



Advocates for Children of New York
Protecting every child's right to learn

**Testimony to be delivered to the New York State
Office of Children and Family Services**

Re: Draft Child Care and Development Fund (CCDF) Plan for 2014-15

April 26, 2013

Thank you for the opportunity to discuss the Child Care and Development Fund Plan for 2014 to 2015. My name is Jessica Rubin-Wills, and I am the Kirkland & Ellis Fellow at Advocates for Children of New York. For more than 40 years, Advocates for Children has worked to promote access to the best education New York can provide for all students, especially students of color and students from low-income backgrounds.

We are a proud member of Winning Beginning NY, which supports state-level investments in high-quality early childhood education, and the Campaign for Children, which advocates for child care and after-school programs in New York City. Through our Early Childhood Education Project, we work to ensure that young children with developmental delays and disabilities receive services that enable them to make academic, social, and emotional progress and enter kindergarten prepared to succeed. We provide legal representation to low-income New York City families to help their young children obtain appropriate services. We also give information to families through our Helpline and conduct trainings for parents and child care providers across New York City.

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Based on our day-to-day experience working with New York City's low-income families, we know how critical it is to invest in high-quality, educational early childhood programs. The parents we serve depend upon full-day child care so they can work, go to school, and support their families. Their children also rely on these programs to develop their academic and social skills. By the time children enter kindergarten, children from lower socioeconomic backgrounds lag significantly behind children from higher socioeconomic backgrounds in academic skills. High-quality early childhood education programs are proven to help fill this gap. Rigorous research found that, compared to children left out of the early childhood program, low-income children who participated in Chicago's Child-Parent Centers were 40 percent less likely to be retained a grade in school, 35 percent less likely to need special education services, 29 percent more likely to graduate from high school, 31 percent more likely to hold a semi-skilled or higher level job, and 41 percent less likely to be arrested for a violent crime. Studies of other high-quality early childhood programs have found similar outcomes, resulting in substantial cost savings to schools, cities, and taxpayers.

With this overwhelming evidence, it is clear that our leaders must come together to ensure that more children have access to quality early childhood education programs. We are pleased to see that both President Obama and Governor Cuomo have recently recognized the importance of early childhood education. Unfortunately, current



funding levels are not sufficient to meet the needs of low-income children in New York. According to a December 2012 report by the New York City Independent Budget Office, compared to six years ago, there are 15,000 fewer child care slots available to low-income families in New York City. We are currently facing the potential loss of nearly 8,000 additional child care seats in New York City under Mayor Bloomberg's budget proposal. At this time when we need increased funding to restore seats, meet rising costs, and expand access to high-quality child care, this draft plan instead proposes a \$1 million decrease in state matching funds. We will continue to work with coalitions of advocacy organizations to demand increased funding for early childhood education at the local, state, and federal levels.

In addition, in order for these early childhood education programs to fulfill their promise of closing the academic achievement gap, we need to make sure they are meeting quality standards and implementing a developmentally appropriate curriculum. We are disappointed to see that this plan includes a decrease in funding for initiatives to improve the quality of child care. Instead, we urge New York to make quality initiatives a priority and identify funding to implement QUALITYstars NY state-wide. QUALITYstarsNY will help to identify child care and early learning programs that are meeting high-quality standards, provide technical assistance to enable programs to raise their standards, and educate parents about how to choose high-quality programs for their children. In addition, the draft plan indicates that



QUALITYstarsNY will be used to measure whether programs are implementing New York’s early learning guidelines and whether these guidelines are improving outcomes for children.

We also want to address the urgent need to improve programs’ abilities to serve young children with developmental delays and disabilities. Research demonstrates that children undergo the vast majority of brain development before the age of 5, so early childhood is the time when services to address developmental delays can make the biggest impact. We are pleased to see that the draft plan identifies as a goal that OCFS will review policies relating to serving children with special needs and revise existing administrative directives. As the draft plan notes, the state identified this goal in 2012-13 and was unable to meet the goal due to “competing priorities.” This goal must be among the highest priorities for the upcoming year.

Many young children with delays or disabilities can participate in child care and early learning programs alongside their non-disabled peers if they are provided with appropriate supports and services. Under the law, programs cannot exclude a child due to his or her disability and must accommodate the child’s needs. Unfortunately, we have heard from parents of children with disabilities that child care programs have told them they are not equipped to serve their children. Some parents have trouble locating a program that will enroll their child because of their child’s needs. Other



children have been placed on truncated schedules or even discharged from their child care programs because their disability causes them to exhibit challenging behaviors.

For example, we heard from one parent of a young child with developmental delays who receives services from the Early Intervention program. This parent desperately needed full-day child care so she could work, so she began making dozens of phone calls to programs to try to find a seat. Multiple programs turned her away, claiming they could not meet her son's special needs, even though his Early Intervention providers were willing to come and work with him at the child care site. We contacted ACS on the parent's behalf and asked them to help clarify to programs that they cannot turn away children with disabilities. We are very grateful that after ACS intervened, a program in the family's neighborhood enrolled the child and worked with his mother to create a plan to accommodate his needs. However, we are very concerned about the many families who do not make their way to Advocates for Children for help and who struggle to find care for their children with special needs.

We therefore urge OCFS to ensure that programs have access to training and professional development so that staff are prepared to welcome children with disabilities and provide them with a safe and supportive environment. OCFS must also ensure that programs have access to technical assistance, such as mental health consultants and other specialists, who can help them develop plans to serve children



who exhibit challenging behaviors. We also urge OCFS to ensure that the child care resource and referral agencies have the funding and training they need to address the challenges that families of children with disabilities face when trying to find care for their children.

In addition, the draft plan shows that children with special needs get priority for CCDF-funded programs, and providers who care for children with special needs receive higher rates. We fully support both of these directives. However, we urge the state to revise the definition of children with special needs, as outlined in the draft plan on page 86. The plan defines a child with special needs as a child who has been diagnosed with one of a list of ten specific disabilities. However, not all young children with developmental delays have a formal diagnosis. We encourage OCFS to amend the definition of a child with special needs to also include any child who has an Individualized Family Service Plan through the Early Intervention program or an Individualized Education Program through the preschool special education program.

It will pay off dramatically in the long run if we invest now in providing high-quality educational opportunities to low-income young children and if we ensure that children with disabilities have the support they need to participate in these programs. Every day in our work with families, we see the critical need for these child care and early learning programs, and we also see the dramatic gains that young children can



make when they have access to them. We thank you for the work you do on behalf of these children, and we urge you to provide the necessary funding to expand access to quality child care for all children, including children with disabilities.

Thank you for this opportunity to speak to you today.