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## Comments on the Department of Education’s Birth-to-Five RFP Preview Paper: A Response from the Day Care Council of New York

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For 70 years, the Day Care Council of New York, Inc. (DCCNY) has represented publicly funded community-based child care organizations (CBOs) that care for and educate the youngest and most vulnerable children in New York City. Over time, government funding, program models, and regulations have evolved for the betterment of families. However, these changes have sometimes made it difficult for CBOs to continue to serve the communities they represent. In the past, CBOs have had to adapt to regulations and policies that sometimes do not take into consideration the challenges of operating child care programs.

The transition of EarlyLearn programs from the Administration for Children’s Services (ACS) to the Department of Education (DOE) will create many opportunities for improving the entire contracted child care system. The merging of child care with the DOE’s Pre-K for All program is a natural fit that recognizes child care providers as educators. [DCCNY applauds the DOE’s efforts to listen to the expertise of the CBOs who will be implementing the Birth-to-Five, Head Start/Early Head Start, and Family Child Care programs.](#)

However, the RFP preview paper brought to light many prevailing questions. Some of these questions touch on issues that have long been challenges for CBOs, while other questions focus on new areas of concern. [What is missing from this RFP preview paper is a clear rationale for why certain aspects of the Birth-to-Five, Head Start/Early Head Start, and Family Child Care programs will be structured as outlined.](#) Without clearly citing the evidence underpinning the DOE’s vision for a comprehensive continuum of Birth-to-Five programs, it is difficult to embrace changes that may ultimately make it more administratively burdensome for CBOs to implement child care programs. Concept papers usually state whether new programmatic changes are based on either the expertise of CBOs, evidence-based research, or solid theories of child development and program management. [The RFP preview paper does not provide the necessary level of detail to both understand the DOE’s vision for a comprehensive Birth-to-Five system and plan for, perhaps, the largest contract bidding process the nonprofit CBO child care community has experienced in six years.](#)

This formal response from DCCNY documents the most pressing areas of concern for our member agencies and provides recommendations for how to respond to these potential challenges. The comments and recommendations are organized based on the following topics:

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## I. Program Models, Proposals, & Contracts

- What is the specific timeline for the release of the RFP?
  - **Comments:** It is unclear how much time will be provided to write proposals in response to the RFPs. The preview paper states general release timeframes, such as “winter 2019,” but some CBOs have interpreted that to mean January 2019, while others interpreted that as being December 2019. Even within the course of a month, an RFP released on February 1<sup>st</sup> provides significantly less time to prepare for the RFP than one released on February 28<sup>th</sup>.

The uncertainty of other governmental funding sources and the required approvals is acknowledged. However, for the purposes of proposal writing, it is necessary to have a specific timeframe for when the RFP will be released and how much time will be given for CBOs to develop and submit their proposals.

- **Recommendations:** DCCNY strongly recommends providing at least 90 days for CBOs to respond to the RFP. As a part of those 90 days, CBOs need at least 30 days to both read and analyze it before beginning to write their proposals. Based on the details revealed in the RFP, CBOs will need adequate time to write specific proposals per specific site.

The preview paper states that the RFP for family child care will be released following the RFPs for Birth-to-Five and Head Start/Early Head Start. We recommend that the same amount of time for CBOs to write and submit proposals be given. For example, if the Birth-to-Five RFP is released January 15, 2019 with a deadline of April 15, 2019; and the Family Child Care RFP is not released until February 15, 2019, then CBOs should have a comparable deadline of May 15, 2019.

DCCNY also recommends that there be clear language in the RFP about the terms and length of the awards. For example, are contracts that are awarded in 2020 in going to be five (5), seven (7), or 10 (ten) years?

- How many proposals are required per RFP?
  - **Comments:** The RFP preview paper clearly states that there will be three (3) separate RFPs and that contracts will be allotted per site, but the maximum number of proposals per site is not specified. It is also unclear whether agencies will be permitted to apply for an unlimited number of contracts. Is DOE creating “super agencies” with 20 or more contracts across multiple sites?

Another issue is whether or not the Birth-to-Five RFP has one (1) program model, two (2) program models (School Day/Year or Extended Day/Year), or three (3) program models (School Day/Year, Extended Day/Year, or a mixed-classroom model) . In other words, if an agency is only applying for a Birth-to-Five contract, would the maximum number of proposals be one (1), two (2), or three (3) proposals?

- **Recommendations:** Please define the term “program model” with respects to the number and type of RFPs, as well as the corresponding number of proposals required per site. DCCNY recommends the RFP have specific examples that explain the number of proposals and contracts a CBO could have, considering that many agencies are multi-service providers. Additionally, DCCNY recommends that the DOE place a maximum limit on the total number of contracts a vendor may be awarded.

Finally, consideration must be given to agencies that elect to operate one program in only one site. The child care system does include large multi-services agencies that operate child care programs across multiple sites, but those that are **small (stand-alone) programs continue to provide valuable services to their communities and must be considered.**

- Is it possible to honor the current EarlyLearn practice of one (1) contract per vendor?
  - **Comments:** While it is DOE policy to contract per site, EarlyLearn providers currently have one (1) contract for all of their sites. Many providers prefer this method because it centralizes management.
  - **Recommendations:** DCCNY recommends that the DOE consider the current EarlyLearn practice of contracting per vendor with multi-sites but with one contract. **The administrative burden of managing multiple contracts may result in higher management costs.**

## II. Enrollment, Budgets, & Payment

- Will CBOs be responsible for recruitment and retention of slots when centralized enrollment makes it difficult for CBOs to have any control over the process?
  - **Comments:** EarlyLearn revenues were once budgeted per child, until it became clear that underutilization of slots was threatening the financial solvency of CBO providers. In some cases, the underutilization of slots was out of the CBO's control. This was especially true in gentrifying neighborhoods where demographic changes made it difficult for providers to recruit income-eligible families. In other cases, the launch and expansion of Pre-K for All also made it difficult for nonprofit CBOs to compete with for-profit private providers and public schools.
  - **Recommendations:** While the RFP preview paper does mention that a portion of a CBO's budget will be guaranteed, **DCCNY cannot emphasize enough that the DOE must cover the necessary OTPS costs and support staff salaries that are not contingent upon enrollment,** such as utilities and rent. The RFP should also clearly state the types of support staff whose salaries will be included in baseline funding. The RFP should specify what line items will be covered. For example, given the instability of property values in New York City, the DOE must recognize the escalating cost of rent in gentrifying neighborhoods.
- If funding will revert back to a per child rate, will CBOs be paid based on their allotted number of slots, the number of enrolled children, or the number of children in attendance?
  - **Comments:** Centralized enrollment will make it difficult for CBOs to fill their slots. Regardless of a CBO's recruitment efforts, there is no guarantee the CBO that recruited families will be able to keep those families in their centers. Also, once families are enrolled, honoring parent choice can often result in families withdrawing from programs before the start of the school year. If the DOE awards a vendor with 20 slots and there is centralized enrollment, the DOE must be responsible for filling those 20 slots. At the very least, **the DOE should not penalize CBOs for vacancies among its slots.**

Finally, child attendance is often out of the control of CBO providers. Budgeting on a per child per monthly basis assumes high levels of attendance from all enrolled children. For example, if a child is repeatedly absent due to illness, travel, or other family circumstances, and their

attendance falls under a certain threshold, would that low attendance affect a CBO's funding? If funding is attendance based, CBOs may operate at a financial deficit if they have families with low-levels of attendance or children who drop out mid-year and do not notify the providers of this change.

- **Recommendations:** In order to ensure financial stability, CBOs should be paid based on the total number of slots in their contract regardless of attendance. **If centralized enrollment will be the means by which families will enroll, then the responsibility for filling the slots should not be placed on the CBOs.** Otherwise, CBO recruitment efforts will be futile if the DOE's algorithm ultimately determines where children will be placed.

In addition, centralized enrollment should be a more transparent process. For example, CBO child care administrators should be able to periodically review DOE's central enrollment system to determine where their families are in the process of registration. If possible, CBOs should be able to enroll families on site. This is especially important for the Early Head Start-Child Care Partnership (EHS-CCP) programs, which currently do onsite registration.

- How will funding be allocated across classrooms if budgets are based per child, age of the child, and the *teacher qualifications* of the classroom?
  - **Comments:** The RFP preview paper does not have clear language about how per child funding will differ based on teacher qualifications. The language used in the preview paper implies that there will be different per child rates depending on whether the child is in a classroom that is led by a study plan teacher or in a classroom led by a certified teacher. If this is true, and given the current and fluctuating number of study plan teachers in CBOs, that will lead to serious inequities in funding for children across different classrooms.
  - **Recommendations:** Funding should be equal across all classrooms within a program based on the age of the child. We recommend that waivers be considered for those teachers who are enrolled in an accredited course of study with specific goals to complete this work. We support high quality early childhood education. We recognize a core part of achieving this is an educated workforce beginning with the center director and lead teacher in each classroom. **DCCNY is prepared to help study plan teachers complete their education.** We recommend that they be given the time and consideration to do so, thereby maintaining the critical education resource necessary for young children.
- Can startup funds be used for NYCHA repairs or marketing/advertising child care programs?
  - **Comments:** CBO child care and Pre-K for All programs cannot compete on the same level as DOE district schools. CBOs do not have the same visibility or resources to advertise their programs. If CBOs are responsible for recruiting income-eligible families for CCDBG-funded year-round programs and also middle-class families for the Pre-K for All slots, additional funds should be made available for CBOs to use for marketing and advertising their programs in their neighborhoods.
  - **Recommendations:** Startup funds should focus on building repairs and advertisement of programs. **In addition, the DOE should work with NYCHA to develop a memorandum of understanding (MOU) with clear divisions of responsibility for timely maintenance and repairs of child care and Pre-K for All programs located in those facilities.** Having funding for repairs and inter-agency coordination on this issue is absolutely necessary for this transition to be a success.

### III. Program Design

- Will teacher and assistant teacher qualifications change? What types of career pathways will be available to staff? For example, professional development opportunities, promotion or salary incentives, tuition scholarships or student loan forgiveness opportunities.
  - **Comments:** New York State UPK funding has set requirements for teacher and assistant teacher qualifications. It is important for the DOE to consider the number of teachers on study plans who will need time to adjust their education plans in order to meet any changes to qualification requirements. For many individuals, going back to school to complete a graduate degree will take at minimum of five (5) years and that does not take into consideration the special circumstances that are barriers to returning to school.
  - **Recommendations:** Teacher qualifications in the DOE's Birth-to-Five continuum of programs should be consistent with requirements set forth in both Article 47 and any labor contracts that are currently enforced. **Any conflicts between DOE policies, Article 47, and labor contracts should be discussed, examined, and resolved prior to release of the RFP, especially on issues related to staff qualifications.** The DOE must bring together all necessary parties to any labor agreement in order to avoid conflicts between DOE policies and the current collective bargaining agreements. Any additional changes to staffing qualification requirements should be phased in over the course of three (3) to five (5) years.
- How will racial and socioeconomic integration be implemented? What responsibilities will CBOs have to support that integration effort?
  - **Comments:** DCCNY and its member agencies strongly support racial and socioeconomic integration efforts. It is important that the DOE be clear on how this integration will be achieved. There must be consideration on how recruitment efforts, parent choice, and geography may hinder these integration efforts. CBOs cannot be held responsible for integration efforts if enrollment is done centrally.
  - **Recommendations:** CBOs are well placed to support racial and socioeconomic integration efforts. Not only do CBOs have close ties with their communities, they also are very diverse. **If given enough resources and access to enrollment, CBOs can complement the DOE's efforts to support integration.**

### IV. Concluding Remarks

DCCNY, collectively with its member agencies, and for the sake of all CBOs, recommends that the DOE support salary parity for teachers, provide adequate baseline funding to cover OTPS and building repair costs, and develop a more collaborative enrollment process. Without community-based child care and early education programs, full day Pre-K for All and 3-K for All could not exist.