



**Testimony Before the New York State Assembly  
Standing Committees on Labor, Children & Families and Social Services  
November 7, 2007**

**Addressing the Need For High Quality, Affordable, and Accessible Child Care  
for Working Families In New York State**

Good morning. My name is James Langford, Quality Improvement Director for the Children's Aid Society. On behalf of our CEO, C. Warren Moses, and our Board of Trustees, I want to thank the Assembly Standing Committees on Labor, Children and Families and Social Services for holding these hearings. The healthy development of disadvantaged children has been central to our mission for 155 years. Children's Aid provides services to over 150,000 children and families in New York City each year through neighborhood community centers, camps, community school programs, medical and mental health clinics, foster care, adoption and preventive services, day care, Head Start and early childhood programs (both privately and publicly funded), housing for homeless families, juvenile justice, and legal advocacy programs. Our ACS and other contracted early childhood Child Care and Head Start programs serve 590 children at 9 sites. We also operate many of our Community School extended day and Center-based after school programs with funding from both the NYS Advantage grant program, the State Education Department's 21<sup>st</sup> Century Learning Center programs, and the NYC DYCD OST program - serving 4,500 school-age children every day. New York State has much to be proud of, but we still have a long way to go in meeting the child care needs of our low-income working families and children.

We will address several interrelated issues with regard to the topics that have been selected for these hearings: 1) Steps that are necessary to ensure the provision and increase the availability of high quality, affordable, and accessible child care for working families; 2) What is needed to assure that children are in safe and developmentally appropriate child care settings; and 3) The impact of the Governor's Order authorizing the unionizing of day care workers.

A greater New York State Government commitment to the Child Care Block Grant is needed. While New York State has made great progress in implementing Pre-K programs, and New York City and its Department of Youth and Community Development (DYCD) have substantially increased the expansion of Out-of-School Time Programs for school-age children – primarily through local tax levy funds, the state and local matches to the overall Child Care Block grant funding for contracted subsidized child care programs serving children under age 6 have dramatically declined over the past 8 years. State and local matches must now be reassessed and increased for this age group. Contracted center based child care program growth has been stagnant for 7 years, and is now in danger of further shrinkage, due to increased barriers to enrollment and expanded Pre-K program options for four-year-olds, while informal child care arrangements have continued to mushroom. The inability of low-income families to access subsidized child care should not be mistaken for an absence of need. The following trends indicate that while we have made good progress in some areas, that access to our child care system has become more fragmented over the past 10 years, and has become even harder to access for low-income eligible working families:

- In New York City (2004), there were 540,670 children under age 6 that were eligible for subsidized child care - 216,880 were with working parents. Full day funded child care slots

were available for only 56% of those who needed them (122,680 children). Statewide, New York is reaching only 20% of the eligible population under the current eligibility standards.<sup>1</sup>

- 1/3 of all children under age 6 in NYC were in informal family care situations as of 2004 – this number nearly tripled – going up from 13,846 in 1997 to 35,813 in 2004 – and 80% (29,000) of these children are in “license exempt” care.<sup>2</sup> While these funded slots have recently been moved over to ACS, there is little or no assessment of the safety and quality of care that is being provided for these children, or monitoring of these unregulated homes.
- The number of children in regulated, subsidized center based child care programs has not significantly increased in the past 7 years. There has been no ACS contracted center based expansion since 2000, (ACS Expansion VII). During this same period, both state and city matches to the child care block grant federal funds were drastically reduced - the city budget was decreased by 31% and the state by 94%.
- An acute shortage of center-based programs providing infant day care continues to persist.
- The ACS child care facility infrastructure is in danger of erosion – due to expanded programs for both 4 and 5 year olds in public schools, and because of the switch of funding from ACS school-age child care to after-school program funding through the DYCD’ OST program in public school settings.
- For four-year-old children, the State DOE Pre-K programs have been the only major new early childhood expansion initiative. We applaud the Governor’s proposed Pre-K expansion, and hope that the program can continue to support and strengthen the staffing and curriculums of four-year-old classrooms within existing child care centers – operated by Community Based Organizations, (CBOs).
- Great progress has been made in creating more school-age child care programs: ACS school-age child care funding has shifted to DYCD - increasing Out-of-School time slots in public schools – serving 65,000 school-age children this year.
- The new state regulation – that single parents must pursue court ordered child support as a condition for receiving subsidized child care, has become a deterrent for the enrollment of eligible children in regulated child care programs. Programs in New York City estimate that the percentage of applicants that have been lost over the past year ranges from 38% to 75%. Yet enrollment in any state and city funded Pre-K program, in Head Start, or in city funded DYCD OST programs, does not require parents to prove that they are pursuing a court order for child support.
- Nationally, New York State ranks 16<sup>th</sup> in the level of setting eligibility ceilings under federal law.<sup>3</sup> We are concerned that current income guidelines do not adequately cover working families in need of subsidized child care. Income guidelines should be raised so that all families under 275% of the federal poverty level can qualify for subsidized child care, regardless of family size.<sup>4</sup>

**1) Access to affordable, high quality child care is a must for working families. Our state and city must take action to increase the availability of high quality, affordable, and accessible child care for working families:**

- In New York City, preserve the stock of ACS funded child care facilities by utilizing more classrooms for two year olds, and by converting more of these sites to care for younger infants and toddlers. We applaud the expansion of UPK, which means that children 4 and 5 years of age are moving into public schools, leaving space in day care centers for vitally-needed services to toddler-age children. The viability of these ACS direct lease and sponsor leased centers is threatened due to new program options and changing enrollment patterns. Since the cost of infant and toddler care is higher, (due to smaller class sizes and higher child/teacher ratios), more funds will be needed for such an expansion. These dollars can be raised by increasing both the state and city share of the child care block grant.
- Rescind the state regulation that single parents must pursue court ordered child support as a condition for receiving subsidized child care. This rule has become a deterrent for the enrollment of eligible children in regulated child care programs. We strongly support helping single parents to obtain child care support orders – but failure to do so should not mean punishment by exclusion from quality child care programs. Publicly funded Head Start and Pre-K programs do not have to comply with this enrollment requirement. The unintended consequence of this regulation hurts families, as well as the high quality licensed child care programs their children very much need.
- Child care for working families must be more affordable and accessible. The state should support New York City in increasing the city child care tax credit by \$1,500 for low-income families with children up to three years of age, providing a substantial tax refund for thousands of working families. In addition, the state should increase family income guidelines so that all families under 275% of the poverty level, regardless of family size - are eligible, which will make expansions of child care for children under age 3 more affordable for working families.

**2) What is needed to assure that children are in safe and developmentally appropriate child care settings:**

- Support, training and monitoring are needed. In NYC, where over 29,000 children are in “license exempt” care situations, funded by child care subsidies, a marshalling of resources is needed to improve the quality of care, and to require on-going monitoring to assure the basic health and safety of children. A pilot project that has been launched by the state – and that is being developed in the Bronx, will begin to set the stage for the improvement of this growing “unlicensed” underground child care system. We also support the OCFS plan to institute a “Quality Rating System” for all child care centers in New York State.
- Consider new funding models that would form collaborations with the Nurse Family Partnership (NFP) Program. The Nurse Family Partnership Program is a national nurse home visiting program for low-income, first-time mothers, their infants, and their families. The City’s Department of Health and Mental Hygiene has implemented the program in several low-income communities. The program uses public health nurses to conduct home visits about

every two weeks during pregnancy and throughout the first two years of the infant's life. This model, if modified and expanded, could be an important component of an initiative that would support not only new parents, but that could also be extended to train family day care and other informal home based providers that may not be linked to any family day care support networks or sponsoring agencies – helping to assure that the basic health and safety of children in “license exempt” care are being met.

### **3) The impact of the Governor's Order #12 -authorizing the unionizing of day care workers:**

- The Governor's Executive Order #12 will provide for the representation of family day care providers across New York State. The implications of this new development will bring new attention to a section of the workforce that has long been ignored. However, it would be a mistake to assume that there will be no new costs associated with this unionization campaign. This workforce has traditionally been under-paid, and usually has had no paid vacation or health insurance benefits. Recently, the United Federation of Teachers won the right to represent these 28,000 child care providers in New York City.
- Since the “legally-exempt” family based child care providers will also be included in this representation, the training and on-going supervision that is not in place now, but that these providers should have, should begin to be planned and implemented.
- If a professional early child teacher training and supervision component could be added for these family child care providers, it would go a long way to help improve the quality of care in the growing area of subsidized family child care. In our opinion, all of these legally exempt providers should be required to operate licensed family day care homes. Perhaps the union can be a catalyst to promote this. Many providers may want the benefits of the union, but may not want the “extra work” that will come with training and compliance with regulations.
- Since the UFT will have 28,000 child care providers joining its ranks, now is the time for our state and city government to begin to plan for a new vision - as stated by UFT President Randi Weingarten in the NY Times: “...you have child care providers who are not just custodians of kids, but they can play a pivotal roll in teaching children.”

We look forward to hearing about the recommendations you make as a result of these hearings and to the changes in policy and practice that you help initiate in the coming months. Thank you for extending an invitation to the child care provider community for input. The Children's Aid Society is will to help with the planning of new child care initiatives as the process moves forward.

#### Endnotes:

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<sup>1</sup> A Child Care Primer, 2004, published by Child Care Inc. 2004

<sup>2</sup> The ABCs of Early Care and Education in New York City, published by Child Care Inc., 2004, page 20

<sup>3</sup> Testimony of Janice Molnar, Deputy Commissioner NYS OCFS, to the Assembly Standing Committee On Labor, and Standing Committee on Social Services, Public Hearing of October 12, 2007, page 6.

<sup>4</sup> Enrollment in New York City's Publicly-Funded Child Care Centers, a policy brief by the Federation of Protestant Welfare Agencies, October, 2007, page 3.