



Empire State Campaign for Child Care

Fund for Immigrant Families

Priority: Provide access to child care assistance to all otherwise eligible immigrant children, regardless of immigration status.

The Need

Governor Kathy Hochul announced new child care funding of up to \$7 billion over the next four years, and seeks to increase the availability and quality of child care programs in New York.¹ However, this budget persists in intentionally excluding many of New York State's immigrant children.² Despite well-established evidence that high-quality child care and early education improves physical and cognitive outcomes for young children and has undisputed individual and community benefits, eligibility for New York State's Child Care Assistance Program (CCAP) remains limited to children who are United State citizens and "qualified" immigrants.³

Left out are more than 23,000 income-eligible children who cannot access child care assistance under the existing system due solely to their immigration status.⁴ Among those left out are children with pending asylum cases and other children lawfully present in the United States, but who fall outside the federal definition of "qualified immigrant."

The Solution

New York should create a state fund to provide child care assistance to families with immigrant children "not qualified" under federal law for child care assistance. The State can build on the precedent of the fund for Excluded Workers which made funds available to workers during the pandemic who were denied many pandemic benefits due solely their immigration status. In enacting the Excluded Workers' Fund, New York recognized the essential contribution immigrant workers made to New York during the pandemic. The same holds true today. Accordingly, New York is overdue to include legislative language in the budget stating explicitly that eligibility for child care assistance does not depend on a child's immigration status and authorizing assistance to all eligible children, regardless of immigration status. Further, New York must include state funds in the budget to cover the costs of these services. This is an approach adopted by Illinois.⁵

Another example closer to home: New York City has just launched Promise NYC, a program to provide child care assistance to immigrant children ineligible for assistance due to their immigration status. New York City projects it will provide child care assistance to 600 immigrant children in the first half of 2023.⁶

Estimated Cost: \$60 million⁷

Child care is one of the best public investments New York can make. Economic research examining the return on investment for high-quality early education and care shows value ranging from \$4 to \$13 in return for every \$1 spent from impacts on educational attainment, employment, health, truancy, and more.⁸ For mothers, lack of access to child care means the inability to work, exacerbating poverty and less dollars for New York’s tax base. It is an investment New York must make in ALL the state’s communities, families, and children.

Universal child care means that child care assistance access does NOT depend on a child’s immigration status. Universal child care means ALL children. New York can and must provide care for ALL children.

For Further Reading, Scan This QR Code:



¹ State Fiscal Year 2022-23 Enacted Budget Analysis, Office of the New York State Comptroller (May 2022), available at <https://www.osc.state.ny.us/reports/state-fiscal-year-2022-23-enacted-budget-analysis>.

² Governor Hochul Announces Historic Investment in Child Care as Part of the FY 2023 Budget (April 9, 2022), available at <https://www.governor.ny.gov/news/governor-hochul-announces-historic-investment-child-care-part-fy-2023-budget#:~:text=New%20York%20State%20is%20investing,support%20for%20child%20care%20subsidies>

³ [immigranteligibilitycc.pdf \(clasp.org\)](#)

⁴ According to the [Migration Policy Institute](#) – there are 38,000 undocumented children under 16 in NYS. Proportionally reducing that to children under 13 (the age cap for child care assistance), there are ~31,000 children. According to census data, 41% of NY children living in immigrant families have income of 200% FPL or less. Income eligibility is currently capped at 300% of FPL, so we assume about 75% of these immigrant children would meet income eligibility for subsidies (or 23,250 children). Important note: many families choose to not use childcare. The current percent of families that choose to place their children in paid child care arrangements is about 21%. Assuming a similar uptake rate for this group of families, it is likely about 4,880 children in this group would access this program. Not included in this group, however, are children “lawfully present” in the United States, but still “not qualified” for federally funded child care assistance. In this group are children with pending asylum cases, children who have been granted various forms of deferred action, among other. We don’t have a clear estimate of how many children that fall into this group, but will assume that the total number of currently excluded children whose families may choose to place them in child care or afterschool will increase the number to at least 5,000.

⁵ 01.01.03 - Citizenship Status of the Child, Child Care Assistance Program (CCAP) Policy Manual (effective 8/7/2008), available at <https://www.dhs.state.il.us/page.aspx?item=46885> .

⁶ [Mayor Adams Rolls out "Promise NYC" to Provide Childcare Assistance to Low-Income Families with Undo | City of New York](#)

⁷ This cost assumes 5,000 children, at an average reimbursement rate of \$12,000 per child per year.

⁸ Andres S. Bustamante et al., The Brookings Institute, *High-Quality Care and Education: The gift that lasts a lifetime* (Nov. 2021), available at <https://www.brookings.edu/blog/education-plus-development/2021/11/04/high-quality-early-child-care-and-education-the-gift-that-lasts-a-lifetime/>