

Winning Beginning NY FY 2022-2023 Legislative Agenda



Winning Beginning NY is New York's statewide coalition working to inform policymakers and the public about the many benefits of early care and learning for children from the prenatal period through age eight. Our priorities include high-quality afterschool, child care, early intervention, home visiting, and pre-K. The coalition aims to build a broad-based constituency to make investments in quality early care and learning a top public priority.

The Winning Beginning NY Budget Agenda is built from deep engagement with providers, parents and experts throughout New York State including:

- The Empire State Campaign for Child Care
- Ready for K / Ready for College
- Kids Can't Wait Campaign
- New York State Network for Youth Success

New York State must use the FY 2022-2023 budget process to invest in comprehensive support for the Empire State's children and families!

Achieve Universal Child Care for All NY by 2026

Our current child care system is in crisis: quality child care is unaffordable for the vast majority of New York families; the economic model underpinning child care providers is unsustainable, causing many providers to close, and contributing to a system already unable to meet demand; and for the hardworking women who do this work, the majority of whom are women of color, wages are so low that at least 65% of the child care workforce receives some type of public benefit.¹

Winning Beginning NY and the Empire State Campaign for Child Care therefore calls on the governor and the legislature to take immediate steps to address the child care crisis by committing \$5 billion in the FY23 budget, and passing the Universal Child Care Act, S7595(Brisport)/ A8623(Hevesi) to finally put us on the path to a transformative, fully-funded and permanent system of child care in New York.

There are three main components of the Empire State Campaign for Child Care’s framework for universal child care, all of which must be implemented simultaneously to guard against destabilizing the child care sector or inadvertently harming New York families as we transition to universal child care.

1. New York Provides truly universal child care with access for all children from birth to age thirteen by:

- Guaranteed access to subsidies for all families
- No activity requirements
- No immigration status requirement
- Parent choice of modality – family-based, center-based, or legally exempt child care
- High-quality, culturally-responsive care
- Meeting the needs of all children, including children with disabilities, those experiencing trauma, multi-lingual learners, families experiencing homelessness or in transitional housing
- Making care available during non-traditional hours
- Ultimately providing care that is free for all families with no means testing, but during the phase-in period, allowing for a sliding scale family contribution for families with income higher than 75% of the state median income.

Costs for year one: \$3 billion

¹ New York State Office of Children and Family Services, Child Care Availability Task Force, *Supporting Families, Employers and New York’s Future* (2021), <https://ocfs.ny.gov/reports/childcare/Child-Care->

2. New York immediately raises workforce wages while moving towards the goal of pay parity with public school teachers by:

- Establishing a workforce stabilization fund to directly raise wages among participating programs during the period New York is transitioning to a model that provides funds to child care providers based on the true costs of care
- Helping providers of all modalities immediately access federal funds to continue the successful stabilization grant program during this period of transition
- During the phase-in period, paying entry level staff at least a living wage, with more experienced staff compensated at a proportionately higher rate. All compensation will increase progressively over the course of the transition period.²

Costs for year one: \$1.4 billion

3. New York transitions to a payment rate model based on a “cost estimation model” that accounts for geography and quality, and assumes all child care staff are paid at parity with elementary school teachers by:

- Establishing a transitional reimbursement rate structure based on the results of the forthcoming OCFS market rate survey, or the existing survey, whichever results in higher rates
- Setting reimbursement rates at the 90th percentile of market rates in each region to ensure that per child amounts are sufficient to avoid disrupting the child care sector during this transition

Costs: \$600 million

Implementation principles: Where phase-in is required, the following principles should be applied to make decisions about priorities:

- Target expansions to first cover low-income families, historically underserved communities and families facing complex needs, including children with disabilities and child welfare involvement.
- Eliminate all work requirements, activities tests, and immigration status requirements for low-income families.
- Take steps to avoid benefits cliffs.
- Guard against any increases in costs for private-pay families.
- The child care workforce must be granted significant and sustained increases in

Decades of piecemeal legislation, temporary budget fixes, and failure

to recognize that child care is a public responsibility, critical to the success of our children, our families, our workers and our economy, has created the current crisis. It is time for New York to step up by

Imagining and Implementing the Universal Child Care System We All Deserve.

Continue to expand Pre-K for All New York's Children While Strengthening the Early Childhood/ Child Care Sector

In 2020, 85,000 four-year-olds were not in full-day pre-K programs. Currently, approximately \$805 million are distributed to school districts running pre-K programs across the state. The state must continue the momentum and move to include appropriate resources for culturally responsive and sustaining pre-K that supports each child, including those with developmental delays and disabilities, emergent multilingual learners and those who are homeless. Particularly at this point when families continue to struggle with the ongoing pandemic and when needs of children and their families go unaddressed, we must continue to build our early care and learning sector, bridge the systems of care and learning and ensure that young children have access to the nurturing learning environments they need to succeed.

Invest \$500 million to continue to expand access to quality full day pre-K for all children in the state by providing at least \$10,000 per child. **Funding for the next pre-K expansion should include enhanced rates to meet quality standards.**

New York State currently (2020) has a maximum set-aside of \$850 million to provide a combination of half- and full-day pre-K for three- and four-year-olds. In recent years, the state added funding to expand pre-K outside of New York city. NYC expanded access to all four-year-olds in 2014 after the state invested \$300 million in the program. In the last enacted budget (FY 2022), the state added another \$210 million for 2022 and 2023 to expand the program.

Even though the expansion of pre-K to two thirds of four year-olds in the state is an enormously significant positive step toward ensuring that all children have access to quality full day preschool, some issues persist. These include the lack of transportation, wrap around services, and more importantly, the lack of adequate pay for teachers working in community based organizations that contract with school districts to provide pre-K programs. Many of these issues persist partly because of the siloed approach the state has toward early care and learning.

The evidence is overwhelming. It shows that pre-K and early care and learning programs are not only some of the most effective educational strategies for addressing inequality, they also are some of the best ways to ensure that parents and guardians can be part of the workforce. For every dollar invested in early care and learning and pre-K, the return on investment is \$3 to \$7. Every year, the state spends an enormous amount of funding in special education, in remediation, and in incarceration, all of which are decreased when children have access to a quality full day pre-K program. **By providing at least \$10,000 per child to all districts that currently have or need to implement pre-K, the state can begin to ensure that children are put on a path of success early on. Further, with more than half of all pre-K services offered in community programs, the state, in collaboration with local districts, needs to do more to promote equity in funding between public school and community-based programs.**

Invest \$10 million to establish Regional Technical Assistance Centers in all economic development regions across NY State.

The State must provide funding to establish Regional Technical Assistance Centers to support Pre-K and early childhood education/childcare. These centers will support the improvement of existing programs and the roll-out of quality, culturally responsive and sustainable early childhood programs. They will strengthen coordination of efforts between school districts, child care providers and other early education programs, and services in the regions that focus on improving outcomes for children and families. These centers are especially critical in suburban and rural areas with numerous small school districts.

Additionally, the state must increase the percentage of pre-K slots that need to be in community-based organizations, including family based programs. This will ensure that school districts continue to work with the early childhood/childcare programs, ensuring continuity of development and learning for children, alleviating the transportation issue that many families face (because pre-K transportation is not offered by school districts as it is

not paid for by the state), but more importantly, allowing families the choice to keep their children in the environment they are used to attending and going to through the fewest transitions possible.

Make policy changes to facilitate early childhood/child care programs becoming eligible to contract with school districts to provide pre-K.

- Extend the study plan option.

Pre-K lead teachers without certification must have a Bachelor's degree in Early Childhood or a related field and a written study plan approved by an accredited college or university for obtaining a teaching license or certificate valid for service in the early childhood grades. This includes: Early Childhood (Birth – Grade 2); (n-6); or (Pre-K-6) certification.

Depending on their date of hire, lead teachers who meet these qualifications must obtain the necessary early childhood certification as follows:

Whichever is later:

- By June 30, 2023; or
- By three to five years from their date of hire as a lead teacher in a city-contracted pre-K class.
- Please ensure that written lead teacher study plans are up to date and reflect the completion of all requirements by the applicable deadline.
- Allow for curriculum appropriateness as sufficient requirement for program
- Use teacher experience instead of degree or certification

At the same time, the state must:

- Increase compensation and give access to benefits for all child care providers.
- Provide entry-level compensation that ensures self-sufficiency, based on standards such as the United Way's ALICE threshold and adjusted for regional cost of living.
- Provide compensation commensurate with experience and increase appropriately as providers accrue credentials.
- Strengthen career pathways and provide appropriate professional development opportunities for all providers. This means improving infrastructure and coordinating the organizations that offer coaching and consultation.
- Reduce red tape for families and providers.
- Combine state and federal Pre-K funding into a single source.
- Develop a statewide or regional enrollment system that facilitates enrollment in all funded child care and Pre-K programs, regardless of funding source or modality.
- Establish a state-level body that is charged with planning and coordinating child care and Pre-K standards, policies, and resources. The committee should include OCFS, SED, child resource and referral agencies, and providers/ parents from child care, Pre-K and Head Start. It should:
 - Develop principles, policies, and practices to guide state and local planning and align program standards, requirements and monitoring across child care and Pre-K.
 - Review proposed Pre-K expansion grants annually in light of community needs, equity and existing Head Start and child care resources at the local level.
 - Revive local planning councils to coordinate the equitable allocation of child care, Pre-K and Head Start resources in response to supply and demand, and develop a statewide data system and other resources to facilitate community-wide planning.
 - Develop policies and provide training and technical assistance to encourage blended funding at the program level.
 - Establish consistency in payment levels across Pre-K and child care based on cost estimation models

Increase funding for preschool special education programs

As the State continues to invest in and expand Pre-K, it must ensure that preschool students with disabilities are not left behind. Preschool special education programs provide high-quality education services to preschool students with significant developmental delays and disabilities who would not be appropriately served in general education Pre-K classrooms. Unfortunately, inadequate State funding over the years has forced dozens of programs to close and led to a shortage of seats in these programs, leaving preschool children with disabilities without the

services they need and have a right to receive. The pandemic has only added financial challenges that have made it even harder for these programs to continue operating. In New York City alone, there is a projected shortage of more than 900 seats for the spring 2022.

We are pleased that budget documents state that the Division of the Budget will administratively authorize a cost-of-living adjustment of 11% for preschool special education programs for the 2022-23 school year. We support this rate increase, which will help ensure that preschool special education programs stay open and can provide high-quality services.

While the FY 23 rate increase is much needed, the State must also take steps to support the long-term stability of preschool special education programs. We support the Board of Regents recommendation that the budget include \$1.72M to design a new rate-setting methodology, with stakeholder input, to update the way payment is calculated, and to suspend the annual “reconciliation” process to provide interim relief to programs while the rate-setting methodology is redesigned.



Strengthen Early Intervention

In Fiscal Year 2023, New York State must devote more resources to strengthening the Early Intervention (EI) and Preschool Special Education (PSE) systems, with a particular focus on two priorities: eliminating inequities and expanding timely access to a full range of effective supports for young children. Children from birth to 5 years old with developmental delays or disabilities and their families have a right to Early Intervention and Preschool Special Education services that is established in federal law through the Individuals with Disabilities Education Act (IDEA) – Part B and Part

C. Federal law requires these services to be delivered in a timely manner according to a plan developed by developmental and educational experts along with the family. However, families across New York routinely face illegal waitlists and delays for services.

Winning Beginning NY and the Kids Can't Wait Campaign urge the Governor and Legislators to:

1. Increase rates for all Early Intervention providers and evaluators by 10% to move New York State closer to meeting the needs of young children in New York with developmental delays or disabilities. To help achieve this goal, the State can use the new Covered Lives assessment, signed into law in December 2021, which requires private health insurance companies to contribute \$40 million to the Early Intervention program. At a time when EI providers are paid less than they were in the 1990s and children are going without needed services, the State should use this funding to increase EI provider rates instead of merely using it to save money for the State and counties. Unfortunately, the Executive Budget does not include any rate increase for EI providers.
2. Provide an 11% increase for preschool special education programs and school-age classrooms serving children with significant disabilities (4410 and 853 classrooms) for the 2022-23 school year, as Governor Hochul has committed to doing through administrative action.
3. Ensure sufficient long-term resources for EI and PSE and reduce disparities in both programs by:
 - a. Allocating \$1.72 million to design a new preschool special education tuition rate-setting methodology and discontinuing the annual reconciliation process to provide interim relief while the rate-setting methodology is redesigned, allowing providers the flexibility to manage resources across a five-year period, as recommended by the Board of Regents; and
 - b. Conducting a comprehensive assessment of the methodology used to determine payment for all Early Intervention evaluations, services and service coordination and re-setting rates accordingly (S.5676/A.6579).
4. Ensure that expansions in New York's child care assistance provide equal access and needed support for families with children with disabilities with enhanced rates and supports for providers serving children with disabilities so that children with disabilities are not turned away from child care programs.
5. Require that the Bureau of Early Intervention publish an annual report with data by county, disaggregated by race/ethnicity, about referrals, assessments, enrollment, and timely receipt of services.
6. Include \$250,000 in the SFY23 budget for implementation of the health care workforce data legislation passed by the legislature and signed by Governor Hochul (A.3050/S.3543). This should be an annual appropriation to fund regular collection and release of health workforce data, including EI providers, to inform and approve health planning and access and emergency preparedness.

Expand Home Visiting

New York State has long supported and invested in voluntary maternal, infant, and early childhood home visiting programs. Home visiting is a proven and effective strategy for improving maternal and child health outcomes, reducing child abuse and neglect, and increasing school readiness. Now more than ever, New York's families need home visiting as they face this unprecedented public health crisis.

WBNY commends the investment of an additional \$11 million in Healthy Families New York, and the commitment to award new contracts by the NYS Office of Children and Family (OCFS) services. We expect 1,600 families to benefit from these services.

WBNY requests additional investment in home visiting programs, specifically \$2 million for ParentChild+. ParentChild+ operates programs in multiple regions, including Long Island, NYC, and Onondaga, Rockland, Erie, and Westchester Counties. In addition, we are currently working to connect home visitors from ParentChild+ with new and expanding home-based/family child care programs through OCFS's child care deserts initiative (funded with \$100 million in federal stimulus funds). ParentChild+ is known for the training it provides and curriculum it shares with child care programs; **an increase of \$2 million to work with family child care providers would ensure that this professional development is possible.**

WBNY elevates the budget request of Parents as Teachers, an evidence-based home visiting program grounded in the Protective Factors Framework to promote parent/child health, **with an ask to the Legislature to reassert its commitment to approaching home visiting program service delivery and systems design through a strengths-based, racial equity, and family diversity lens.** WBNY urges NYS to shore up home visiting programs, with a dual goal of prioritizing programs that are culturally/linguistically responsive and eliminate gaps in service for families with multiple young children and diverse family structures.

WBNY also asks for continued support for the work of the First 1,000 Days on Medicaid. The pilot sites will yield crucial insight about the operation of a system of coordinated intake in certain counties, as well as insight about the role of home visiting on the continuum of early childhood services.

AFTER SCHOOL BUDGET PRIORITIES EMPOWER YOUTH SUCCESS

Afterschool programs in New York have risen to the moment. In spite of program disruptions caused by COVID-19, the vulnerability of the afterschool infrastructure, and the limited resources to work with afterschool, many afterschool providers – driven by passion and commitment to meet critical needs – continue to adapt high-quality programs to support youth and their families. For many New York families, afterschool goes beyond after school. More than ever, the afterschool system must be strongly positioned to streamline opportunities and processes to strengthen, enhance, transform, and leverage these programs to empower youth success. We ask the State to prioritize the recommendations below in the FY 2022-2023 budget.

S T R E N G T H E N	Restore \$5 million cut to the Advantage After School Program and baseline funding throughout the award term (2019-2025).	Amend the statutory per-student rate of the Empire State After-School Program to align with the base true cost rate and include and include flexibility for future minimum wage adjustments.	Provide a bridge investment of <u>\$169 million</u> to align current per student rate of state afterschool programs with a base true cost rate of \$4,300 for one year.
	A bridge investment would provide an ADDITIONAL:		
	<p><u>\$87.5 million</u> Towards one-year true cost investment of \$142.5 million for the Empire State After-School Program (Current funding: \$55 million)</p> <p style="font-size: 0.8em;">New RFP anticipated as early as fall 2022</p>	<p><u>\$40.4 million</u> Towards one-year true cost investment of \$73.4 million for the Advantage After School Program (Current funding: \$33 million)</p> <p style="font-size: 0.8em;">New RFP anticipated as early as fall 2024</p>	<p><u>\$41.1 million</u> Towards one-year true cost investment of \$65.4 million for the Extended School Day/School Violence Prevention Program (Current funding: \$24.3 million)</p> <p style="font-size: 0.8em;">New RFP anticipated as early as fall 2025</p>

We know that afterschool works: **Every dollar invested in high-quality afterschool saves approximately three dollars** through increasing youth’s earning potential, improving their performance at school, and providing protective factors against social risk factors.¹ Thus, persistent reductions in the Executive Budget undercut the Advantage program and puts more than 2,500 children at risk of losing access to their current afterschool program. Also, the highest per-student rate yet for a state afterschool funding stream in New York at \$2,000 falls short of what the rate should be (\$2,320) if it accounted for minimum wage adjustments while holding everything else constant. It is also woefully inadequate when considering the true costs of delivering high-quality programming, which can be as high as \$7,000 per student.

E N H A N C E	Direct a new line-item funding of \$250,000 to the NYS Network for Youth Success to strengthen statewide capacity building for high-quality school-age child care (SACC) programs.	Invest an additional \$3 million to expand the Educational Incentive Program.
	The Network is the only organization in New York that coordinates statewide expertise, resources, and technical assistance specifically focused on school-age child care. With no base funding however, the Network is not adequately positioned to provide this wide scope of quality support. <u>A \$250,000 investment is only about 0.6% of the required minimum CCDF quality set-aside (~\$41 million)</u> , none of which is dedicated to school-age child care. In addition to the supports provided, these funds would allow the Network to: <ul style="list-style-type: none"> • Explore and develop blueprints for data collection on school-age child care • Support efforts to expand QUALITYstarsNY to school-age child care programs 	The Educational Incentive Program (EIP) provides scholarships for credentialing activities, college credit-bearing coursework, and non-credit bearing trainings to help child workers develop professionally. However, EIP funds have been depleted by September— a testament of the incredible need to professionalize and build capacity for the afterschool field— leading to a waitlist of applications that would have been eligible to receive a scholarship if additional funding was available for the year.

<p>Commit to and fund a smart investment of \$6.9 billion over the next five years to provide access to afterschool for every New York child that needs it.</p> <p>For every child in an afterschool program in New York, four are waiting for an available program. Also, more than a third of New York counties have five or less state and/or federally funded afterschool programs in their region.² States like Vermont and California have made strides in their efforts to prioritize such investments, and New York is presented with the opportunity to champion universal afterschool as a national leader.</p>	<p>Direct \$500 million through a Child Care Investment Fund to provide funding to support competitive wages, and workforce and professional development for child care professionals.</p> <p>Many afterschool professionals, who are part of the resilient school age child care workforce, are often underpaid. As a result, many afterschool programs face staff shortages. In addition to wages, this fund would provide access to comprehensive health care, including mental health coverage; staff training; credentials, as well as other professional development opportunities.</p>
<p>Streamline contract process for a timely execution of contracts and payments to awarded afterschool grantees.</p> <p>Especially amid the pandemic, many state funded afterschool grantees who report facing long, redundant, and difficult contract processes have had to delay, suspend, and/or avoid future operations related to the grants. Others had to tap into lines of credit and assume dire expenses due to unexecuted contracts, thus threatening the efficacy of these funds to support programming.</p>	<p>Prioritize school-age children in the vision of universal child care in New York.</p> <p>For every 100 New York families, 46 are receiving child care subsidies for their school-age child[ren] between 5-12 years old.³ A universal child care system that also meets the needs of school-age children is necessary to preserve participation of families in the workforce and foster learning and development of all children. Transformative childcare must be built on an aligned, coordinated, and accessible continuum of care system that includes school-age children.</p>

<p>L E V E R A G E</p> <p>Provide appropriate measures in statute to ensure accountability and transparency in the utilization of ESSER III funds available to leverage afterschool, summer, and expanded learning programs.</p> <p>To ensure that schools are maximizing supports and leveraging community partnerships, the state should facilitate and make accessible school district data on:</p> <ul style="list-style-type: none"> • Type of supports and services provided and under what evidence-based intervention these supports occurred • Community partners school district engaged in providing these supports • Outputs and/or outcomes of supports and services provided 	<p>Require school districts receiving new RECOVS Learning and Mental Health grants to demonstrate mutual collaboration with at least one community-based afterschool, youth and/or family serving organization, and/or mental health partner to help students recover academically.</p> <p>School districts cannot meet the needs of students by themselves – they will need seamless supports to maximize school and community resources. School-community partnerships are a valuable strategy that promotes enrichment, strengthens engagement, and leverages experience to help foster student growth, development, and care.</p>
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In collaboration with the Association of New York State Youth Bureaus, New York State Community Schools Network, Campaign for Summer Jobs, and Winning Beginning NY, the Network supports the following budget asks:

Community Schools: Invest \$100M toward a new Community Schools Categorical Aid; maintain proposed \$250M in Community Schools Set-Aside and minimum allocation of \$100K; and increase funding for the Community Schools Technical Assistance Centers by \$800K.

Youth Development Program (YDP): Invest \$6M to bring funding back to FY2011 level at \$20.6M.

Summer Youth Employment Program: Maintain proposed \$46.1M.

Childcare: We support the requests of the Empire State Campaign for Child Care to take large steps toward achieving universal child care by expanding access to child care subsidies (\$2.8B); raising child care workforce compensation, and increasing provider reimbursement rates (\$500M); and transitioning to a payment rate model that accounts for geography, quality, and assumes all child care staff are paid at parity with elementary school teachers (\$600M).

² KWIC Maps, <https://www.nyskwic.org/map/kwicmap.cfm>. Counties with no state and/or federally funded afterschool programs: Washington; Herkimer; Saratoga; Hamilton; Warren; Orleans; Chenango; Madison; Cortland; Putnam. Essex, Clinton, Franklin, St. Lawrence, Seneca, Wyoming, Cattaraugus, Livingston, Yates, Schuyler, Tioga, Columbia, Greene, Ulster, Montgomery, Fulton counties have ≤5 state and/or federally funded afterschool programs. Source: KWIC Maps

³ National Center on Afterschool and Summer Enrichment. Federal Supports for Afterschool and Summer Child Care. 2021. Retrieved from <https://childcareta.acf.hhs.gov/sites/default/files/public/ncase-ny-saccdatabprofile-2021.pdf>

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Winning Beginning  NY

an early care and learning coalition

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