



**UNITED  
NEIGHBORHOOD  
HOUSES**

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**Testimony of United Neighborhood Houses  
Before the New York City Council  
Committee on Education  
Honorable Mark Treyger, Chair  
And Committee on Women and Gender Equity  
Honorable Helen Rosenthal, Chair  
On the Impact of COVID-19 on Child Care in New York City**

Presented by Gregory Brender, Director of Children & Youth Services

December 16<sup>th</sup>, 2020

Thank you Chair Treyger and the members of the Committee on Education and Chair Rosenthal and the members of the Committee on Women and Gender Equity for the opportunity to testify. United Neighborhood Houses (UNH) is a policy and social change organization representing 44 neighborhood settlement houses 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 range of issues including civic and community engagement, neighborhood affordability, healthy aging, early childhood education, adult literacy, and youth development. We also provide professional development and peer learning to build the skills and leadership capabilities of settlement house staff at all levels.

**Increased Role of CBOs in the Response to COVID-19**

Community-based organizations (CBOs) are an indispensable part of the City's child care and education system. For parents who need full day of a care for infants, toddlers or Pre-School Aged children or who need after-school services for school-age children, community-based organizations have traditionally been the only affordable option.

With COVID-19, community-based early childhood education and youth services programs dramatically increased their services to meet the new child care needs of families including New York City's essential workers. Community based organizations acted swiftly and innovatively, often without receiving complete guidance from government to launch services including:

- **Remote Programming:** In March, early childhood education, youth employment and after-school programs rapidly transitioned to virtual programming which kept children connected to their peers and to adults focused on their support and educational enrichment.
- **Regional Enrichment Centers (RECs):** CBOs operated early childhood Regional Enrichment Centers, providing in-person child care and education to young children of essential workers. CBO staff also played key roles in operating the school-age RECs that were located in public school buildings. CBO staff brought their expertise in Youth Development to design socially distant activities that were engaging and supportive for participants.
- **Five Day Per Week Early Childhood Programs:** With the public school's initial use of a hybrid model, CBOs were the only places that offer free or low-cost early childhood education five days per week at the same location with the same staff and teachers. During the most recent system-wide school closure, public school 3-K and Pre-K programs closed, yet CBO-based 3-K and Pre-K programs were expected to continue operations.
- **Learning Bridges:** CBOs started to provide Learning Bridges programs for children enrolled in hybrid learning at 3-K, Pre-K and elementary and middle schools in September so that these students would have five days per week of care.

CBO staff have gone to significant lengths to provide essential services during this time of significant stress and upheaval for the City's children and youth. However, the City has not adequately supported CBOs, making it difficult for them to carry out programming and focus on working with children and youth. CBO programs depend on successful high-level collaboration between City agencies. Unfortunately, this has often been lacking throughout the COVID-19 pandemic and CBOs have been left to make sense of missing or conflicting guidance from Department of Education (DOE), Department of Health and Mental Hygiene (DOHMH), and Department of Youth and Community Development (DYCD).

This led to issues such as:

- After-school programs not having clarity as to what space they are able to use in school buildings, or receiving exorbitant permit fees;
- Lack of communication to CBOs operating in schools about school health issues and decisions from the situation room;
- Reduced capacity for summer programs which the City Council fought to restore due to late notice insufficient guidance; and
- Learning Bridges programs facing the expectation of ramping up in a matter of weeks with many unanswered questions.

### **Recommendations**

In order to ensure the stability of early childhood education and after-school services for New York City's children, UNH makes the following recommendations.

## Pay Full Contract Value Regardless of Enrollment Throughout the COVID-19 Crisis

UNH and our members appreciated the actions taken by both Department of Education for early childhood education and Department of Youth and Community Development for after-school programs in March to ensure that programs maintained their budgets including:

- Continuing to ensure that contracts were funded to pay for all staff during the mandated closures of center-based programs as well as closures of home-based programs;
- Maintaining contract costs for rent, utilities and other expenses; and
- Providing guidance on remote programming alternatives.

These actions helped to stabilize the early childhood and after-school systems, allowing programs to maintain their infrastructure and their staff in order to prepare for reopening. Having staff already working at the time of reopening moved the process along more efficiently than other services where providers need to rehire and clear staff for reopening.

However, we are concerned that with potential shifts towards payment based on enrollment will destabilize these systems and prevent further progress on reopening more capacity when New York City emerges from this crisis.

Many early childhood education and after-school programs are currently under-enrolled and operating at lower capacity due to temporary conditions. These conditions include:

- **Decreased participation due to COVID-19.** With many businesses still closed and many parents still working from home, the level of participation in early childhood education and after-school programs does not reflect need. However, when restrictions on more types of in-person work are lifted we expect that families will need to rapidly secure child care in order to transition back to in-person work.
- **Enrollment delays for child care subsidies.** Providers are reported lengthy delays in the processing of child care subsidies, with families waiting months to be approved. Providers continue to work with families to enroll children through centralized enrollment but families are still experiencing delays. Providers should not be penalized for vacant slots when families are waiting for approval.
- **Family Child Care Network transition.** Family Child Care Network contracts transitioned to new contractors during the pandemic. As such, some new networks did not have their full roster of providers and many are struggling with the same enrollment challenges that center-based programs face.

Maintaining a stable system and workforce for early childhood programs is crucial to the city's recovery from COVID-19. Therefore, UNH urges Department of Education to extend full contract payments for early childhood education programs through this crisis and Department of Youth and Community Development to extend full contract payments for after-school programs throughout this crisis.

## **Offer Incentive Pay for CBO Staff Risking their Own Health to Provide Child Care**

Governor Cuomo declared child care an essential service in March. While center based early childhood education programs and after-school programs were closed by order of NYC Department of Health and Mental Hygiene, staff in community-based organizations and providers affiliated with CBO Family Child Care Networks continued to provide essential child care at every point in this crisis.

Family child care providers who offer care to small groups of children in the providers' home were allowed to stay open and many continued to provide services to essential worker families. Early childhood educators and youth services workers in community-based organizations were deployed to Regional Enrichment Centers to provide essential child care at the height of the pandemic. During the most recent school shutdown, community-based early childhood programs remained open as school buildings closed.

Despite the recent moves towards salary parity for community-based early childhood educators, both early childhood educators and youth services workers remain underpaid in comparison to their colleagues working in similar positions in public schools. At the same time, they are expected to risk their own health to continue serving young people and their families. These inequities are unjust and run counter to promoting the economic equity that will facilitate New York's recovery from this crisis.

UNH urges the City to fund community-based organizations to offer incentive pay for staff who continue to work in-person when schools close.

## **Clear the Comprehensive Background Checks Backlog**

Since September 25<sup>th</sup>, 2019, New York State Office of Children and Family Services (OCFS) has required NYC DOHMH to perform new extensive background checks for staff and volunteers in after-school and early childhood education that are listed below:

- A NYS criminal history record check with the Division of Criminal Justice Services; *(new)*
- A national criminal record check with the Federal Bureau of Investigation; *(new)*
- A search of the NYS sex offender registry; *(new)*
- A database check of the NYS Statewide Central Register of Child Abuse and Maltreatment (SCR) in accordance with 424-1 of the Social Services Law;
- A search of the national sex offender registry using the National Crime and Information Center \*\*\*Required at a later time *(new)*

If the individual being cleared has lived outside of New York State in the last five years, they will also have to undergo background checks in every other State where they have lived. This includes:

- Each state(s) criminal history repository; *(new)*
- Each state's sex offender registry or repository; *(new)*
- Each state's child abuse or neglect registry. *(new)*

Providers and advocates strongly support rigorous background checks for all staff and volunteers, and we rely on our partners in government to process background checks quickly and efficiently so that programs can operate.

DOHMH has not been able to complete the background checks in a timely manner and many prospective staff members in after-school and early childhood education programs are unable to work due to pending clearances.

In February, the backlog led New York State Office of Children and Family Services to provide some relief through a temporary rule change that allows staff members to work provisionally if they have been cleared through the State Central Register of Child Abuse and Maltreatment (SCR) and if they are supervised for 100% of the time that they are in contact with children by a staff member who has been cleared.

While this measure has helped tremendously it is not adequate to address the new needs that have resulted from the COVID-19 crisis. The Learning Bridges Programs must have pre-cleared staff who can provide the supervision and have struggled to clear staff quickly. The City must clear the backlog of staff awaiting clearances and develop processes to quickly clear prospective staff members.

### **Restore Funding for Indirect Rates**

Indirect funding is the backbone of a nonprofit human services organization, covering critical overhead costs that help organizations serve their communities most effectively. Indirect helps to support functions that are crucial to running a program, like facilities cleaning, payroll, and technology. Indirect expenses are often the things that we do not see when we walk through the front door of an organization to go to a program or receive a service, but help to keep that front door open.

The City retroactively cut Indirect Rates for non-profit human services providers in the FY 20 budget. Indirect Rates are necessary for programs to have the flexibility to develop new programs such as Learning Bridges and to change programs to meet new health and safety requirements.

UNH urges the Mayor and City Council to honor their commitment to the human services sector and fully fund indirect rates in FY21 and beyond.

### **Ensure that High-Quality Programs are Not Forced to Close as a Result of Reprocurements**

The Department of Education's Birth-To-Five and Head Start/Early Head Start RFPs are the first comprehensive reprocurements of contracted early childhood programs in New York City since 2012. It is significantly shaped by years of advocacy by United Neighborhood Houses and the Campaign for Children for salary parity for community-based early childhood educators and reimbursement levels that reflect the true cost of high-quality early childhood education.

On August 12, 2020, DOE released Provisional Awards for the Birth-To-Five and Head Start/Early Head Start RFPs. While little public information is available about the full scope of the provisional awards, providers have raised significant concerns about several aspects including:

- The dearth of infant/toddler slots in center-based settings. Only 2,300 slots were awarded Citywide, nowhere near the need for child care for the city's youngest children and subverting DOE's stated goal of a unified system which supported children consistently from birth-through kindergarten;
- A significant loss of early childhood capacity in public housing developments, most acutely in public housing developments that serve low-income residents in mixed-income neighborhoods; and
- Individual centers losing significant capacity. While DOE reports that over 90% of current providers have received a provisional award, many longstanding providers have received awards that significantly reduce capacity, making the proposed centers fiscally unsustainable.

It is crucial that the DOE make available information on provisional awards, including where programs are funded and what slots were awarded at these locations. Providers and parents need to know that their communities have sufficient services moving forward.

We recognize that areas of New York City have been child care deserts for far too long, and that all families deserve access to high-quality early childhood education. The City must preserve the infrastructure that currently provides child care in many high-need neighborhoods and expand capacity to ensure that all communities have access to high-quality programs.

This procurement highlights the need for New York City to invest further in expanding the capacity of community-based organizations to meet the needs of New York's families. New York's recovery from COVID-19 hinges on essential workers and other New York parents being able to access child care.

We are particularly concerned about the loss of child care for families living in public housing. New York City's public housing is spread out over 300 developments in almost every part of the City. Unlike other cities which have segregated public housing to one section of the City, NYC has public housing near some of its wealthiest neighborhoods. A 2019 report from the NYU Furman Center found that Public Housing is disproportionately located in gentrifying neighborhoods.<sup>1</sup>

However, the city's procurement process for programs that address poverty has often failed to take this reality into account. In 2012, United Neighborhood Houses researched the use of zip code targeting in two requests for proposals: EarlyLearn for contracted early childhood education programs and Out-of-School Time for after-school programs. Both RFPs used a variety of factors to determine relative neighborhood need and deemed several neighborhoods "non-targeted" because of relatively higher incomes. However, no distinction was made for communities in public housing leaving these and other pockets of poverty with

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<sup>1</sup> [https://furmancenter.org/files/NYCHA\\_Diversity\\_Brief\\_Final-04-30-2019.pdf](https://furmancenter.org/files/NYCHA_Diversity_Brief_Final-04-30-2019.pdf)

less access to these core services because of averages compared to wealthier neighborhoods. UNH found that 77,000 New Yorkers were living in public housing in the neighborhoods that were deemed “non-targeted”.<sup>2</sup>

Similar to the 2012 RFP’s, DOE’s Birth-to-Five and Head Start/ Early Head Start RFPs used neighborhood poverty levels to determine awards. Many of the same public housing communities that were deemed non-targeted in the 2012 EarlyLearn RFP appear to have lost significant numbers of child care slots in this most recent set of awards:

- Two public housing communities on the Lower East Side, Gompers and Baruch, with a combined population of more than 6,200 residents, stand to lose child care for 70 children;
- Alfred E Smith Houses, a public housing community on the Lower East Side with more than 5,700 residents, stands to lose child care for 30 children;
- Fulton, Elliott and Chelsea Houses, three closely connected public housing communities with nearly 4,000 residents, are losing their entire full day child care programs; and
- The Upper West Side, which is home to many public housing developments including Wise Towers, West Side Urban Renewal Area, Amsterdam Houses and Harbor View Houses and where 8.6% of rental units are in public housing<sup>3</sup>, stands to lose child care for 140 children.

An initial calculation of the loss conducted by several settlement houses in Manhattan and Brooklyn has identified a loss of at least \$17 million. It is crucial that the City invest additional funding in the child care system to stem these slot losses and ensure access to more families across the city.

Thank you for convening this important hearing and for the opportunity to testify. I am happy to answer any questions. For follow up, I can be reached at [gbrender@unhny.org](mailto:gbrender@unhny.org).

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<sup>2</sup> <http://www.campaignforchildreennyc.com/wp-content/uploads/2012/03/Off-Target-How-Cuts-to-Child-Care-and-After-School-Leave-Out-Public-Housing-Communities.pdf>

<sup>3</sup> <https://furmancenter.org/neighborhoods/view/upper-west-side>