elevate the pressing issues that must be addressed in order to stabilize our existing child care programs and workforce, while we look forward to re-building capacity and streamlining access for families. Of top concern are the inequities in contracting and funding for FCC as compared to their center-based counterparts. Affiliated FCC providers, nor their CBO Network support structure, were not given the same contractual securities as center birth-to-Five contracts were provided. While centers were offered a guaranteed minimum pay out of 68% of their contract, up to 100%, based on enrollment, FCC Networks were denied any base guarantee to ensure overhead and constant costs, regardless of enrollment, would be supported – while enrollment was ultimately centralized and out of their control. We continue to support not only equity in contracting practices, but the inclusion of community-based enrollment, alongside the central process, similar to what is done in head start spaces.

An additional contracting concern that we are watching presently in SACC spaces, and are hearing indications of for contracted ECE programs is the new trend across city agencies to reimburse child based on attendance. Reimbursement by attendance is not conducive to maintaining high-quality programming and the associated costs, regardless of day-to-day attendance shifts that are outside of the provider's control. We strongly encourage more thoughtful solutions that won't place the stability of CBOs and child care programs at jeopardy in an already vulnerable moment.

We know that pay parity is an issue across child care modalities, and while there have been some important gains in ensuring parity between CBO center educators and administrators and their DOE counterparts, FCC providers are being held at rates that are less than the state market rates that do not reflect the additional costs associated with NYC/DOE-specific requirements that are set for affiliated program. We wish to reiterate that this particular workforce is overwhelmingly made up of women, women of color, and immigrant women. We have to really reflect on funding practices that are strongly linked to false narratives of deficits in quality and hold these women in poverty. The real focus should be on *ensuring* a base, fair wage for all early care educators – including benefits equity – and ensuring that *every* program where families choose to place their children are honored, invested in, and truly supported in constantly improving upon quality.





One final, on-going concern, that we will speak to is the consistent lack of linguistically responsive supports for providers, across all agencies. The licensing package as well as background check materials are still only in English. While ACS noted in their testimony that they offer written guidance, one-on-one support, and webinars, at best there is inconsistency in translating and offering interpretation. More often than not, providers are met with staff who do not speak their language, and the materials they have access to are only in English. CHCF works with hundreds of FCC providers each year, again, the majority of whom speak Spanish as their primary language, and who often serve families whose primary language is Spanish. We need to ensure equitable access to resources and supports for these providers and by extension, the families in their programs.

Regarding the proposed bills

Int 0242, Int 0477, Int 0486

We join the recommendations proposed by advocates and the Council work with the Mayor's office to determine the best steps forward for one Advisory Group to consider all facets of the child care sector, including (but not limited to) examination of access to child care and intentional eliminations of barriers in access, specific supports for working mothers, public information methods, how the City could provide additional support and funding to the child care workforce, how to ensure equitable contracting practices across modalities, and how to establish a quality rating system that drives towards uplifting all programs that families choose based on need and does not perpetuate a deficit lens of home-based child care compared to a perceived "gold standard" of center-based care.

It is essential that the established Advisory Group include the voices of impacted stakeholders, including parents and providers from *all* modalities (LE, FCC, Center), as well as those community based organizations who support families and providers, particularly those who work with the most marginalized communities and provider groups (i.e. immigrant communities, those who have a primary language other than English, families experiencing homelessness, families going through domestic violence cases, family child care providers, and legally exempt providers). We would also encourage a transparent feedback loop on any recommendations before release, and room for feedback and any necessary adjustment as implementation rolls out.

Int 0485

In any child care directory, we would recommend that the additional details be included on provider information pages: languages spoken, the age groups served, whether they offer non-traditional hours of care, and a scroll over feature on the type of care with a definition, so people understand licensed care in centers and licensed family child care in residential settings.

Int 0487

Regarding a child care subsidy information portal, we don't know if this will be in line with the recently leased Blueprint and the Mayor's hopes of streamlining the system of access across all funding supports that exist for families, but we encourage a commitment to one method of streamlining information and access. We further want to ensure that any and all information is translated into the top languages, with a note on family access to language support services if they speak a language other than those top





languages. To be clear, Google Translate is not sufficient, we want to ensure that families are getting clear and accurate information about how to access affordable, quality, and culturally responsive child care.

Additionally, any directory or portal systems that are designed should be done in thought partnership with impacted stakeholders. It is important that parents, providers, and those organizations that support families – especially our most vulnerable families – in navigating these systems and resources are actively included in the design, trial, and on-going feedback loop post implementation.

Int 0488

We appreciate any means of sustaining our existing child care workforce. We would hope that this wouldn't place undue burden on providers to demonstrate "significant risk," which would minimize equitable access across modality, depending on capacity of staff to pursue these funds. Further, the speed of this process will be critical; if a provider is reaching out for emergency funds, any delays with city processes could make the funding ineffective. Finally, these funds should be paired with supports for long term sustainability beyond the scope of these one-time, limited funds.

We thank you for consideration of our testimony. If there are any questions about what is presented in our testimony, please reach out to Danielle Demeuse, Director of Policy for the Committee for Hispanic Children & Families (CHCF) at ddemeuse@chcfinc.org or 212-206-1090, ext. 359.





**Testimony of Day Care Council of New York
Before the New York City Council
Committee on Women and Gender Equity
Honorable Tiffany Caban, Chair
On Legislation to Strengthen Child Care in New York City**

Presented by Gregory Brender, Director of Public Policy

June 29th, 2022

Thank you Chair Caban and members of the Committee on Women and Gender Equity for the opportunity to testify. Day Care Council of New York (DCCNY) is the membership organization of early childhood provider organizations in New York City. DCCNY supports its member organizations and New York City's early childhood field at-large through policy research and advocacy, labor relations and mediation, professional development and training for early childhood educators, directors and staff, and referral services for parents looking to find child care. DCCNY member organizations provide early care and education at over 200 sites in neighborhoods across all five boroughs. Most DCCNY member organizations work with contracts with New York City Department of Education.

DCCNY and its members recognize that access to child care is an equity issue and when families cannot find child care the burden falls disproportionately on women. The services that DCCNY member organizations provide support women in working and advancing their careers and education.

We also recognize that our workforce, which is made up primarily of women of color, is underpaid and underappreciated due to the discrimination against work that has traditionally been performed by women. For this reason, achieving salary parity between the early childhood workforce and their counterparts in public schools has consistently been DCCNY's highest priority.

Legislation

This hearing is considering eight pieces of legislation and one resolution to reform and strengthen child care. DCCNY is pleased to see the council working to address the challenges families are facing in accessing child care.

Our comments on the legislation and resolution are below.

[Int 0242-2022](#)

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

DCCNY supports efforts to increase and coordinate services that support mothers and other caregivers and recognize that child care is for many families the most needed service. DCCNY urges that the plan to come out of this include steps to stabilize the existing child care system through investments in salary parity for the early childhood workforce, and ensures that child care providers are paid in full and on-time.

[Int 0477-2022](#)

A Local Law in relation to establishing a child care task force

DCCNY supports the creation of the Child Care Task Force and notes that Mayor Adams' *Blueprint for Child Care and Early Childhood Education in New York City* also calls for the establishment of a child care task force.

DCCNY urges that any task force include representation of child care providers recognizing the diverse modalities of care including center based programs, home-based programs including family child care and both school day/ school year and extended day/ extended year programs. We also urge the inclusion of different sized community-based organizations to ensure that the task force represents the different types of organizations that make up the child care system.

[Int 0485-2022](#)

A Local Law to amend the administrative code of the City of New York, in relation to an electronic child care directory

We appreciate the need for more accessible information about the availability of child care. DCCNY, along with our partners in the New York City Child Care Resource and Referral Consortium (Committee for Hispanic Children and Families, Chinese-American Planning Council, Child Support Development Corporation) provide resources for parents looking for child care including individual counseling.

Given the importance of selecting a child care program that meets families' needs, DCCNY urges the City to work with NYC's Child Care Resource and Referral Consortium

(NYC CCR&R Consortium) to ensure that parents can access electronic information with guidance from staff members with a deep understanding of what services are available.

[Int 0486-2022](#)

[A Local Law to amend the New York City charter, in relation to establishing a child care advisory board](#)

DCCNY has been an active participant in several child care Advisory Boards including the New York State Early Care Advisory Council, New York State Child Care Availability Task Force and the 3-K for All and EarlyLearn Transition Advisory Council.

As with the Task Force, DCCNY urges that any Advisory Council include provider representation that reflects the diversity of organizations and modalities in the early childhood sector.

[Int 0487-2022](#)

[A Local Law to amend the administrative code of the city of New York, in relation to establishing a child care subsidy information portal](#)

We appreciate the need for more accessible information about the availability of child care subsidy. As mentioned in the section on Intro 0477-2022, DCCNY, the NYC CCR&R Consortium provides resources for parents.

DCCNY urges the City to work with the NYC CCR&R Consortium in both the development and ongoing use of the subsidy information portal to ensure that parents can access and receive the individual counseling and support they need.

[Int 0488-2022](#)

[A Local Law to amend the administrative code of the city of New York, in relation to establishing a child care program fund](#)

This legislation would provide grants of up to \$1,000 per employee (up to 20 employees) to child care programs at risk of closure. Many providers are facing instability including missed payrolls and threat of closure.

DCCNY supports this investment and also urges that the City to simultaneously work to improve its payment for contracted programs to reduce the need for this fund.

[Int 0489-2022](#)

[A Local Law to amend the administrative code of the city of New York, in relation to a child care certification program](#)

This legislation addresses issues with the conversion of space to use for the provision of child care. DCCNY notes that child care facilities are already regulated within the Health Code as well as building and fire codes. DCCNY urges interdepartmental collaboration to ensure that regulations are consistent throughout the City.

Int 0526-2022

A Local Law to amend the New York City charter, in relation to childcare services at public meetings

DCCNY supports the provision of child care at public meetings as it will allow more parents to participate. DCCNY has worked to provide child care at parent meetings we have convened when funding has allowed.

Res 0069-2022

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.

This resolution calls for the passage and enactment of three pieces of state legislation. Our comments on the individual pieces of legislation are below.

S. 7595 / A. 8623 known as the New York State Universal Child Care Act would expand child care towards universal access in five years eliminating work and citizenship requirements through State investment. DCCNY worked closely with State legislative leaders on this legislation and supports it.

S. 6706B/ A. 7582A increases child care eligibility to 85% of State Median Income. New York State's FY 2023 Budget included language that raised eligibility to 300% of Federal Poverty Levels which is inclusive of more families than 85% of SMI. DCCNY recommends revisiting of this legislation if the calculations change of SMI and FPL change so that the 85% of SMI figure becomes inclusive of more families than what the FY 2023 budget language allows.

S. 7615/ A. 8625 utilizes a proposed dedicated payroll tax to support expansion of early childhood education programs with an emphasis on programs for infants and toddlers. DCCNY supports this legislation.

Next Steps

New York City needs its child care system to grow to meet the needs of families and communities throughout the City. To do that successfully, the City must first address the structural issues that have challenged our sector for far too long.

DCCNY urges the City to take the following steps:

Continue the Unfinished Work of Salary Parity

Thanks to the leadership of the City Council and Administration, the FY 2023 budget includes a \$46 million investment in bringing community-based early childhood educators

closer to salary parity with their counterparts in public schools as well as a Cost-of-Living Adjustment for the human services workforce. DCCNY looks forward to working with the City Council and the administration to utilize these and other funds to ensure that the community-based early childhood workforce finally gets the parity that it deserves.

DCCNY urges the City to make the following commitments to the early childhood workforce:

- Implement longevity increases for the community-based early childhood workforce on par with increases for comparable positions in public schools.
- Adjust salaries for directors and support staff to parity with comparable positions in the Department of Education.

Suspend Pay for Enrollment

When the Department of Education released its Birth-to-Five and Head Start/ Early Head Start RFPs, members of the City Council and leaders in the ECE field raised significant concerns and objections to DOE's plan to pay providers based on enrollment.

At the time there were concerns about normal volatility in enrollment impacting providers' budgets and ultimately their ability to remain open for the families who needed them. Those issues have been exacerbated by the pandemic.

Enrollment will likely continue to fluctuate as necessary changes are made to the in-person work requirements of different employers.

As workplaces reopen, parents need to be able to quickly obtain safe, affordable child care for their children. To fill this need, providers must be able to maintain their staff and infrastructure to facilitate a more comprehensive reopening as more parents' return to work.

Recently, the Department of Education has taken steps towards "holding providers harmless" for under enrollment in the June Invoice in Fiscal Year 2022. DCCNY is grateful for this reform and for DOE and the City Council's leadership on this issue. It is crucial that the City takes action to stabilize its community-based early childhood education providers beyond this fiscal year. DCCNY urges the City to implement line-item budgeting for contracted early childhood education programs in FY 2023.

DCCNY urges the City to suspend enrollment based payments for community-based early childhood education programs.

Implement Community-based Enrollment

The launch of DOE's Centralized Enrollment System stripped community-based organizations of the power to process their own enrollment. This change required all

families to go through DOE's Centralized Enrollment System.

Under DOE's Centralized Enrollment System, there have been significant wait times for families' applications for child care subsidies to be approved leaving vacant seats in child care centers and family child care homes and putting stressors on parents trying to access affordable child care. Moreover, many families, including many immigrant essential workers, are weary of engaging with government agencies and feel safer with community-based organizations with whom they already have trusting relationships.

Over the summer of 2021, DOE briefly allowed providers to enroll families after the CBO itself had done a complete eligibility check. This empowered CBO's to start serving eligible families immediately and helped them to leverage their community relationships. However, this policy ended with the start of the school year on September 10, 2021 and has not been announced for the summer of 2022.

Local community-based early childhood providers have strong connections to the neighborhoods they serve. The City should leverage these strong relationships to ensure that families are able to quickly access the child care programs in which they want to enroll their children.

DCCNY urges the City to allow community-based enrollment in contracted early childhood education programs.

Thank you for the opportunity to testify. I am happy to answer any questions and can be reached at gbrender@dccnyinc.org



June 29, 2022

New York City Council
Committee on Women and Gender Equity
City Hall
New York, NY 10007

Dear Committee Members,

Thank you for holding this important hearing, and for your commitment to ensuring access to early care and education for our youngest learners. I serve as Assistant Executive Director for the Early Care and Education Consortium (ECEC), a national nonprofit comprised of the leading high-quality multi-state, multi-site child care providers, state child care associations and education service providers. Collectively our members operate about 7,000 child care centers nationwide, serving nearly one million children. In New York State, our members operate 185 centers, including 75 in the city, with more in the pipeline.

I wanted to start off by acknowledging and sharing our support for the Mayor's new Blueprint for Child Care and Early Childhood Education, and the historic investments planned for the next several years to build a robust, equitable early childhood education system. Beyond the proven benefits to the children themselves, access to quality early childhood education is critical to allowing parents to remain in and return to the workforce—this is one of the greatest lessons the pandemic has taught us, and one we're still grappling with across the country.

To that end, I wanted to focus on one particular issue that has been plaguing the child care, before- and after-school and summer programming sectors since long before the COVID-19 pandemic, and has only gotten worse: extreme delays in the processing of criminal background checks for educators and staff in New York City. ECEC has partnered with organizations across the city and it has become clear that these delays are by no means limited to the 75 centers our members operate, rather they impact just about every program that goes through the Department of Health and Mental Hygiene (DOHMH). Meanwhile, our country and New York City in particular are facing a massive workforce crisis, compounded by the child care workforce crisis. We need to do more to support working parents and early childhood educators.

Background checks play a critical role in assuring parents that their children will be safely cared for, and importantly, a teacher cannot supervise a classroom until they receive a clearance (or renewal) from DOHMH. While we are 100% in support of thorough background checks, the current length of time clearances are taking is undermining providers' ability to provide New York City's children with care and quality educational programming, and is significantly worsening the existing teacher staffing crisis.

ECEC's providers, and those in before-, after- and summer care programs across the city, are experiencing average wait times for clearances of anywhere from 7-9 months, with many taking over a year. This is causing would-be educators to leave the sector, and resulting in classroom

closures and shortening of programs' operational hours, which impacts working parents' ability to find and access care.

ECEC providers operate programs in 48 states and D.C., including as I mentioned earlier in New York State (outside of the City), and nowhere else are we experiencing such delays. Even outside of DOHMH in New York City, through the Pre-K for All programs under the Department of Education (DOE), comprehensive background checks are typically completed within two weeks and are almost always completed within 45-60 days. New York State Office of Children and Family Services (OCFS) similarly turns around clearances within a mandated 45 days.

Some of ECEC's members have testified at previous hearings, including the Council's DOHMH budget hearing, about these extreme delays, and we are again asking for your help to reduce the backlog as it continues to get worse, despite us being told DOHMH is working on the issue, including by hiring more staff and looking into more efficient processing systems. We believe part of the problem may stem from a lack of dedicated resources for DOHMH, specifically related to staffing required to complete the current manual background check process and funding for the future automation of the manual background check process. New York City should and can be a leader in this space with an efficient system that ensures properly screened staff in a timely manner. Furthermore, the focus of our child care providers should be entirely on the children they serve and their development, not on trying to track down paperwork.

We therefore urge members of this Committee to support and take steps to:

- Allocate funds to invest in additional temporary resources to address the current background check crisis within DOHMH;
- Consider having DOE or OCFS (or some alternative agency) assist DOHMH with the extreme backlog of clearances;
- Ensure investments in automating the DOHMH background check process;
- Take action to prioritize first time background check completion over renewals for existing previously cleared staff, and extend current clearances until the backlog subsides;
- Take action to allow for portability of clearances so individuals can move between age groups, locations (within the same organization), or child care organizations without undergoing a new background check; and
- Take action to establish accountability measure for DOHMH to complete background checks with a target of no more than two weeks, and a mandate of 45-60 days at most.

Thank you for your time and consideration, and please feel free to contact me at ECEC@ECECconsortium.org with any follow-up question or suggestions.

Respectfully,

Sage Schafel
Assistant Executive Director
Early Care and Education Consortium



The Education Trust—New York

Testimony for the Committee on Women and Gender Equity Hearing on the Universal Child Care Legislative Package

June 29, 2022

Greetings Chair Caban and honorable members of the Committee on Women and Gender Equity.

I am Dr. Dia Bryant and I am the executive director of The Education Trust—New York, a non-profit and non-partisan research, policy, and advocacy organization that works to advance educational equity from birth through college and into the workforce. Our mission is to attain educational justice through research, policy, and advocacy that results in all children—especially those from low-income backgrounds and communities of color—achieving at high levels from birth through college completion and entry into the workforce. Thank you for the opportunity to testify today about the universal child care legislative package introduced by Councilmember Julie Menin.

Infants and toddlers have the greatest sensitivity for brain development and input during the first three years of a child's life. We know that investing in high-quality early childhood programs leads to young children being kindergarten-ready and more likely to graduate from high school and college - making communities safer, stopping the school-to-prison pipeline and creating an appetite for lifelong learning.

The fact is that our current system keeps too many children and young adults from reaching their full potential. And across New York City, thousands of families are prevented from accessing the high-quality early learning programs, services, and opportunities they need to raise healthy and thriving children.

The success of New York's youngest residents rests upon our ability to develop and implement a comprehensive approach to early childhood education that:

- Provides high-quality care that is supported by a universal, transparent, and culturally-responsive quality rating and improvement system;
- Prioritizes children and families from historically underserved communities and effectively addresses systemic inequities in our child care system, including immigrant families; families involved in the child welfare system; families experiencing homelessness; parents/children with disabilities and learning differences; and parents experiencing unemployment;
- Supports professional development and educational opportunities for the early childhood workforce and ensures that providers receive compensation that reflects the full cost of care and incentivizes provider experience, certifications, and education, and;
- Prioritizes resources for infants and toddlers, with the understanding that the first three years of life are a formative period of brain development that lay the foundation for a lifelong love of learning and support the best possible outcomes throughout their lives.

With many families in the City additionally being rent burdened, high child care costs outsize the financial strains on working parents who rely on child care services to earn income. Parents unable to meet the demands of high rent and child care costs may then have to make the difficult decision to become either unhoused, unemployed, or send their children to affordable yet unregulated and potentially unsafe care.

No parent should ever have to make this decision.

A child care system that supports all families will maximize the life-long benefits to every child and family in the city, support the eradication of child poverty and build a bright future for our City.

We applaud the Mayoral administration for creating the Blueprint for Child Care & Early Childhood Education in New York City as this comprehensive plan catalyzes a movement to make high-quality child care accessible and affordable for all families.

Councilmember Menin’s proposed legislative package will provide the foundation of legislative and administrative policies that are crucial to increase access and availability to high-quality child care and support the child care workforce, as outlined in the Blueprint for Child Care & Early Childhood Education in New York City.

The Education Trust—New York is in full support of the following bills:

- **Int 0477-2022-** A Local Law in relation to establishing a childcare task force
- **Int 0485-2022-** A Local Law to amend the administrative code of the city of New York, in relation to an electronic childcare directory
- **Int 0486-2022-** A Local Law to amend the New York city charter, in relation to establishing a childcare advisory board
- **Int 0487-2022-** A Local Law to amend the administrative code of the city of New York, in relation to establishing a childcare subsidy information portal
- **Int 0488-2022-** A Local Law to amend the administrative code of the city of New York, in relation to establishing a childcare program fund
- **Int 0489-2022-** A Local Law to amend the administrative code of the city of New York, in relation to a childcare certification program

As federal, state, and city governments designate historic levels of child care funding, it is absolutely critical that New York City have the infrastructure in place to facilitate cross-sector coordination across city agencies, and to ensure accountability and transparency in order to provide equitable access to high-quality programs for all families, particularly those who continue to be harmed by systemic racism and poverty. Councilmember Menin’s proposed measures will provide the framework for a high-quality early childhood system that prioritizes historically under-served communities and offers all infants and toddlers the opportunity to meet their learning potential.

We thank you for this opportunity to appear before you and discuss strategies to improve educational equity in New York City. We are grateful for your leadership on these critical issues, and we are hopeful to see the passage of these important bills. The Ed Trust–NY team is available to discuss the items herein and would like to offer our team as a resource as the committee continues to think about and design a path towards equitable, affordable, and safe child care for all families in New York City.

In partnership,

Dr. Dia Bryant

^[1] Citizens’ Committee for Children of New York, “Community Level Data Show How Deeply Unaffordable Childcare is for NYC Families with Young Children” (New York, NY: 2020). Available at: [https://ccnnewyork.org/press-and-media/community-level-data-show-how-deeply-unaffordable-child-care-is-for-nyc-families-with-young-children/#:~:text=An%20estimated%2093%25%20of%20families.of%20New%20York%20\(CCC\)](https://ccnnewyork.org/press-and-media/community-level-data-show-how-deeply-unaffordable-child-care-is-for-nyc-families-with-young-children/#:~:text=An%20estimated%2093%25%20of%20families.of%20New%20York%20(CCC))



I thank you, Councilmember Caban, for chairing this hearing. I thank the members of the committee and the members who have put forth legislation. We at Literacy, Inc. commend the Council for tackling the challenges of childcare from many directions; as this array of legislation suggests, it is a multi-faceted problem. Please consider one more dimension: early literacy training for licensed family daycare providers.

I am Eliana Godoy, Deputy Director of Literacy, Inc. or LINC, an acronym that also describes what we do - we link families with young children to literacy resources in their own community. We also facilitate the Council's only early literacy initiative, City's First Readers.

NYC is missing a golden opportunity. By not including early literacy training as part of the licensing process for licensed family daycare providers, we leave a vacuum where we could, in fact, have deep impact. Licensed family daycare providers are required to take training that, quite rightly, emphasizes the safety and well-being of children in their care. But unlike their counterparts at HeadStarts or ACS daycare centers, they are not trained in early literacy.

-

"Child care offered in a provider's own home is the most common child care arrangement for young children from low-income families" (according to Bringing It All Home, a report from The Center for New York City Affairs at the New School). Those most likely to use a family daycare provider are:

- Parents whose income is too high for HeadStart programs
- Parents whose income is too low for private daycare centers
- Parents who are unable to research other daycare options in the community, often because of language or cultural barriers.

90% of brain development takes place during their first five years, but children in family daycare settings may not receive the same stimulation as children whose caregivers are trained in early literacy and education..

It is not an expensive proposition to help licensed family daycare providers turn their small-business settings into word-rich environments. Provider training, kits of low tech materials to label household items in multiple languages, age appropriate books and related materials, music and art supplies, and significantly, supporting family daycare providers' clients - parents and grandparents - with materials and workshops aligned with the daycare resources. It's a simple and effective way to improve the exposure to those pre-reading

experiences that prepare children for learning to read. We know that children who arrive at school with these experiences begin their educational journey with a distinct advantage.

Pay parity, increased access, affordability, high quality - these are all important aspects of childcare. But please use your oversight and legislative powers to add early literacy training for licensed family daycare providers to that list. LINC is ready to partner with you to make it happen. I will follow up with your staff. Again, thank you.

About Literacy, INC. (LINC)

Literacy, Inc.(LINC) was founded in 1996 to improve the literacy outcomes of children living in some of NYC's highest poverty neighborhoods, communities where schools have not succeeded, schools where students do not acquire grade level proficiency in time to transition from "learning to read" to "reading to learn." LINC's founder, Mimi Levin Lieber, was a sociologist with 15 years of public service on the NYS Board of Regents. She understood from two perspectives, educator and sociologist, the importance of reading as a foundation for progress in school, and in life, as well as the challenges that children in high-poverty neighborhoods face in acquiring literacy. In founding LINC, she was determined to address those challenges and improve literacy outcomes by mobilizing from within a community to support emerging readers. As a sociologist, she understood that people are a community's greatest asset.

Since its founding, LINC has viewed literacy as a social justice issue and our programming as a tool to achieve educational justice, itself the foundation of social justice. Our programs transform families; our families transform communities.

In this context, LINC works with children, birth through five, and their families to counteract the dearth of attention paid to early literacy. We create multilingual, culturally responsive programming sharing the joy of reading with children while demonstrating for their parents how to best promote literacy at home. We empower parents to support their children and their neighborhoods, making reading visible and valued as a community practice. We also train parents to advocate for literacy to their neighbors and peers. Parents in our programs are more likely to engage in behaviors that research tells us will help their children become life-long readers: while only 41% of non-LINC parents read to their children five or more days a week, 75% of parents who attend multiple LINC programs do so. 72% of LINC parents have established a routine of reading together at bedtime compared to only 26% of others, and 89% of LINC parents engage during reading by asking questions about pictures, contrasted with only 61% of others. 95% of the parents who attended our programs know the importance of reading to their child.

LINC is the facilitating partner for five collaborative early literacy initiatives: City's First Readers (a citywide effort funded by the NYC City Council with 17 partners, including all library systems) and three "NYCReads" collaboratives with deep concentrations in South Jamaica, East New York, and East Harlem that are the result of the Pinkerton Foundation and Carmel Hill Fund's leadership and support. LINC is in the first year of a cross sector collective impact partnership with New York Presbyterian Hospital and Citizens Committee for Children, Northern Manhattan Early Childhood Collaborative. LINC also participates in a collective impact early education initiative led by The Staten Island Foundation.

Testimony of the New York Civil Liberties Union
before
THE NEW YORK CITY COUNCIL
COMMITTEE ON WOMEN AND GENDER EQUITY
delivered by
Senior Attorney for Legislative Affairs Lisa Zucker
regarding
Expanding Access to Child Care

June 29, 2022



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Donna Lieberman
Executive Director

Olivier Sylvain
President

The New York Civil Liberties Union (NYCLU) appreciates the opportunity to testify regarding the city council’s package of bills to expand access to child care in New York City, specifically Ints. 0487 and 0488 of 2022.

The NYCLU, the New York state affiliate of the American Civil Liberties Union, is a not-for-profit, nonpartisan organization with eight offices across the state and over 180,000 members and supporters. The NYCLU defends and promotes the fundamental principles and values embodied in the Bill of Rights, the U.S. Constitution, and the New York Constitution, including the right of every New Yorker to enjoy life, liberty, and equal protection under law.

We appreciate the opportunity to testify regarding the package of child care bills that are before the committee today, and we applaud the city council’s desire to address our broken child care system. It is truly a monumental task, as reflected in the name the council has chosen for its proposed task force – the “Marshall Plan for Moms.”

The ongoing pandemic has highlighted the fundamental failures of our current system. With ninety three percent of families with young children unable to afford center-based care, and a full eighty percent unable to afford somewhat less expensive home-based care,¹ the havoc wrought by the pandemic was unsurprising. For essential workers,

¹ Halkitis, Drobnjak, Hornick-Becker and Kimiagar, “NYC’s Child Care Affordability Crisis: The Unaffordable Cost of Care Burdens Families and Impedes Pandemic Economic Recovery in New York City,” Citizens’ Committee for Children of New York (December 2020), <https://s3.amazonaws.com/media.cccnewyork.org/2020/12/NYCs-Child-Care-Affordability-Crisis.pdf>.

who are disproportionately Black and Brown, the unavailability of remote work meant choosing between one of two options: quit work and forgo the funds that keep their families fed and housed, or create a patchwork of care that relies on family, friends, and intermittent sick days, all of which jeopardize their jobs.

For child care providers, the pandemic showed that the economic model underpinning this sector is so fragile and under-resourced, it is a constant struggle to maintain their businesses. Close to 1,500 providers closed their doors permanently during the pandemic, creating even less supply of a resource that is already unable to meet demand.²

Finally, for all women, the pandemic revealed what they have known for generations: that caregiving responsibilities fall heavily on their shoulders. Record numbers of women have left the workforce. Economists and academics predict that the pandemic has sent the workplace equity goals of women back an entire generation.³

To the extent that the council's proposed bills address the need for a comprehensive and coordinated child care system that is truly universal, the NYCLU is in support. We commend the council for prioritizing an issue that plays such an important role in achieving true gender, racial and economic equity. As the city council acts on this package of bills, however, it must ensure that any new system is truly accessible to all New Yorkers and does not unintentionally harm the very families it aims to serve.

Unfortunately, two of the bills before the committee today - Ints. 0487 and 0488 - envision the Administration for Children's Services (ACS) as the agency to administer child care services. The NYCLU is strongly opposed to that administrative structure. Accordingly, our testimony today will be limited to the sole issue of proposed designation of ACS as the body to oversee and implement child care in New York City.⁴



² Clark, Dan, "New York's Child Care Industry Plagued by Problems, Primed for Overhaul," Times Union (Jan. 8, 2022), <https://www.timesunion.com/state/article/New-York-s-child-care-industry-plagued-by-16751883.php>.

³ "How COVID-19 Sent Women's Workforce Progress Backward," Center for American Progress (Oct. 30, 2020), <https://www.americanprogress.org/article/covid-19-sent-womens-workforce-progress-backward/>.

⁴ For similar reasons, we are also opposed to the designation of the Office for Children and Family Services ("OCFS") designated as the administering state agency that is included in S.7595/A.8623, S.6706B/A.7582A, and S.7615/A.8625.

The NYCLU is Opposed to the Administration for Children’s Services Taking On the Oversight and Implementation of Child Care in New York City.



The NYCLU has long viewed state intervention in the family as a civil liberties issue, and has been involved in matters relating to the child welfare system for nearly fifty years. In the 1970s, the NYCLU brought litigation against New York City that led to a settlement spurring significant changes to the foster system and services provided to children in state custody.⁵ The NYCLU also appeared as amicus curiae in the landmark Court of Appeals case *Nicholson v. Scopetta*,⁶ defending the parental rights of mothers who are domestic violence survivors in the context of child protective cases.⁷ In 2017, the NYCLU supported an amicus letter from the ACLU Disability Rights Project and several other organizations urging the Court of Appeals to underscore that the same standard for neglect applies to respondents with mental illness as to other parents. And in 2020, the NYCLU supported legislation to reduce the time parents remain listed on the State Central Registry, which can prevent them from obtaining employment, becoming foster parents, or regaining custody of their children.⁸ The NYCLU continues to work in coalition with impacted parents and direct service providers to advance reforms on the city and state level, including the ACS Accountability Act, portions of which the City Council passed last year.

1. *ACS involvement in family life too often causes harm to struggling families, especially families of color and families experiencing poverty.*

ACS’s primary role as the administrator of the child welfare and juvenile justice systems make it ill-suited to serve as the agency charged with implementation and oversight of child care services in New York City. The broad and often unchecked power of ACS to investigate and refer alleged cases of abuse and neglect, and the harm that ensues for families as a result of the agency’s reach, should not be expanded. Investigations can be triggered by a report – sometimes made anonymously - by a neighbor, teacher, former partner, or someone whom the family barely knows. No matter how minor the

⁵ See ACLU, “ACLU History: Child Welfare Institutions,” available at <https://www.aclu.org/other/aclu-history-child-welfare-institutions>.

⁶ 3 N.Y.3d 357, 787 N.Y.S.2d 196 (2004).

⁷ NYCLU, *Nicholson v. Williams*, <https://www.nyclu.org/en/cases/nicholson-vwilliams-defending-parental-rightsmothers-who-are-domestic-violence-victims>.

⁸ “New Law Reforming NY State Central Registry Will Provide Justice and Relief to Families,” JMac For Families (Nov. 25, 2020),

allegation, once a report is made, a local agency is required under the law to investigate.

For many families, these investigations are as traumatic as a visit from the police. Parents are rarely informed of their rights. Instead, they may be intimidated to allow entry into their homes where ACS has the power to conduct intrusive searches, ask children to take off their clothes to look for bruises and, and conduct extensive questioning where everything a parent says can be used against them in court. In the most dire cases, ACS can separate youth from their parents without judicial approval under their emergency removal powers.⁹



More than 70,000 NYC children are investigated by ACS in a typical year.¹⁰ The racial disparities in the system are shocking. Ninety percent of the children named in investigations, ninety percent of the children placed in foster care and ninety percent of the children with open preventive service cases are Black or Latinx.¹¹ By the agency’s own admission, “Black/African American and Latinx/Hispanic families experience the child welfare system in NYC differently at every key decision point, as compared with White and Asian families.”¹²

Poverty also drives a family’s involvement with ACS. The vast majority of family separations arise not from abuse, but from alleged neglect, which largely results from circumstances related to poverty. For example, inadequate nutrition, unstable housing, or lack of child care could all give rise to neglect findings. Accordingly, families living below the poverty line are twenty two times more likely to be involved in the family regulation system.¹³

2. *ACS involvement in child care will deter families from applying for child care assistance – particularly those who need it most.*

⁹ Lehrer-Small, Asher, “New Law Center to Fight Illegal Family Separation by NYC Child Welfare Agencies,” *The 74* (March 29, 2022), <https://www.the74million.org/article/new-law-center-to-fight-illegal-family-separation-by-nyc-child-welfare-agencies/>.

¹⁰ Testimony of Commissioner David Hansell to the New York City Council Committee on General Welfare, “Oversight – Racial Disparities in the Child Welfare System” (October 28, 2020), <https://www1.nyc.gov/assets/acs/pdf/testimony/2020/GWCommitteeHearing.pdf>.

¹¹ Arons, Anna, “An Unintended Abolition: Family Regulation During the COVID-19 Crisis,” *11 Columbia J. of Race and Law* 1 (2022), https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3815217.

¹² Testimony of Commissioner David Hansell, note 10 *supra*.

¹³ Guggenheim, Martin, “General Overview of Child Protection Laws in the United States,” *Representing Parents in Child Welfare Cases: Advice and Guidance for Family Defenders* at 17 (Martin Guggenheim & Vivek S. Sankaran eds., 2015).

Because of the devastating consequences that arise from a family's contact with ACS, it is not surprising that parents avoid seeking any kind of assistance from the agency. Families view ACS as a threat rather than an agency to turn to for support. According to a recent study by Harvard Ph.D. candidate Kelley Fong, low-income mothers tend to conceal their hardships and avoid seeking institutional assistance as a result of their fear of child protective services.¹⁴ ACS Commissioner Jess Dannhauser acknowledged at a March 2021 panel that "families... experience the support as surveillance..." and "no matter our intention, the experience is what matters."¹⁵



Rather Than Expand ACS Involvement in Family Life, NYC Should Establish an Office of Early Care and Education.

Instead of administering child care through ACS, the NYCLU urges the city council to follow the lead of other cities like San Francisco, which has created an Office of Early Care and Education (OECE).¹⁶ The San Francisco OECE was established in 2013 with the mission that every child in San Francisco from birth to age five should have access to high quality and affordable early care and education.¹⁷ Importantly, OECE is separate and independent from San Francisco's child protective services.

Decades of piecemeal legislation, temporary budget fixes, and a failure to recognize that child care is a public responsibility have created the current crisis. Any new system must ensure all NYC children have access to care that is high quality and affordable, and does not result in the trauma that has been documented by family involvement with ACS. Now is the time to act. There is no reason why New York City must wait for New York State to make good on its promise to fix the broken child care system. The council can show the state and the nation what it looks like to prioritize universal child care that will improve the lives of millions of New Yorkers.

¹⁴ Fong, Kelley, "Concealment and Constraint: Child Protective Services Fears and Poor Mothers' Institutional Engagement," *Social Forces*, vol. 97, issue 4, 1785, 1810 (2020), <https://doi.org/10.1093/sf/soy093>.

¹⁵ Fitzgerald, Michael, "New York City Child Welfare Chief Calls For Changes to Mandated Reporting System," *The Imprint* (March 2021), <https://imprintnews.org/child-welfare-2/child-welfare-chief-calls-for-changes-tomandated-reporting-system/52710>.

¹⁶ Any city childcare program, however, must cover the entire continuum of care from birth onward. As providers experienced with the roll-out of UPK, the failure to include care for all ages in the city program sectors runs the risk of providers leaving the excluded sector for higher paying jobs in the covered sector.

¹⁷ San Francisco Office of Early Care & Education, <https://sfoece.org/>.

Testimony: Child Care Access

6.29.22

NYC COUNCIL COMMITTEE ON WOMEN AND GENDER EQUITY

Tech:NYC is a nonprofit member-based organization representing over 800 technology companies in New York. Our membership includes hundreds of startups as well as some of the largest and most innovative tech companies in the world. We are committed to supporting New York's economic recovery and ensuring that all New Yorkers can benefit from innovation. Tech:NYC works with government and community partners to guarantee that New York remains the best place in the country to start and grow a technology company. We are testifying in support of the Council's package of bills supporting expansion and increased-access to child care and offer the following recommendations to ensure the successful implementation of these critical proposals.

New York's tech ecosystem has over 25,000 tech companies and startups. As it continues to grow, affordable and accessible child care becomes more integral to the success of the industry. For many of the 372,000 tech employees, child care is a cornerstone of their company benefits packages. They are integral to attracting and retaining talent, as well as fostering a sustainable and flexible work environment for working families. Tech:NYC applauds the NYC Council for introducing this package of bills and holding this hearing to ensure that child care is accessible and affordable for New York City parents.

At Tech:NYC, our members pride themselves on the bevy of child care benefits they provide. We welcome the opportunity to share learned experiences, best practices and partner with the Council in developing these programs. Tech:NYC supports Int. 477, which would establish a Child Care Task Force. We encourage the Council, and any task force created, to take a close look at the costs behind child care centers. Earlier this year, Care.com found that 51% of families spend at least 20% of their income on child care. Therefore, reducing child care costs would relieve many New Yorkers of a tremendous burden. Child care givers and employees should be properly compensated, so this is one cost which cannot be reduced. However, we encourage the City Council and any established task force to look creatively into the expenses and costs of child care and identify areas where savings can be made without reducing the quality or safety of the care.

One potential cost saving measure would be eliminating the requirement that child care centers opened after 2008 must be located on the first floor of buildings. Second floor commercial spaces are often lower priced than ground floor spaces. Additionally, they are usually in less demand than higher floor commercial spaces. With proper safety precautions, the safety and egress for infants and toddlers can still be protected while providing additional real estate options for providers. Therefore, Tech:NYC recommends that the City Council assess the viability and safety of locating



child care centers on the second floor of buildings, which in turn, could lead to more affordable child care.

Second, there are numerous existing child care providers and employer tax credits that go unused. This includes a federal tax credit for employer based child care of up to 35% of expenditures per year, with a 200% match of that tax credit from New York state. There is also a New York Excelsior job creation tax credit for new child care centers, and a personal income tax credit for working parents and those with disabilities. The City Council should explore educational and public awareness efforts that will increase the usage of these credits.

Tech:NYC also supports the goals of Int. 485, Int. 487, and Mayor Adams by creating online portals and platforms to make it easier for parents to enroll their children in child care programs. The NYS Office of Children & Family Services and the NYC Department of Health's Child Care Connect websites, have several child care listings, however they are not always easy to use, or access on personal mobile devices. New York City's tech community would be happy to assist with identifying digital solutions that would make the city and states' child care platforms easier to use. Tech:NYC recommends creating public/private partnerships with our local tech community and revamping some of our government's public facing resources.

Lastly, Tech:NYC supports Int. 488 and protecting child care providers in danger of being priced out of their locations. We recommend that this bill specifically delineate who is eligible for these grants, so the intended child care facilities in economic straits receive the financial support they need. Additionally, we recommend that the Council make use of public data available, including from the most recent Census, so that neighborhoods that have seen increases in family and child populations, receive the proper consideration during the funding allocation process.

On behalf of New York City's tech community, thank you for addressing these important issues. We are excited to work with the City Council to help make child care more affordable and accessible for years to come.



**UNITED
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**Testimony of United Neighborhood Houses
Before the New York City Council Committee on Women and Gender Equity
Council Member Tiffany Cabán, Chair**

Oversight - Child Care in New York

**Submitted by Elvan Sahin, Policy Analyst
June 30, 2022**

Thank you Chair Cabán and members of the New York City Council Committee on Women and Gender Equity for the opportunity to testify. My name is Elvan Sahin, and I am a Policy Analyst on Early Childhood Education at United Neighborhood Houses (UNH). UNH is a policy and social change organization representing 45 neighborhood settlement houses, 40 in New York City, that reach 765,000 New Yorkers from all walks of life.

A progressive leader for more than 100 years, UNH is stewarding a new era for New York's settlement house movement. We mobilize our members and their communities to advocate for good public policies and promote strong organizations and practices that keep neighborhoods resilient and thriving for all New Yorkers. UNH leads advocacy and partners with our members on a broad range of issues including civic and community engagement, neighborhood affordability, healthy aging, early childhood education, adult literacy, and youth development. We also provide customized professional development and peer learning to build the skills and leadership capabilities of settlement house staff at all levels.

Several settlement houses started the first kindergartens in New York and today early childhood education programs remain an important component of serving their communities. Settlement houses operate 70 DOE-contracted center-based child care programs which provide year-round, full-day programs for children 0-4 years old, and/or Pre-K for All and 3-K for All Programs, 9 settlement houses run DOE-contracted Family Child Care Networks, and 10 operate Direct Head Start or Early Head Start programs. Several also run fee-for-service early childhood education programs. Collectively, settlement houses serve about 12,000 children under age 5 citywide. In addition, UNH runs the Early Childhood Mental Health (ECMH) Collaborative in partnership with the New York Center for Child Development (NYCCD) to provide professional development and consultation for our members' early childhood education professionals. This work includes identifying the mental health needs of young children and giving staff resources to help them address the children experiencing behavioral or emotional challenges.

This testimony calls on the City Council to pass the package of child care bills that are presented in this hearing, and to continue to build on stabilizing and expanding New York City's early education system by:

- Prioritizing salary parity for all early childhood education staff;
- Addressing contracting and payment issues that create financial instability for early childhood education providers;
- Focusing on interagency communication, and clearing backlogs in the Comprehensive Background Check process;
- Implementing new changes passed by the State to reflect the needs of communities and working families, especially focusing on expanding infant and toddler seats, and providing more full year/day programming; and
- Establishing a clear line of communication between community-based programs and City agencies on contract related procedures, implementation of childcare vouchers, and any other expansion efforts.

Proposed Bills related to Child Care System

We applaud Council Member Julie Menin, Council Member Crystal Hudson, and chair, Council Member Tiffany Cabán, and all the co-sponsors of the proposed bills for their commitment to achieving universal child care in NYC. The proposed bills will bring more accountability, transparency, and clarity to the field of early childhood education on path to achieving universality. We also urge the committee to consider below feedback for these bills:

- Coordinate with all city agencies that have a stake in the child care system (ACS, DOHMH, DOE), as well as with City Hall, and seek feedback from appropriate staff in order to avoid duplicative actions that have the same purpose. Similarly, take into account state actions and resources to avoid duplicative actions and tools.
- Do not put undue burden on existing providers in order to implement these bills.

Additionally, the Blueprint for Childcare and Early Childhood education that was announced by City Hall includes several similar actions to the bills proposed by council member Julie Menin. We urge the Council to keep clear lines of communication with City Hall, and exercise oversight, and offer insights for the goals that the Administration announced.

For Int-0485 (Electronic Child Care Directory) and Int-0487 (Establishing a Child Care Subsidy Information Portal) we suggest exploring the ways in which already existing databases for these purposes (such as one managed by the New York State Office of Children and Family Services) could be incorporated into the newly planned directory and portal, so that the purpose of these bills can be achieved with efficiency and accuracy.

For Int-0486 (Establishing a Child Care Advisory Board) we urge the Council to make sure that CBO voices are represented by those who have a multitude of experience in the field as members of this board, in addition to using the Advisory Board as an entity to submit feedback.

For Int-0488 (Establishing a Child Care Program Fund) we urge the process of applying for these funds to be as simple and easy as possible for providers with minimal red tape, in addition to assuring speedy disbursement of funds. The release of the fund also should be coordinated with other support programs, such as the State's next round of Child Care Stabilization Grants. Furthermore, the bill should clarify whether this is a program that is time limited or exists in perpetuity. Finally, this bill will have a significant fiscal component, and would require an appropriation in the FY24 budget to ensure that it could get off the ground.

For Int-0489 (Child Care Certification Program) we recommend strong and dedicated partnership with DOHMH, the agency that is responsible for licensing centers, and that has extensive guidelines and inspection authority on spatial and hygienic requirements for child care programs in NYC.

For Int-0477 (Establishing a Child Care Task Force) we recommend that CBO representatives have a seat at the table, and the timeline for producing a report is prompt to ensure there will be no gap in the city's path to universal child care.

UNH is thankful to have strong supporters of early childhood education in the City Council, and we are hopeful that we can continue to build on the budget wins that were in the FY23 Adopted Budget. The \$10 million allocation for child care for undocumented children is an important win, and these bills that are under consideration for this hearing, can keep the momentum on universal child care going.

We urge the Council to continue on building on this important work by implementing solutions for and exercising oversight over the systemic issues outlined below.

Child Care System Overview

New York City's early childhood education system is one of the largest publicly contracted systems in the country, with community-based organizations offering center-based and licensed family child care that serve the majority of the city's children.

Child care providers of New York City continued to take care of the city's children during the Covid-19 pandemic as they have done so during moments of crisis before. While providers were ready to serve NYC's families, they have been facing pandemic related challenges such as fluctuations in enrollment, which in turn have exacerbated the pre-pandemic problems such as recruitment and retention of child care staff related to the fact that child care workforce has remained historically underpaid. Additionally, as a result of the new Birth to Five RFPs that transferred the contracted childcare system from ACS to DOE (awarded in 2020 for Family Child Care Networks and 2021 for center-based programs), providers have been having difficulties navigating the new system, its requirements and regulations.

In order to serve NYC's families effectively and efficiently, the City must strengthen its partnership with community-based providers. The city is in a unique position to expand its system to serve more children thanks to the investments that were included in the New York State FY23 budget, the important investments made in the City FY23 budget, and commitment

of Mayor Adams to building a fair and equitable system. UNH recommends that it is crucial to stabilize the early childhood education system first. By addressing the workforce and operational issues outlined below, the City can lay a stable foundation to build an universal system that meets the needs of working families.

The Early Childhood Education Workforce

At a time when there is immediate need for early childhood programs for the City's pandemic recovery progress, we cannot afford to have a staffing crisis due to low wages and salaries. In order to expand the early childhood education services that New Yorkers need, we need to ensure that all providers are able to offer competitive salaries and wages to their staff and they have a continuous pool of qualified and passionate candidates to hire from. For the City to offer quality education of families' choice that is safe, accessible, and affordable, first and foremost, we need to support the workforce.

Salary Parity, and Wage Increases

The main obstacle for hiring, and retaining staff in early childhood education programs is low salaries that are not at parity with salaries for similar positions in the Department Of Education. As a result, center-based programs are left dealing with staff shortages, preventing them from running at full capacity due to required children-adult ratios, and with high turnover rates which threaten the stability of care that is proven to be necessary for young children's behavioral and cognitive development.

UNH appreciates the commitment, made by Council Speaker Adrienne Adams during the FY23 Adopted City Budget press conference, to implement contract enhancements for child care providers and special education teachers salaries. We encourage the Council to double down on this commitment, and to continue to advocate for salary parity, until salaries and wages of all early childhood education staff are level.

UNH's recommendations around salaries include:

- *Parity progress for certified lead teachers must continue, and special education teachers must be included in the parity agreement.*

In 2019, as a result of advocacy efforts, certified lead teachers in early childhood education working in community-based centers entered into a contract agreement with the City that brought their salaries on par with the salary of an entry level 10-month DOE teacher. The agreement did not account for regular increases or longevity bonuses, nor did it cover special education teachers. The last scheduled wage increase happened in October 2021, and we fear that in the absence of negotiations to address issues that were left out in 2019, the field will be facing a serious crisis in finding qualified, dedicated teachers to lead both general and special education early childhood education

classrooms. The only way to avoid a crisis that would negatively impact the education of our youngest, the City must invest in true pay parity for all teachers.

- *Center-based program directors should be brought to parity with equivalent positions in DOE programs.*

In 2019 and 2020, discussions of pay parity for early childhood program directors were delayed, and since then there have been no movement on negotiations. Early childhood program directors, similar to DOE principals, dedicate their time and energy into making their programs the highest quality for the children they serve, and we must finally acknowledge their hard work and dedication by showing how valuable they are through increases in their salaries on par with DOE principals. Our members shared that program directors are considering going back to teaching, since certified teacher salaries are poised to surpass director salaries. A director shortage of this magnitude in community-based organizations would destabilize the whole field.

- *All support staff should receive at least \$21 per hour.*

Early childhood education support staff are in urgent need of wage increases. The 2019 contract awarded the support staff a 2% increase which brought wages up to \$15.75/h. This rate is not only significantly lower than DOE equivalent jobs, it is also lower than what some big box retail companies offer for their employees in NYC. While early education staff are individuals who engage their work with love, many make the hard choice to leave the field entirely in order to better support their own families. This exodus leaves early education programs short staffed and in crisis. The city must increase wages to a minimum of \$21 per hour so that community-based organizations can retain their experienced staff by offering competitive wages. Similar to lead teachers and directors, longevity bonuses also must be taken into account for these workers.

Family Child Care Program Reimbursement Rates

Family child care providers, who are educators, but also small business owners, face unique challenges. In addition to making sure that any parity agreement, and wage increase incentive applies to family child care staff, the City must ensure that the owners that run these programs receive fair rates for reimbursement so that they can continue to keep their doors open and serve their communities.

UNH recommends the following for FCC providers:

- *FCC Network providers should receive at least the new market rate and ideally be reimbursed at nothing less than 90% of the cost of care.*

Oftentimes, family child care providers have to make the tough decision between paying themselves and paying for other expenses to keep their business going. No business owner should have to live in poverty themselves in order to support their own staff, or the needs of their business. The fact that many providers choose to serve the children they

take care of over their own livelihood is a testament to their dedication for their communities. It is up to the City to support them by making sure that they are being reimbursed with rates that cover their cost of care.

Workforce Development

The City must work to create a workforce pipeline through incentives and programs such as tuition support and loan forgiveness. It is crucial that in addition to assuring fair compensation for the existing staff across all positions, we must guarantee that there is talent coming into the field with the prospects of financial stability. We applaud the Administration on its commitment to achieving this through the partnership with CUNY, and look forward to more details on its implementation and how staff will be supported to further their education and gain credentials. We encourage the City Council to exercise its oversight power in order to make sure that the program runs smoothly.

Operational Challenges

In addition to workforce-related challenges, early childhood education providers have faced a number of operational challenges due to COVID-19 and changing government policies and procedures. Before expanding the system, these operational challenges must be addressed. Below is a description of the most significant operational challenges and recommendations for addressing them.

Contract Reimbursements

- *For FY22, the City must truly hold providers harmless and reimburse full contract amounts, and for FY23 and beyond, must take steps to permanently unlink enrollment from reimbursement.*

Linking contract reimbursement percentages to enrollment levels impact providers in a negative way, since the general costs of operating a classroom (staffing, cleaning, supplies, utilities, rent) do not change drastically whether the class is at full capacity or less. Being reimbursed less for fixed costs causes programs to operate at a loss as they try to serve their communities. While the DOE initially announced on March 11, 2022 that the providers were going to be held harmless for FY22 budgets, the DOE finance team very recently announced that “holding harmless” meant adjusting reimbursement percentages to be relatively more forgiving - rather than reimbursing the full contract amount - and that this adjustment would be only for the month of June 2022, and would not be applied retroactively. Many providers still do not know how much they will actually be getting which causes serious cash flow issues, and financial instability.

- *The City must remove the bureaucratic red tape for market rate applications, and streamline the process by making market rate hikes automatic.*

The FY23 State Budget included many exciting reforms for early childhood education, including raising the market rates to the 80th percentile of the market rate survey. Market

rate is the rate that social service districts reimburse child care providers which is set at a rate per child per day/ week. In NYC, the providers that would benefit from these increases are majority family child care providers. However these providers face multiple challenges when it comes to their ability to claim these new rates.

Family Child Care providers that are not in a DOE contracted Family Child Care networks are facing cumbersome bureaucratic forms and difficult requirements just to prove that they deserve the new rate. Many of these providers have been operating without any rate hike for at least 5 years, a time frame in which there have been significant increases in the true cost of care.

- *The DOE must amend existing FCCN contracts to include the new market rates, so that FCC networks can stay whole, and continue to provide support to family child care providers.*

DOE contracted Family Child Care Networks are also facing potential losses in their networks, unless the DOE agrees to amend the existing contracts to reflect the new market rate increase. Our members have informed us that their network members will leave if it means they can apply for new rates as an independent provider. FCC networks are a crucial component of the child care system in New York City; they provide support, and training that these small businesses would have difficulty accessing otherwise.

- *DOE should honor the Indirect Cost Rate Initiative with additional funding and not require providers to cover their new rate with their current program budget.*

All providers have experienced DOE instructing them to use existing money in their overall budget to cover their indirect costs, rather than adding in new money. DOE has deemed budget lines unusable when providers have taken their indirect rate including equipment, professional development, office and janitorial. The feedback from providers point to the fact that they are not getting the full indirect rate, which adds to their already existing cash flow problems due to the pay for enrollment system.

Administrative Practices and Systems:

Vendor Portal and Payment System: In addition to operating under the pay for enrollment system, child care providers also have to navigate complex operational systems on the backend in order to comply with the requirements that their contracts stipulate. Complex administrative practices, in return, result in delayed contract payments, and create cash flow challenges for providers.

Many FY22 contracts are just being registered, which means that providers are just beginning to input necessary information into the vendor portal system, the electronic interface that allows providers to upload invoices, attendance, and other required documents for approval. System glitches, and the requirement to reconcile enrollment with attendance manually - which is a

labor intensive process - create significant delays. Furthermore, providers can upload material one month at a time, and have to wait for each month to get approved, until they can move on to the subsequent month. Approval of monthly budgets by DOE have been slow, adding another undue burden on providers. Ultimately, all these system issues lead to delays in contract payments, as providers scramble to make budgets balance while they wait to receive what they are rightfully owed. Additionally, even without any or recent contract payments for FY22, DOE has started recouping money from the advances they provided, creating more unjust financial hardship.

While providers are waiting to receive what they are owed for FY22, they were also expected to submit FY23 budgets for approval. Creating a sound and responsible budget for FY23 is nearly impossible for many providers, when they do not know how exactly the DOE is reimbursing them for FY22. And while providers are expected to meet strict deadlines, contract registrations and payments for the new fiscal year are on track to be delayed, simply because city agencies are still working on clearing backlogs for FY22.

Enrollment System: While providers are held financially accountable for enrollment percentages, the centralized enrollment system often puts community based providers at disadvantage, as it is unclear whether or not family's are assigned seats at their first choice of modality. We urge the city to reorganize the enrollment system to allow for community-based organizations to enroll families directly into their programs. Families should have easy access to information on all available modalities of care through DOE, and should be placed in their first choice of provider. Outreach from CBOs and the DOE should inform families on all modalities of care in an equitable manner.

Interagency Communication and Clearance of Backlogs

The New York City child care system is overseen by multiple city agencies. While the contracts were transferred to DOE under the new Birth to Five RFP, ACS still is responsible for managing the child care voucher system. HRA is tasked with reviewing and approving applications for subsidy eligibility. And finally DOHMH oversees the licensing process, conducts inspections for child care spaces, in addition to running the comprehensive background checks for child care staff. DOE also oversees PETs clearances. It is crucial to have open lines of communications between agencies when it comes to overseeing, and managing the complex early education system, to ensure a smooth experience for parents, providers, and children.

In addition to establishing clear communication between agencies, the city also should focus on clearing backlogs in DOHMH clearances and HRA approvals, especially since by August 1st, 2022 the eligibility pool for child care subsidies will expand, with the threshold rising to 300% of Federal Poverty Line.

To address these issues, UNH recommends that the City:

- Invest in DOHMH to clear the backlog on comprehensive background checks that is slowing down the hiring process. Because it takes many months to clear staff, this has led to staffing shortages at programs. This backlog is negatively impacting the required staff to children ratios, and in some cases preventing providers from opening classrooms.
- Expedite the family income verification process at the Human Resources Administration so that families receiving subsidized care can have timely access to the childcare modality of their choice.

Investing in Infants and Toddlers and Full Day/Year Care

Simultaneous to system stabilization efforts, the City should also take a targeted approach to expanding the system. The previous administration focused on building a universal pre-school system via Pre-K for All and 3-K for All. However, this has left the City's system with a patchwork of strengths and weaknesses. While Pre-K and 3-K for All programs have a significant impact on communities, these programs only operate from 8 am - 3 pm, and do not provide care in the summer months. For families who need a full day/year of care, they are left having to pay for wrap-around hours. This can be a strain on lower income families, and there are not enough subsidized seats available to provide that extended care to all families that need it. In order to meet the diverse needs of NYC families, the City should:

- Expand the subsidized extended day/year slots for 3 and 4 year-olds to provide a full day and year of care for working families; and
- Age down the system by increasing the number of infant and toddler slots available. This is one of the greatest needs identified by settlement houses in their communities.

DOE has already taken some steps to match the supply of seats to the demand of the communities by contacting programs that have excess school day/year 3-K seats in their contracts. We urge the DOE to conduct a system wide survey to locate not only seats that need to be converted from 3-K school year/day to infant toddler, but also to locate seats that can be converted from school day/ year 3-K and pre-K to extended day/ year 3-K and pre-K. Our providers often communicate with us that they cannot provide services to a family who is qualified for subsidies due the fact that the seats they can offer are locked by their contracts, and express a need for flexibility.

Finally, New York State passed significant reforms to the state's child care system in its FY23 budget, which could alter the City's system and make it easier to expand care to infants and toddlers. The City must work quickly to implement any reforms from Albany so that families can access care and providers can access financial relief and support. The Mayor's recently released Blueprint for Childcare and Early Childhood Education plans to leverage vouchers to expand family and center-based capacity and support extended and year-round care. In order to ensure that voucher implementation goes well, UNH recommends that:

- Vouchers should be able to be used to help families in contracted school day/year programs to pay for the extended day/ year hours, and thus provide them with wrap-around care.
- The way in which voucher system functions needs to be communicated very clearly with providers, especially since many DOE contracted center based programs are not familiar with the voucher system. The system needs to be set up so that it is seamless for both parents and providers.

Thank you for your time and the opportunity to testify today. For more information, or to answer any additional questions, you can reach me at esahin@unhny.org



Wonderschool, Inc
548 Market Street
PMB 92922
San Francisco, CA 94104

June 29th, 2022

Committee Chair Caban, Council Member Menin, and Members of the City Council:

My name is Chris Bennett and I am the founder and CEO of Wonderschool, a child care technology and services company that helps stabilize the child care industry by providing business management and enrollment demand tools to child care providers, specifically home-based child care providers, and by creating recruiting, licensing, and supporting brand new child care programs.

As a technology company, we have seen the tremendous impact technology and data tools can have on supporting providers, connecting families with programs, and helping state and local agencies make informed decisions about where to allocate support and resources. We support the child care bill package the City County has put forth. Based on our work and experience, there are two specific bills we would like to highlight as critical methods for improving child care options for families and providers in New York City.

First, INT 0485-2022 proposes the creation of an electronic child care directory. Providing information to families about open programs is a critical way for child care providers to fill their programs. Today's parents are technology natives who have grown up searching for information on their own, but most database tools are challenging to navigate. A single electronic directory would make it easier for families to find care that meets their needs. Child care providers often struggle to market their programs, which means they cannot always fill their programs. Full program enrollment is one of the key drivers of child care income and profitability, and making child care information easily available to families helps keep programs full and ensures the childcare landscape is sustainable for years to come.

Finally, INT 0485-2022 proposes that the city create an online portal for subsidy program information. For many families, subsidized child care is the only way to afford care and find employment, but it can be confusing for families to navigate this process and understand the programs they may qualify for. Digitizing this process saves time for families and the agencies who review their applications, makes the information more accessible, and provides more options for support like translation services to support families. An electronic subsidy portal will help more families benefit from these programs while providing backend data to the city in hopes of reaching as many families and providers as possible.

In closing, I'd like to reiterate our support for this child care legislation and look forward to seeing the impact the council will have on child care in New York City in the coming year.

Thank you.

Chris Bennet

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Name: Corinne Schiff

Address: 125 Worth St. NY, NY

I represent: NYC Dept of Health + Mental Hygiene

Address: _____

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Name: Simone Hawkins

Address: 52 Chambers Street

I represent: NYC Department of Education

Address: Chief Executive of ECE Operations

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Name: Jacqueline Franks

Address: _____

I represent: Commission on Gender Equity

Address: Office of the Mayor

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Name: Elizabeth Wolkomir

Address: 150 William St NY, NY

I represent: Admin for children's services

Address: _____

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Name: Eliana Godoy

Address: East Harlem

I represent: Literacy Inc (LINC)

Address: 5030 Broadway NYC

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