



August 30, 2007

The Honorable William C. Thompson, Jr.
City Comptroller
Office of the Comptroller
One Centre Street
New York, NY 10007

Dear Mr. Thompson:

I applaud you and Gayle Nayowith for speaking out on a most important and critical issue in New York City: the failure of the Department of Education (DOE) to view Universal Pre-kindergarten (UPK) as the unique opportunity it presents for young children and for the future of our public education system. Your op-ed article, Teach the Toddlers, which appeared in the August 26 edition of the New York Times, asserted correctly the importance of expanding UPK in our City.

Thank you for noting that a half day of UPK is “better than none.” I agree that most parents would prefer a full-day of service, but as it stands now, we are battling a huge bureaucracy that continues to change each year. Changes in the organizational structure of DOE have a direct impact on the operation of UPK. This is just one of the major problems we are grappling with as we try to unravel the maze of UPK in DOE.

As the umbrella organization for the publicly funded child care system, the Day Care Council of New York has taken a lead in assisting our member agencies to apply for and sponsor UPK programs. The Day Care Council of New York is the membership organization for 250 nonprofit organizations that operate more than 360 child care and family child care programs in New York City. You noted that 48,000 young children are enrolled in UPK programs. More than half of this number, or 60 percent, are enrolled in community-based organizations (CBOs) which include about 200 of our member agencies. The Council’s member agencies are the CBOs that you stated in your article should be used to expand UPK.

Unfortunately, there are a number of issues surrounding the implementation and throughout the operation of community-based UPK. Enrolling children into the half-day slots is only the tip of the iceberg. I believe if we place our focus solely on filling the half-day slots, and do not take the time to address several other serious issues

throughout the UPK system, we will be unable to create a program that “takes universal pre-kindergarten programs seriously.” Given your demonstrated concern for the future of the City’s early childhood education system, we could certainly use your influence and help at this time. Allow me to outline some of the major issues confronting CBOs operating UPK programs:

- The recruitment and retention of certified early childhood education teachers in a community-based setting;
- Disregard by DOE for a unionized workforce and the collective bargaining agreement that is currently under negotiations;
- The lack of a standard or consistent cost per child rate for half-day or full-day UPK services among the CBOs in all five boroughs;
- The absence of start-up funds for CBOs that are new to UPK;
- Flat funded UPK contracts from the DOE for the next three years – regardless of future expenses;
- The removal of transportation services for special needs children attending UPK programs; and most importantly,
- UPK is a short-term grant, not a universally accessible service for the public.

Recruitment and Retention of Certified Teachers. The issue of the recruitment and retention of certified teachers is of paramount concern to our member agencies and to the families they service. We cannot have a quality early childhood system unless we hire individuals who have obtained the appropriate education and training for the job. As you eloquently stated, “children’s early exposure to structured education is critical for developing cognitive abilities that will allow them to be successful in academics...” A structurally designed curriculum requires a certified teacher who can implement it and thereafter, assess if the child is truly learning.

Our member agencies are faced with a tremendous challenge in recruiting teachers to head UPK classrooms due to the lack of parity with the DOE. Provisionally certified teachers with a bachelor’s degree who work in a unionized CBO program are paid a starting salary of \$36,542. In DOE, the starting salary is \$43,362 for the same education and credentials. For permanently certified teachers, the salary gap is much worse. The starting salary in CBOs is \$39,350; while their counterparts are earning \$48,976. Both groups of teachers – those who are provisionally or permanently certified – are required to have the same education and take the same New York State certification tests.

Another issue is that the collective bargaining agreement expired over a year ago on March 31, 2006. We expect to begin negotiations with the city shortly, but it is unclear if any accommodations will be made for certified teachers who head UPK classrooms. Please keep in mind that this problem affects the director of the child care program who, in most cases, is a certified teacher which is one of the main reasons why DOE has granted the UPK program to the CBO. Any proposals to increase the salary levels of certified teachers in CBOs must take into consideration the compensation of the directors.

I have enclosed a copy of our recently completed survey on Certified Directors and Teachers within the Day Care Council's membership. The survey was done to highlight this pressing need. I have also enclosed a copy of my editorial which appeared in the New York Nonprofit Press which raises questions about the future of the publicly funded child care system.

Disregard for the Union Contracts. We have received a number of telephone calls from our member agencies who reported that they have met with DOE to discuss expanding their UPK contract; however, DOE officials have refused to recognize the existing collective bargaining agreements. The vast majority of publicly funded child care programs are unionized. As such, salary increases, work rules, and employee benefits are subject to the collective bargaining agreements. Many directors have stated that DOE will not honor the salary increases that may be proposed in the new contract. This is a problem that must be resolved before an agency begins its UPK program this fall.

The Lack of a Standard/Consistent Rate. Since its inception in 1997, DOE has not created a standard or consistent rate for UPK services. Some agencies are paid \$2,800 for half-day services, while other programs are paid more than \$3,000 per child for the same service. This inconsistency is found throughout the boroughs and there are a number of reasons for it, i.e. differences in facility and administrative costs, and program activities, etc. We may not be able to achieve a consistent rate; however, we can mandate that each UPK program includes components that will ensure quality. For example, all programs should have certified teachers whose salary is comparable to the DOE; a nationally recognized early childhood curriculum; structured social activities; and training opportunities for staff that promotes continuing education. The cost for these components may vary among the CBOs, but in creating a UPK program, we would all agree that every child should be given a similar opportunity for learning.

The Absence of Start-up Funds. Community-based organizations are not automatically given start-up funding for half-day UPK programs. If the director is astute enough to negotiate start-up funding, then it is granted. Your article asserts that ACS child care and Head Start programs could "easily be adapted to the universal pre-kindergarten standards, allowing at least 4,000 children to be brought into the program... But what about start-up funding for CBOs new to UPK? With the loss of after school funding, ACS funded programs may have an empty classroom available, but need funds to purchase basic equipment and supplies for the children. These costs are only funded if they are negotiated successfully by the CBO with DOE. Public schools are automatically allocated \$18,000 in start-up funds for new classrooms.

Flat Funding for Three Years. A number of our member agencies have called us to report the outcome of their interviews with DOE in negotiating changes in their existing contracts from half day to full day UPK. According to at least three directors, they were told by DOE that the contract would remain the same amount for three years, regardless of basic inflationary increases in operating expenses. How are

CBOs expected to deal with annual rent increases, supply needs, etc. without assistance from DOE?

The Removal of Transportation Services. Another troubling issue that has come to light recently is the integration of special needs children or children with disabilities into UPK and the accompanying transportation needs for them which are not funded by UPK. One Day Care Council member agency is being threatened by a lawsuit from a bus company that is refusing to transport special needs children who participate in UPK services. The bus company claims the CBO should pay for the cost, while the CBO maintains that UPK is responsible for this expense.

UPK is a Short-term Grant. As you know, agencies are required to apply for UPK. It is a short-term grant, not a universally accessible program open to all four year olds. "The key to expansion lies in identifying a larger pool of community-based partners and setting up a more accessible and better publicized contracting process..." Your suggestion has much merit but rests solely with the DOE proposal approval and contracting process which baffles most CBOs. A prime example was the previous RFP application process which did not give CBOs enough time to complete the application. Subsequently the deadline was extended. Even with the extended deadline, not as many CBOs applied for UPK as anticipated.

One of your more interesting comments was as follows: "one place to start might be with the organizations that already work with the city's Administration for Children's Services..." I agree. It's an excellent place to start and we are ready for the challenge. However, in any partnership, there must be balance, a sharing of ideas, and cooperation.

I agree with you that a comprehensive plan needs to be developed by the DOE, but CBOs must be involved in its development at its inception. In July, the Day Care Council held a major forum on UPK with over 300 participants. At that time, Jennifer Jones Austin, the Family Services Coordinator in the Mayor's Office, spoke about a plan for UPK. She said the Mayor's Office, DOE and ACS had formed a committee to work together and develop a plan on UPK. At this time, I am not aware of the status of this plan because community-based organizations are not part of this initiative. However, knowing Ms. Austin as I do, I know she would be more than happy to discuss the group's progress with you and how a comprehensive plan for UPK could be created. If you decide to move forward on such a venture, I firmly believe that any plan for UPK needs to include CBOs. On behalf of our members, the Day Care Council would like to be included in the dialogue and viewed as partners in all future planning initiatives.

The seven issues that I have outlined: (1) difficulty in hiring certified teachers; (2) DOE's disregard for a unionized workforce in ACS funded programs; (3) the lack of a consistent rate per child; (4) the absence of start-up funds for new UPK programs; (5) flat funding for three years; (6) removal of transportation services for special needs children; and (7) the limitations on UPK funding as a grant. These are just some of

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the issues that the Council's membership and other CBOs are experiencing as they try to work with the current UPK system. Your intervention at this time on these issues would be very helpful.

In closing, please know that the additional state funding provided to NYC is viewed as an opportunity for half-day and full day UPK slots. If the funding was universal, it would be accessible to all families. This is an advocacy position your office could help champion.

I do hope that you will continue to question and ask for answers on UPK. The Day Care Council is available and ready to work with you. I will take the liberty of calling your office next week to request a meeting to further share our concerns and ideas.

Thank you for your support and consideration.

Sincerely yours,

Andrea Anthony
Executive Director

cc: Gayle Nayowith
DCCNY Board of Directors

Enclosure (2)