



**TESTIMONY BEFORE THE
NEW YORK CITY COUNCIL
COMMITTEES ON EDUCATION and WOMEN'S ISSUES
RESOLUTION #2, SUPPORTING UPK
February 11, 2014**

Good Afternoon. My name is Andrea Anthony and I am the Executive Director of the Day Care Council of New York (DCCNY). The Day Care Council of New York is a membership organization of 106 nonprofit organizations that operate approximately 200 Early Learn child care programs, both center-based and home-based, in the five boroughs of New York City. Our member agencies are under contract with the City's Administration for Children's Services to provide accessible and quality early childhood education services for families. It is estimated that the Day Care Council's member child care centers serve approximately 30,000 children.

I would like to begin my testimony by thanking the Chair of the Education Committee, Daniel Dromm and the Chair of the Women's Issues Committee, Laurie Cumbo for the opportunity to testify on Resolution #2, Supporting Universal Pre-Kindergarten. We appreciate your interest in hearing our comments.

First, the Day Care Council of New York strongly supports Mayor Bill deBlasio's proposal to expand Universal Pre-kindergarten programs to serve all four year olds, regardless of income, and expansion of afterschool programs for youths. His commitment to address a fundamental educational need for our youngest citizens will only have a positive impact on communities. Parents of all income levels will have a choice as to whether they want to enroll their child in full day Pre-Kindergarten that will be free-of-charge, a significant and welcome milestone for thousands of families. In addition, the expansion of Universal Pre-Kindergarten presents thousands of new jobs for early childhood professionals and for those paraprofessional individuals who provide support in the classroom. There is much to applaud and look forward as we plan this initiative. However, there are a number of issues that will take careful consideration and analysis as we move forward.

My testimony will focus on the early childhood portion of this proposal and the importance of maintaining a strong partnership between the nonprofit sector and the Department of Education (DOE) but with careful examination of the infrastructure to support additional UPK services. Nonprofit agencies have helped the City expand Universal Pre-Kindergarten services to hundreds of families. According to the DOE's UPK directory for 2012-2013, there are 940 community based UPK programs in the five boroughs offering full and half day UPK programs. To extend the day, a number of agencies rely on parent fees. In the subsidy system, UPK is used as "wrap around" funding for Head Start programs to extend the day and in child care to free up funding for more subsidy seats. A number of the UPK half-day seats are Early Learn providers.

The nonprofit sector views itself as a partner with the City on UPK. The existing collaboration between the DOE and the nonprofit sector has been, for the most part, a successful venture serving to create a true investment in young children.

DCCNY's member agencies provide child care under the new system established by the Administration for Children's Services (ACS) last year known as Early Learn. The funding formulas for Early Learn include child care, Head Start and UPK. UPK funding is used to extend the day of care for Head Start programs and supplement child care funding to create more subsidized spaces for children. There are 154 Early Learn contractors of which 55% or 85 are members of the Day Care Council of New York. An additional 21 agencies are City Council discretionary programs bringing the overall total to 106 members.

When we stop to take a close look at early childhood services in New York City, we see that the responsibility is spread across five city agencies: 1. Department of Health and Mental Hygiene; 2. the Administration for Children's Services; 3. the Human Resources Administration; 4. the Department of Education, and 5. the Office of General Services. It's time that we discuss how to establish one city agency that combines all of the early childhood education services currently administered by these five city agencies. In all cases, early childhood is overseen by a department or bureau within these agencies. Extracting a department from within city agencies with numerous other functions should not cause a significant disruption. As many of you know, this is not a new idea. We are hoping that the will to finally make this change happen has arrived in the form of a new Mayor, new City Council leadership and members who want change.

Our major infrastructure concerns that relate to the significant expansion in UPK are as follows:

- (1) salary parity for existing and new staff working in community-based child care programs who have the same education and credentials, but may not receive a salary comparable to their counterparts in public schools;
- (2) the introduction of full-day UPK and the possibility of additional subsidized spaces for infants/toddlers and three year olds in child care programs;
- (3) the calendar year for UPK verses the calendar year for regular child care programs which are year round, averaging 10 hours per day versus the current UPK model of six hours;
- (4) the different standards for security clearance for early childhood care programs verses UPK programs housed in the same center; and
- (5) the need to establish a Citywide Universal Pre-Kindergarten Advisory Committee.

These are only a sampling of the questions that have arisen since the first announcement that New York City will offer full-day UPK for all four year olds.

Salary Parity

Child care professional working in our member agencies are unionized and have not received a salary increase since December 2006. The Day Care Council's role is to negotiate on behalf of our members for a collective bargaining agreement that includes the collaboration of ACS, the

City's Officer of Management and Budget, and the Office of Labor Relations. Over the past eight years our requests to the previous Administration to open negotiations with the unions have been ignored. We are hopeful that labor negotiations for child care workers in nonprofit agencies that are unionized will begin shortly. One of the issues will be salary parity for certified teachers in community-based organizations comparable with their counterparts in the public schools.

DCCNY member agencies are dealing with the problem of different salaries for early childhood teachers working in the agency under Early Learn. Early Learn encompasses three different program models; one of the models is mixed funding combining Head Start with child care. Although, it appears on the surface to be a responsible means to increase the number of care hours for children enrolled in Head Start, it has caused a major rift between unionized teachers and workers who are members of different union locals with different salary scales based on the funding for the program, i.e., federal for Head Start and Child Development Block grant funding for child care. Now we may be faced with the real possibility that staff in UPK classrooms working in the same child care center will be paid a higher wage based on the DOE contract.

It is unclear whether the UPK contract will include enough funding to pay the same level of salary as teachers who work in UPK classrooms in public school settings. Certified teachers in the public school system, who are members of UFT, are paid starting salaries of \$51,425 with a master's degree and no experience; while individuals in our system that have a master's degree and experience start at \$39,350. We must also include funding for other compensation incentives that are important to people, i.e., health insurance and pension benefits. It is critical that we do not establish an imbalanced early childhood system that compensates workers in the public school system higher than their counterparts in community-based programs.

Under New York City's Department of Public Health code regulations, child care centers are required to have certified teachers in charge of a classroom. This certification is obtained through specific education and training requirements mandated by the State Department of Education (SED). UPK teachers in community-based programs are required to have the same credentials as teachers in DOE. The major problem often faced by the nonprofit sector is the inability to compete with DOE for teachers because of the lack of funding to meet the wage and benefits offered by the public sector. However, we strongly believe that certified teachers and directors are critical to the future of the early childhood education system in our city. The nonprofit sector must be included in all discussions relating to the expansion of UPK/early childhood education services.

Infant, Toddlers and Three Year Olds

Child care funding is a mixture of federal, state and city dollars. There is an expectation that establishing full-day UPK will result in additional subsidy funding for more infants, toddlers and three year olds to attend child care programs. In general, those in the early childhood field are assuming that this will happen, but it's not being discussed.

It's unclear whether ACS and DOE have begun analyzing the numbers and possible outcomes of having a possible "surplus" of funding because four year olds are enrolled in full-day UPK programs that are free of charge. Our members are asking how they should plan if they are awarded a UPK contract as a result of applying for the program under the current RFP that is due on February 14, 2014. Early Learn mandates full enrollment and payment based on those numbers. For example, an agency could have a licensed capacity of 60 for the center; devote

two classrooms to UPK and the remaining classrooms for 2.5 or three year olds totaling 18 -20 children. The agency could have full enrollment in the UPK classrooms but a shortage of nine children in the third classroom funded by ACS. ACS will reimburse the center for only nine children which will represent a significant funding shortage.

The cost of establishing an infant/toddler classroom is expensive. The staff to child ratio is higher and the number of children per classroom is lower for infants and toddlers. If agencies have the opportunity to receive a reward for UPK, they will then have to decide how to retrofit their center for a younger age group and recruit/market infant/toddler services to parents. This significant change requires funding which the DCCNY's member agencies do not have within their existing Early Learn budgets. Under Early Learn, DCCNY members are required to raise 6.7% of their budget for programming. This has proven to be extremely difficult for agencies that were never put into this situation prior to Early Learn. This issue of how the child care system will change and gear itself up to care for more infants, toddlers and three year olds must be discussed prior to a major revamping and increase in UPK funding.

The Calendar Year for Child Care Verses UPK

We know that UPK is a 10 month program with shorter hours than a regular child care program. Questions have risen on how the day will be extended for four year olds and what happens to these children in July and August? Should our member agencies apply for after-school funding or solicit private funding for possible summer opportunities for four year olds? It is unclear if there will be sufficient funding to support an extended day beyond regular public school hours.

It is also assumed that staff in UPK classrooms will be laid off during this period. If UPK is expanded to the level of full-day for all families who want it, that represents a massive layoff of education professionals each year. They are not eligible for unemployment. Should agencies pay staff on a 12 month basis or on the same schedule as public schools and enlist the UPK staff for summer opportunities with four year olds? Unfortunately, funding will need to be identified for this service.

The State Child Abuse Clearance Process

The coexistence of multiple programs governed by different contracts within nonprofit center based programs poses additional issues for existing child care workers. The Department of Investigation (DOI) currently conducts security clearance for child care workers within the child care programs. The DOE previously accepted the security clearance conducted by DOI. However, the recent 2013-2016 DOE UPK contract states in Article 19 (2)(ii) that "fingerprint results from the New York City Department of Investigation (DOI) are no longer valid." This recent change has impacted existing child care workers because DOE requires clearance of all employees within the center that might come into contact with the children in the UPK classrooms despite the fact that a particular employee might not be a part of the UPK program. This has resulted in the termination of some employees who were once cleared due his or her failure to receive clearance from DOE due to a more stringent clearance procedure on the part of the DOE.

Differential security clearance for child care programs that co-exist within a center is an absurdity that must be addressed. If, an employee received clearance from DOI to work with a younger more vulnerable group of children, it is a logical conclusion that this clearance should

also carry over to those who are somewhat older and somewhat less vulnerable. Differential security clearance sends a mixed message that children in the UPK program are more important than those in Head Start, Early Learn, and Discretionary funded program. It is necessary that one security clearance procedure for both types of program is implemented.

City-wide UPK Advisory Committee

Finally, we recommend that consideration be given to revitalizing the Citywide Universal Pre-Kindergarten Advisory Committee or create a similar advisory body that would work with the DOE and community-based organizations that offer early childhood education services. Such an advisory committee should include citywide representation from the nonprofit sector, higher education, business leaders, and for now, representatives city agencies involved with early childhood education from the Administration for Children's Services, the Department of Health, the Human Resources Administration and the various labor unions which were included in the former Citywide Advisory Committee. An advisory committee would be a good open forum to discussion how all parties could work together on a common goal.

We strongly recommend that consideration be given to the creation of an advisory body that meets on a regular basis and is charged with the responsibility of developing an early childhood education system that we can be proud of.

Summary

To reiterate, we support the Mayor Bill deBlasio's initiative to expand UPK services for all four year olds in our City. We urge you to carefully consider the important infrastructure issues that we have outlined (and I'm sure there are others) to successfully offer a program we can be proud of.

Thank you this opportunity to testify.

Submitted by Andrea Anthony, Executive Director
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