

## Legislative Agenda 2014

*Winning Beginning NY* promotes access to high-quality early learning and care, from the prenatal period to school-age, designed to improve outcomes for children and support the needs of working families. We support investments and policies that move the State toward a comprehensive early learning system that promotes children's healthy social, emotional, cognitive and physical development known to promote success in school and later life.

### Universal Prekindergarten

Invest *at least* **\$225 million** for new, high-quality full-day Pre-K opportunities as an important step toward providing **universal access** to all four-year-olds and fully support any localities' efforts to expand high-quality full-day Pre-K for all children.

### Universal Child Care

Invest an *additional* **\$182 million in child care subsidies in 2014-2015 to serve more than 25,000 additional children**. Expand that investment in years 2 through 5 to reach \$2.2 billion annually, providing universal access to the estimated 305,000 children of working parents who are currently in need of high-quality early learning.

### Universal Afterschool

Invest **\$8.8 million in a quality infrastructure in 2014-2015**, in preparation for five years of investment beginning with \$160 million in 2015-2016. Expand the investment in years 2 through 5 to reach \$825 million annually providing access to half of the estimated 1.1 million children in need of programs.

### Early Intervention

Ensure Early Intervention providers are *paid in a timely manner* by enacting S. 6002/A. 8316.

### Home Visiting

*Maintain* \$23.3 million in funding for Healthy Families New York (HFNY) and **add \$3.5 million**. *Restore* **\$2 million** in funding and *add* **\$500,000** (\$2.5 million total) to help support the sustainability of Nurse-Family Partnership (NFP).

### QUALITYstarsNY

**Include a quality framework**—QUALITYstarsNY—in the implementation of statewide, universal, full-day Pre-K, with appropriate funding to do so. **Invest \$5 million** to expand QUALITYstarsNY in existing locations.

## Universal Prekindergarten

**Invest at least \$225 million for new, high-quality full-day Pre-K opportunities as an important step toward providing universal access to all four-year-olds and fully support any localities' efforts to expand high-quality full-day Pre-K for all children.**

**We agree with the Governor that now is the time to fulfill the promise of making Pre-K truly universal.** Last year, Governor Cuomo announced his support for full-day Pre-K programs for students in high-need communities calling for a \$25 million competitive grant program to initiate the effort.

For 2014-15, the Governor's budget commits up to \$100 million toward this goal, and anticipates the State commitment would grow "by at least" an additional \$100 million per year for the following four years based on identified district capacity to expand. **Governor Cuomo's proposal implies that the State will make full-day high-quality Pre-K truly universal in the fifth year, when the new investment reaches \$500 million annually.**

This funding would build on the State's current investment in Universal Prekindergarten, which supports half-day Pre-K for 100,000 children in 441 of the State's 697 school districts, reaching approximately 42% of the students that experts estimate are likely to enroll.<sup>1</sup> Over half of the children are enrolled in a UPK program that operates in early childhood programs in the community providing options for families beyond the traditional public school settings.

**The initial investment of \$100 million in the coming year falls far short of the demonstrated capacity of districts to expand** toward this goal of universal access. Last year's \$25 million competitive grant program drew requests for more than \$60 million from high-need districts, even though the RFP went out the day before the start of the school year and required a mid-year expansion – a strong indication of the interest in expanding across the state. Many more districts expressed interest in applying in 2014-15, especially if the funding is made permanent, reliable and predictable. In addition, districts are already serving 4,000 more students than the State funds, because of the demand and need in their communities and it will be difficult for them to continue to do so given the financial challenges facing many school districts.

Further, the Governor's budget proposal does not include an implementation plan, specifics on a program model or a long-term financing strategy. Given existing cost estimates and the evidence now available on implementation of high-quality statewide full-day Pre-K in other states, **the Governor's proposed five year investment is inadequate to support universal access to high-quality Pre-K.**

Our coalition, in collaboration with the *Ready for Kindergarten, Ready for College Campaign*, continues to call for an investment of \$225 million for the Governor's 2014 budget as the appropriate first year investment. That proposal was based on a roadmap for implementation for statewide full-day Pre-K, *Making Prekindergarten Truly Universal in New York State*, vetted by

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<sup>1</sup> The estimate for universal enrollment is based on the assumption of enrollment rates in kindergarten, which is also voluntary. About 80% of the 240,000 four-year-olds in the state enroll in public kindergarten programs.

more than 100 early childhood and public education experts across the state.<sup>2</sup> It is based on a program model that builds on the current UPK program and identifies adequate funding levels for service providers and investments in quality including qualified and effective teachers and professional development, in both public school and community programs.

Other experts and groups have provided cost estimates and New York City released a detailed plan to move toward universal Pre-K in two years. All proposals for new investment, including ours, are closely aligned in per-pupil cost and strategy. These proposals are also closely aligned with the Abbott Pre-K program in New Jersey, which research documents has produced solid gains for children through at least fifth grade. The ongoing study is expected to reflect the research from other studies that show Pre-K effects can last into adulthood when aligned with high-quality educational opportunities in elementary school and beyond.

With new limits on State aid and other revenues, school districts are reluctantly cutting back on Pre-K and Kindergarten. Yonkers is a notable example. For years, the city added its own funding to State aid to offer both full-day Pre-K and Kindergarten. Despite the research documenting positive outcomes, the district could not maintain the program without additional resources and reluctantly slashed enrollment and cut the service to a half day.

The shortage of full-day Pre-K has emerged as a key issue in municipal elections in Syracuse, Rochester and New York City. New York City has long led the State in implementation of Universal Prekindergarten, with 59,000 four-year-olds enrolled, about a third of them in full-day Pre-K. The Mayor has released a plan for reaching universal full-day services within two years.

Governor Cuomo's New NY Education Reform Commission, in both its interim and final reports, recognized the potential for Pre-K to narrow the achievement gap, with long-term benefits for children, schools, taxpayers and communities, noting the "benefits outweigh the costs."

The State must also meet its obligation to adequately and equitably fund K-12 education aid to prevent districts from reducing access to Kindergarten for five-year-olds. The current fiscal climate is creating severe threats to these critically important components of the State's P-12 education system.

### Universal Child Care

**Invest an additional \$182 million in child care subsidies in 2014-2015, in addition to the \$916 million invested in 2013-14, to serve more than 25,000 additional children.** The majority of this investment is pass-through dollars from the federal government – \$161 million is State General Fund dollars. Expand that investment in years 2 through 5 to reach \$2.2 billion annually, providing universal access to the estimated 305,000 children of working parents who are currently in need of high-quality early learning.

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<sup>2</sup> The report, Making Prekindergarten Truly Universal: An Eight-Year Roadmap, prepared by the Campaign for Educational Equity and the Center for Children's Initiatives, is available on both organizations' websites, [www.ccinyc.org](http://www.ccinyc.org) and [www.equitycampaign.org](http://www.equitycampaign.org).

New York State law provides that working families are eligible for child care assistance if their income is under 200% of the federal poverty line (\$38,180 for a family of three for example.) **However, even though New York acknowledges that working parents at this income level need help paying for child care, more than 50% of eligible children go unserved every year.** Using data shared by the NYS Office of Children and Family Services, an estimated 600,000 children are eligible.<sup>3</sup> Currently though, only 22%, or less than 130,000 children, are being served at any time.

**The situation is urgent.** Social Service Districts across New York State ran out of funding months before the end of 2013. **Low-income working parents’ belts are already tightened.** Without this assistance, parents cannot make ends meet. With this support, parents can better participate in the workforce and provide financial stability for their children. Most importantly, by providing this critical assistance to working families, New York State is helping to provide a safe environment that helps prepare children for school.

At a time when New York is investing in improving education and programs that help prepare children for school, it only makes sense to increase the investment in child care. During those critical years of life that are the foundation of learning, child care is where learning happens for many children. Years of research have shown that high-quality child care programs:

- Lay the foundation for literacy and learning;
- Improve social and self-management skills, critical to reducing classroom behavior issues; and
- Increase academic outcomes and graduation rates for many children.

Year	New Dollars Needed <sup>4</sup>	Total Children Served	Eligible children Served <sup>5</sup>
Year 1, 2014-15	\$182M	154,978	51%
Year 2, 2015-16	\$182M	180,256	59%
Year 3, 2016-17	\$182M	205,533	67%
Year 4, 2017-18	\$360M	255,533	84%
Year 5, 2018-19	\$360M	305,000+	100%
At the end of year 5, spending on child care in New York will be sufficient to provide universal access to the estimated 305,000 children of working parents who are in need.			

<sup>3</sup> <http://www.ocfs.state.ny.us/main/childcare/LegReport%20USE%20FINAL.pdf>. The OCFS report estimates 562,656 under age 12; we added 1/12 to cover children in their 13<sup>th</sup> year who are also eligible.

<sup>4</sup> This is based on current costs to meet current regulations and policies. As new regulations, policies and/or laws are implemented, additional costs will need to be estimated.

<sup>5</sup> In the 2007 OCFS report referenced above, OCFS applies a 50% ‘take-up’ rate, assuming 50% of eligible children may not use a subsidy. Our calculations are built off the OCFS model, assuming “universal” to be 50% of the estimated 609,544 currently-eligible children.

## Universal Afterschool

**Invest \$8.8 million in quality infrastructure in 2014-2015**, in preparation for five years of investment beginning with **\$160 million in 2015-2016**. Expand the investment in years 2 through 5 to reach \$825 million annually, providing access to half of the estimated 1.1 million children in need of programs.

Afterschool, summer, expanded learning time and other expanded learning opportunities (ELOs), including as components of community schools, play a crucial role for New York families and students – making sure that children are safe until their parents are home from work and helping to close the achievement gap for low-income students. Governor Andrew Cuomo’s proposal to substantially increase the State’s investment in afterschool programs, beginning with \$160 million in the 2015-16 school year, would have a major impact on working families and their children.

The State currently has many fewer high-quality programs than are needed, forcing parents into difficult choices between safety and employment and depriving more than a million students of support for their intellectual, social, and emotional development. We have some of the nation’s best programs, but the current patchwork of funding sources and oversight creates inconsistencies in access for families and support for program quality.

New York needs to **INVEST, SUPPORT QUALITY, and PLAN** to give its children and families the afterschool and ELO programs they deserve.

***INVEST: Adopt the Governor’s proposal for five years of investments in high-quality afterschool programs, beginning with \$160 million in 2015-16.***

- Unfunded but qualified applications for recent rounds of State and federal afterschool programs totaled \$170 million, so New York has more than enough capacity to launch \$160 million in quality afterschool programs in the 2015-16 school year, serving an estimated 100,000 students.
- Funding and oversight requirements should fully engage community-based organizations as leaders of and partners in programs and ensure that programs offer meaningful enrichment and engagement for students.

***SUPPORT QUALITY: Invest \$7 million in technical assistance and program oversight in 2014-15, so that all programs are high-quality programs, and restore \$1.8 million for existing programs.***

- The State’s current quality support infrastructure for high-quality afterschool programs is limited and very understaffed, particularly at the State Education Department.
- Implementing high-quality programs in 2015-16 will require an immediate \$7 million investment to upgrade data systems, oversight staff, technical assistance centers and local supports.
- Existing quality programs must be maintained, requiring restoration of \$500,000 for Advantage After School Program and \$1.3 million for the Youth Development Program.

***PLAN: Plan for sustainable investment in high-quality school-community partnerships that grow toward universal access to afterschool programs that are enriching and engaging for students.***

- The new afterschool program should be based on national best practices around school-community partnerships, youth development, enrichment, student engagement, and family involvement.
- With a goal of eventually moving to universal afterschool, the State should develop a plan for long-term, sustainable funding and for streamlining oversight, addressing gaps in access, supporting quality, and aligning the education, afterschool, and child care systems.

## **Early Intervention**

**Ensure Early Intervention providers are paid in a timely manner by enacting S. 6002/A. 8316.**

Early Intervention (EI) provides evaluations and services to infants and toddlers with significant developmental delays or disabilities and their families. Recognizing the substantial brain development and plasticity during a child's first three years of life, the purpose of EI is to detect and address developmental delays as early as possible in order to reduce later special education and rehabilitation costs and maximize the potential for individuals with disabilities to succeed in school and, ultimately, live independently as productive citizens. EI is part of the federal Individuals with Disabilities Education Act (IDEA).

Despite the cost-effectiveness of EI, State funding for EI decreased by one-third from FY 2010-2011 (\$230 million) to FY 2013-2014 (\$151 million). This cut included a significant reduction in the reimbursement rate for EI services.

In April 2013, as a result of a change in law, New York State shifted the responsibility for paying EI providers from county governments to a State Fiscal Agent. The law made the State Fiscal Agent responsible for collecting EI provider claims, waiting for Medicaid or commercial insurance companies to reimburse or deny the claims, and then paying providers. This new process has resulted in providers going months without receiving payment as they wait indefinitely for insurance companies to make decisions about whether or not to issue payment. The new process has also placed significant administrative burdens on EI programs, which have had to navigate the complex system of commercial insurance billing without any additional administrative staff and with little training or assistance. As a result, EI provider agencies have shut their doors and experienced service providers have stopped taking EI referrals. This loss of providers is making it increasingly difficult for young children with delays or disabilities to access the services they need in a timely manner, especially in certain rural and low-income neighborhoods that already had shortages of providers.

The Assembly and Senate Health Committee Chairs have introduced a bill (S. 6002/A. 8316) to address the delays in payment. The bill would require the State or State Fiscal Agent to pay EI providers within 30 days of receiving their claims. It would also charge the State or State Fiscal Agent with responsibility for seeking reimbursement from Medicaid and commercial insurance

and filing any appeals since the State Fiscal Agent has expertise in this field that EI providers do not have.

This bill is a first step toward ensuring New York's EI Program serves children and families with high-quality services. In order to secure high-quality services for all children and families who need them, we further urge the State to restore reimbursement rates to a fair level that supports retention and recruitment of high-quality professionals, to include EI practitioners and parents in decision-making, and to build ongoing quality improvement efforts into the program.

**We urge our State leaders to pass and enact S. 6002/ A. 8316.**

### Home Visiting

**Maintain \$23.3 million in funding for Healthy Families New York (HFNY) and add \$3.5 million. Restore \$2 million in funding and add \$500,000 (\$2.5 million total) to help support the sustainability of the Nurse-Family Partnership (NFP).**

Maintaining \$23.3 million in funding would return funding for HFNY to the level provided in 2006-2007 and 2007-2008 budgets, prior to 2008 deficit reduction cuts, and restore services to approximately 600 at-risk families in high need communities. It also assures the Maintenance of Effort required for federal Maternal, Infant and Early Childhood Home Visiting funding.

Supporting the Nurse-Family Partnership is especially critical now to offset any additional reduction in capacity and maintain programs at current levels until the global waiver is approved by CMS and NFP can be more robustly covered under Medicaid.

### QUALITYstarsNY

**Include a quality framework – QUALITYstarsNY – in the implementation of statewide, universal, full-day Pre-K, with appropriate funding to do so.** The State's Pre-K expansion must ensure that not only are there more programs, but that those programs are of the highest quality. Sufficient resources should be put into a quality framework that will increase quality standards.

**Invest \$5 million to expand QUALITYstarsNY in existing locations.** New York must invest \$5 million to show the State's commitment to quality, using strategies to support the following:

- Expand QUALITYstarsNY in areas of high-need first;
- Include the 35 Child Care Resource and Referral's (CCR&R) across the state in selection of QUALITYstarsNY regional hubs within the 10 Economic Development Regions;
- Actively communicate the benefits of participating in QUALITYstarsNY through orientation and readiness training across the state; and
- Communicate and share data amongst all systems.