



**Testimony of Day Care Council of New York  
Before the New York City Council Subcommittee on Early Childhood Education  
Honorable Jennifer Gutiérrez, Chair  
And the Committee on Health  
Honorable Lynn Schulman, Chair  
At the Oversight Hearing on Comprehensive Background Checks**

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Thank you, Chair Gutiérrez and Chair Schulman, for the opportunity to testify about the Comprehensive Background Check (CBC) system in New York City. We are grateful to the City Council and to the Administration for their work to improve systems to support Comprehensive Background Checks. Background clearances are an essential part of the City, State and Federal government's role in supporting child care providers' ability to provide safe and quality services for New York City families. Having efficient systems in place to ensure existing and new staff members can be quickly cleared is an important part of sustaining child care programs and expanding access to child care.

The Day Care Council of New York (DCCNY) is the membership organization of center-based early care and education providers across New York City. DCCNY envisions a future in which all children have access to high-quality early childhood education and where providers and their workforce have the tools and resources needed to deliver it.

DCCNY supports its members and the broader early childhood field through policy research and advocacy, labor relations and mediation, workforce training and professional development, and referral services for families seeking child care. Our member organizations operate more than 300 sites across all five boroughs.

Most DCCNY member organizations contract with the New York City Public Schools (NYCPS), while others rely on child care vouchers issued by ACS and HRA, federally funded Head Start contracts, or private funding. Collectively, DCCNY member

organizations employ over 4,000 New Yorkers – predominantly Black and Brown women - and have the capacity to serve more than 13,000 children and their families citywide.

## **Early Childhood Education Expansion**

DCCNY has long advocated for universal access to high-quality early childhood education. We are excited that our member organizations will be part of the growth and expansion of early childhood education proposed in both Mayor Mamdani's and Governor Hochul's budget proposals.

However, these investments will only succeed if early childhood providers and the workforce have the infrastructure needed to operate sustainably. DCCNY looks forward to working with the administration and City Council to ensure that these expansions create stability for early childhood education provider organizations and fair compensation for the early childhood workforce, which has been undervalued for too long.

DCCNY projects that to have a truly universal child care system in New York City that serves children from birth to five in licensed child care settings, child care providers would need at least 30,000 additional child care workers.<sup>1</sup>

With approximately 36,000 New Yorkers currently working in child care, this means doubling the system. Based on average turnover rates in early childhood classrooms, the city will need an average of nearly 5,000 new early educators every year.<sup>2</sup>

With all new staff needing to be cleared through Comprehensive Background Checks, now is the moment to improve systems to ensure that Comprehensive Background Checks can be conducted quickly and efficiently.

## **The Staffing Crisis in Child Care Centers**

New York City's child care programs face a staffing crisis. While low pay remains the primary driver, delays in the Comprehensive Background Check process contribute to the challenges that providers face.

DCCNY members have reported prospective staff members taking different jobs while waiting for their background checks to clear. In 2023, DCCNY conducted a survey of more than 250 childcare centers in New York City. 83% reported dealing with staff

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<sup>1</sup> Day Care Council of New York. *Building a Stronger Child Care Workforce for New York City*. <https://www.dccnyinc.org/wp-content/uploads/2025/12/Workforce-Report-7sm.pdf>, December 2025

<sup>2</sup> Day Care Council of New York. *Building a Stronger Child Care Workforce for New York City*. <https://www.dccnyinc.org/wp-content/uploads/2025/12/Workforce-Report-7sm.pdf>, December 2025

vacancies and nearly a quarter of those centers dealt with seven or more vacancies at their site.<sup>3</sup>

This staffing crisis significantly impacts the availability of child care. Several centers operating with DOE contracts currently have fewer classrooms than authorized in their contract budgets. This shortage is not due to a lack of need in their neighborhoods, but rather due to centers' chronic staffing challenges. A statewide survey conducted this March by the Empire State Campaign for Child Care and Schuyler Center for Analysis and Advocacy uncovered that 776 classrooms in community-based organizations statewide closed due to understaffing.<sup>4</sup>

Actions to improve the CBC system must ensure that clearances do not become an impediment to keeping child care centers open or expanding access to child care.

### **Comprehensive Background Checks**

New York City implemented its Comprehensive Background Check (CBC) system on September 25, 2019, in response to changes from the 2014 reauthorization of the Federal Child Care Community Development Block Grant (CCDBG). Under CBC, NYC DOHMH conducts the following checks on all staff and volunteers in child care centers:

- NYS Criminal History Check with NYS Division of Criminal Justice Services
- A national criminal record check with the Federal Bureau of Investigation
- A check of the NYS sex offender registry
- A check of the NYS Statewide Central Register of Child Care and Maltreatment

If the individual has lived outside of New York State, DOHMH conducts additional checks with the criminal history repository, the sex offender registry, and the child abuse and maltreatment registry of every state or territory in which the applicant has lived.

The initial implementation of Comprehensive Background Checks caused the temporary closure of many child care and after-school programs. Programs that were awaiting approvals of new or existing staff members simply did not have the staff to keep their programs open.

In response to the slow rollout of CBC in NYC and other parts of NYS, the NYS Office of Children and Family Services (OCFS) issued new rules on February 7, 2020, allowing

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<sup>3</sup> New York City Council Black, Latino and Asian Caucus and Day Care Council of New York. *The Enduring Value of the Early Childhood Workforce: Why New York City Must Complete the Path to Parity for the Community-Based Early Childhood Education Workforce*. September 2023. <https://www.dccnyinc.org/our-work/public-policy/publications/>

<sup>4</sup> Empire State Campaign for Child Care and Schuyler Center for Analysis and Advocacy. *Staffing Shortages Due to Low Wages are Driving the Child Care Crisis in New York*. March 2023. <https://www.empirestatechildcare.org/staffing-shortages-and-the-child-care-crisis.html>

staff or volunteers to start working under provisional clearances if they: submitted their CBC background, passed the initial review, and were supervised 100% of the time they have access to children.

This change enabled child care centers to re-open their doors by bringing staff on board quickly. However, this was intended as a stopgap measure, not as an ongoing solution.

Child care providers continue to report:

- Clearance wait times of 3-6 months for hiring staff
- Losing prospective staff members while they wait for the clearances
- Having a significant number of staff members working under provisional clearances. This creates obstacles in staffing, since a small number of fully-cleared staff members must supervise all other staff members at all times.

## **Recommendations**

In order to improve the CBC system, DCCNY makes the following recommendations:

### **Work with NYS to Allow Portable Background Checks**

The Comprehensive Background Check system is intended to ensure the safety of child care and other programs serving children. Passage of a Comprehensive Background Check does not guarantee employment in any program. Furthermore, the checks are the same for all types of programs regardless of the type of program or the age of children served.

However, the current background check system requires every worker to be cleared specifically for the location where they work. If a worker changes locations or changes employers, they must undergo the same background check again, potentially waiting months to start working at the same location.

With programs looking to open new programs to meet the need for 2-K and 3-K, it is important that staff be able to transfer quickly. **DCCNY urges NYC to work with NYS to allow portable background checks.**

### **Ensure Adequate Staffing in DOHMH to Process Background Checks**

The Comprehensive Background Check process requires significant resources from the New York City Department of Health and Mental Hygiene (DOHMH) and other agencies within city, state, and federal government.

As of March 2025, there are 652 vacant positions in DOHMH, representing more than 10% of agency positions.<sup>5</sup> **DCCNY urges the City to strengthen DOHMH’s staffing capacity in the Bureau of Child Care to expedite background check processing, reducing backlogs and improving turnaround times.**

### **Facilitate Data Sharing and cooperation with DOE PETS system**

NYCPS utilizes the Personnel Employee Tracking System (PETS) system for all staff and volunteers working in public schools as well as in community-based organizations working with NYCPS contracts.

Like Comprehensive Background Checks, PETS clearances include:

- NYS Criminal History Check with NYS Division of Criminal Justice Services
- A national criminal record check with the Federal Bureau of Investigation
- A check of the NYS sex offender registry
- A check of the NYS Statewide Central Register of Child Care and Maltreatment

The PETS system includes a search for criminal convictions and pending actions, with continuous updates on NYS arrest records. The clearance process includes an investigation and background questionnaire. The PETS system also verifies work history and military services.

DCCNY members and other providers have reported that PETS clearances typically operate more quickly than Comprehensive Background Checks. In order to leverage the work already being done by NYCPS for many child care providers, **DCCNY urges New York City to develop mechanisms for data sharing, with the consent of the candidate, that will allow information discovered by the PETS system to be used in a Comprehensive Background Check.**

### **Conduct meetings between DOHMH and providers to identify challenges and solutions to the process**

DCCNY appreciated that DOHMH’s collaboration and support in working with providers who are understaffed, due in part to delays in the Comprehensive Background Check process. **DCCNY urges the City to develop a formal process for recurring**

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<sup>5</sup> Council of the City of New York: Civil Service and Labor Committee Staff. *Briefing Paper of the Legislative Division*. April 14, 2026. <https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=7953791&GUID=1A8F0048-A44A-483D-9C91-80F0E659C0EC&Options=&Search=>

**meetings between DOHMH and providers to surface implementation challenges and co-create practical solutions to improve the application process.**

**Develop procedures for DOHMH to proactively reach out to providers when there are paperwork issues with an application.**

Providers often do not know why there may be issues clearing an employee or a potential employee. While confidentiality must be maintained, DOHMH should inform providers when paperwork issues are holding up a clearance so that they can work with the employee or potential employee to address the issues.

**DCCNY urges NYC to develop and implement procedures requiring DOHMH to proactively reach out to providers when application paperwork issues arise, with clear guidance on communication methods, response timelines, and follow-up protocols to prevent delays.**

Thank you for the opportunity to testify. If you have any questions, please feel free to reach out to us at [gbrender@dccnyinc.org](mailto:gbrender@dccnyinc.org) or [slohr@dccnyinc.org](mailto:slohr@dccnyinc.org).