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| Committee on Education: | Malcom M. Butehorn, *Senior Counsel*Jan Atwell, *Senior* *Policy Analyst*Kalima Johnson*, Senior Policy Analyst*Chelsea Baytemur*, Financial Analyst*Masis Sarkissian, *Financial Analyst*Frank Perez, *Community Engagement* |



**The Council of the City of New York**

Committee Report of the Human Services Division

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**Committee on Education**

Hon. Mark Treyger, *Chair*

**February 24, 2021**

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| **Res. No. 1473** | By Council Members Louis, Treyger, Chin, Rosenthal, Rose, Lander, Kallos, Ayala, Ampry-Samuel, Barron, Grodenchik, Cornegy, Salamanca, Riley, Levin and Borelli |
| **Title:** | Resolution calling upon the New York City Department of Education to provide families of children with disabilities the necessary training and equipment to properly enable distance learning |
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1. **Introduction**

 On Wednesday, February 24, 2021, the Committee on Education, chaired by Council Member Mark Treyger, held a vote on Resolution Number 1473, sponsored by Council Member Farah Louis. The Committee previously heard testimony on this legislation from the NYC Department of Education (DOE) as well as advocacy groups and organizations, and other interested stakeholders at a joint hearing held with the Committee on Women and Gender Equity on December 16, 2020. On February 24, 2021, the Committee passed Resolution Number 1473 by a vote of 15 in the affirmative, zero in the negative, with zero abstentions.

1. **Background**

*Access to Childcare Pre-COVID-19*

Access to affordable childcare was limited[[1]](#footnote-1) well before NYC became the national epicenter of the novel coronavirus (“COVID-19”).[[2]](#footnote-2) Childcare challenges are a barrier to work, especially for mothers, who disproportionately take on unpaid caregiving responsibilities when their family cannot find or afford childcare.[[3]](#footnote-3) While the City has invested in universal pre-kindergarten programs for three- and four-year-olds,[[4]](#footnote-4) many low- and moderate-income caregivers still struggle with the high cost of childcare for infants and toddlers, and for after school care for children of all ages.[[5]](#footnote-5)

According to a 2019 report by the NYC Comptroller on care for children under three (“Comptroller’s 2019 Report”), the best available data on childcare costs at the local level come from a survey of childcare providers conducted by the New York State Office of Children and Family Services (OCFS), which sets childcare subsidy market rates at the 69th percentile of the prices reported by providers.[[6]](#footnote-6) As of 2018, when the market-rate survey was last conducted, the annual cost of center-based care at the 69th percentile in NYC was $21,112 for infants and $16,380 for toddlers, or $18,746 on average for children under three.[[7]](#footnote-7) The annual cost of family day care provided in a residence averaged $10,331 for children under three, with the difference in costs likely reflecting the added overhead to run center-based programs, which are often large commercial properties that serve more children, and generally require more staffing.[[8]](#footnote-8) Center-based care for an infant would consume more than two-thirds (68 percent) of the income of a single parent working full-time at the minimum wage,[[9]](#footnote-9) and family day care provided in a residence would comprise one-third of such a family’s income.[[10]](#footnote-10)

While there is some public funding available to help both parents and providers offset the cost of childcare, it is not sufficient to meet the need; only about one in seven infants and toddlers in families income-eligible for assistance actually receive a subsidy.[[11]](#footnote-11) As a result, according to NYC Administration for Children’s Services childcare data from February 2019, only seven percent of all infants and toddlers were in publicly-funded childcare, compared to an estimated 45 percent of three- and four-year-olds.[[12]](#footnote-12)

Additionally, childcare centers are generally located in higher-income communities and do not have the capacity to accommodate a significant percentage of children.[[13]](#footnote-13) The Comptroller’s 2019 Report estimated that childcare centers and family day care providers had capacity for only 22 percent of children under the age of two in the city.[[14]](#footnote-14) Nearly half of all of NYC’s community districts meet the definition of an infant care desert, with a ratio of childcare capacity to children of less than 20 percent and, in the 10 neighborhoods with the least capacity, there were more than 10 times as many infants as there were available childcare spaces.[[15]](#footnote-15)

Despite the City’s efforts to meet the needs of NYC families, challenges remain for those in need of childcare, and the COVID-19 pandemic has further exposed and exacerbated that need.

*Impact of COVID-19 on Childcare*

On March 7, 2020, following the outbreak of the COVID-19 pandemic in the United States (U.S.), New York State Governor Andrew M. Cuomo issued a State disaster emergency.[[16]](#footnote-16) The following week, on March 12, Mayor Bill de Blasio issued an Emergency Executive Order directing agency heads to take appropriate actions,[[17]](#footnote-17) followed by a March 15th Mayoral announcement that DOE schools would be closing,[[18]](#footnote-18) and directive from Governor Cuomo for NYC to develop a childcare plan.[[19]](#footnote-19)

By the time DOE schools closed on March 16th, many childcare centers had shut down as demand waned, as they could no longer sustain themselves on already thin margin lines.[[20]](#footnote-20) While the State offered waivers to local services districts that wanted to expand childcare services to families affected by the coronavirus, care providers were also required to implement costly cleaning, sanitizing and disinfecting routines to ensure the health and safety of staff and children.[[21]](#footnote-21) At a time when little was known about COVID-19 and its transmission, many families chose, or otherwise had to keep their children from attending childcare, resulting in the loss of business for those providers.[[22]](#footnote-22) Data from the National Association for the Education of Young Children and Early Care & Education Consortium suggests that programs nationally lost nearly 70 percent of their daily attendance in one week alone during the pandemic.[[23]](#footnote-23) Eventually, the State required the temporary closure of childcare centers, which hit low-income childcare workers hard and led to the permanent closure of many childcare businesses.[[24]](#footnote-24) Nationally, according to the U.S. Bureau of Labor Statistics, COVID-19 cost the childcare industry more than 335,000 jobs in March and April alone, about a third of the pre-pandemic total.[[25]](#footnote-25)

The COVID-19 pandemic has highlighted inequities in healthcare, as the disease has killed Black and Latinx New Yorkers at a much higher rate than white New Yorkers.[[26]](#footnote-26) Not only did the pandemic lay bare the profound health care disparities that have been long known in the city, but it widened other socioeconomic inequities for these same groups. In NYC, according to the 2017 American Community Survey, among employed women childcare providers, 42 percent are Latina; 32 percent are Black, non-Latinx; 14 percent are white, non-Latinx; and nine percent are Asian, non-Latinx.[[27]](#footnote-27) Moreover, 93 percent of employed childcare providers in the city are women, and 25 percent live in poverty while 53 percent have incomes low enough to qualify for a childcare subsidy.[[28]](#footnote-28) Clearly, in addition to families, the pandemic has had a harmful impact on childcare providers and employees, particularly affecting low-income workers and communities.

*School Reopening Timeline*

Beyond the impact on providers and staff, constant changes in the timeline for school reopening, as well as intermittent school closures, added tremendously to the uncertainty and disruption for families. On July 8th, Mayor de Blasio and DOE Chancellor Richard Carranza unveiled “Blended Learning,” their school reopening plan featuring a combination of in-school instruction and remote learning for students.[[29]](#footnote-29) In August, the Mayor set a school reopening date of September 10th, which was shortly thereafter postponed to September 21st, and then again delayed to September 29th for elementary schools and October 1st for middle and high schools.[[30]](#footnote-30) While DOE schools were once again shut down on November 19th, after the citywide COVID-19 infection rate exceeded three percent over a seven-day rolling average,[[31]](#footnote-31) the Mayor abandoned the three percent COVID-19 infection rate threshold less than three weeks later.[[32]](#footnote-32) The uncertainty and instability caused by these changing plans, coupled with the adjustment to the hybrid model, have left many NYC-parents feeling uneasy, if not unprepared to identify reliable childcare on such short timeframes.[[33]](#footnote-33) As of the writing of this Committee Report, the Administration has not provided a timeframe for when middle and high schools will resume in-person learning.[[34]](#footnote-34) However, school buildings reopened for students in 3-K and Pre-K programs on December 7th, and those who opted for in-person learning in grades K–5.[[35]](#footnote-35) School buildings reopened on December 10th for District 75 schools.[[36]](#footnote-36) While an additional concern for parents has been that only students who had originally signed-up for in-person learning would be permitted to participate in the City’s latest reopening plans,[[37]](#footnote-37) the back-and-forth of closing and reopening school buildings, the short notice for plan changes and the limited options for in-person learning have left parents and caregivers repeatedly scrambling for childcare options after the City’s plan for free childcare through Learning Bridges was delayed.[[38]](#footnote-38)

1. **Regional Enrichment Centers**

One early plan that provided promise families to have access to childcare early on was the “Regional Enrichment Center” (REC) model.[[39]](#footnote-39) On March 23rd, in order to meet the Governor’s mandate and ensure that essential frontline workers, including medical personnel, transit workers and other key personnel, could continue to report to work, [[40]](#footnote-40) the DOE created childcare for essential workers.[[41]](#footnote-41) The DOE ran more than 90 REC sites in DOE buildings, DOE pre-K centers and community-based programs across the five boroughs.[[42]](#footnote-42) RECs were staffed by “DOE employees and community-based organization partners, and provided children with three daily hot meals, remote learning time with their teachers, and activities like art, music, and physical education, and social and emotional support.”[[43]](#footnote-43) Hours of operation for RECs were 7:30 a.m. to 6:00 p.m.[[44]](#footnote-44)

Further, the Fiscal 2021 Adopted Budget recognized $136 million in federal Coronavirus Aid, Relief, and Economic Security (CARES) Act revenue for Fiscal 2020 to support the full expense of the RECs, including $120 million funded personnel salaries, $12 million funded early childhood education contract extensions with community based providers and the remainder of the $136 million covering expenses such as cleaning supplies and personal protective equipment (PPE) costs.[[45]](#footnote-45)

To keep RECs safe, the DOE instituted guidelines which imposed social distancing protocols, including maintaining six feet of distance between people and limiting classrooms were to be limited to fewer than nine students.[[46]](#footnote-46) Additionally, DOE nurses were required to check the temperature of any person entering a REC, anyone who felt sick was to be directed to stay home and sites were regularly cleaned and disinfected.[[47]](#footnote-47)

The City permanently closed RECs on September 11, 2020, in order to prepare for schools reopening on September 21st.[[48]](#footnote-48) In anticipation of continued childcare needs upon the resumption of in-person learning (which would end earlier than the 6:00 pm closing of the RECs), the de Blasio Administration moved forward with a plan to provide free childcare for 100,000 children for students in blended learning on days they were not in school. [[49]](#footnote-49)

1. **Learning Bridges**

On September 21st, the DOE and NYC Department of Youth and Community Development (DYCD) launched the “Learning Bridges” program, to provide free childcare options for students in 3-K through eighth grade in the blended learning model on days when they are scheduled for remote learning.[[50]](#footnote-50) Learning Bridges provides care for three- and four-year-olds through an expansion of its early-childhood education portfolio, while DYCD serves K through 8th grade students in “Learning Labs.”[[51]](#footnote-51) Like RECs, Learning Bridges provide opportunities for children to engage in remote learning activities and art, recreation, and other age-appropriate activities.[[52]](#footnote-52) Priority for the program is given to:

* Families in temporary housing, including shelters and hotels;
* Children of DOE school and program staff, including Learning Bridges staff and other contracted early childhood providers;
* Families residing in NYC Housing Authority (NYCHA) developments;
* Children in family foster care or receiving other child welfare services;
* Students with disabilities; and
* Children whose parent/guardian is an essential worker or was previously enrolled in a REC.[[53]](#footnote-53)

In addition to these categories, priority for enrollment is given to students living in the 27 neighborhoods most disproportionately impacted by the COVID-19 virus.[[54]](#footnote-54)

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| **Learning Bridges Priority Communities** |
| **Borough** | **Community District** | **Community Name** |
| **Bronx** | 1 | Mott Haven and Melrose |
| 2 | Longwood and Hunts Point  |
| 3 | Morrisania and Crotona  |
| 4 | Highbridge  |
| 5 | Morris Heights  |
| 6 | East Tremont  |
| 8 | Van Cortland Park and Jerome Park  |
| 9 | Soundview and Soundview Bruckner  |
| **Brooklyn** | 3 | Bed-Stuy |
| 4 | Bushwick |
| 5 | East New York and Starrett City |
| 7 | Sunset Park |
| 13 | Brighton Beach |
| 16 | Brownsville |
| 17 | East Flatbush |
| 18 | Canarsie |
| **Manhattan** | 3 | LES & Chinatown  |
| 9 | Hamilton Heights & Morningside Heights |
| 10 | Central Harlem  |
| 11 | East Harlem |
| 12 | Washington Heights & Inwood  |
| **Queens** | 1 | Queensbridge |
| 4 | Corona  |
| 8 | Briarwood |
| 12 | Jamaica |
| 14 | Rockaway and Far Rockaway |
| **Staten Island** | 1 | Stapleton – St. George |
| **Table 1.** Neighborhood location of DOE Learning Bridges programs.(*Source:* NYC Department of Education, “Learning Bridges,” *available at* <https://www.schools.nyc.gov/enrollment/enrollment-help/learning-bridges>.) |

Learning Bridges programs operate from 8:00 a.m. until 3:00 p.m., five days a week and participating children are provided with breakfast, lunch and a snack.[[55]](#footnote-55) To enroll a child, a parent or a guardian has to fill out an application on the DOE website and then await an offer letter with the assigned program site and details.[[56]](#footnote-56) At program sites, which are supposed to be within proximity to the child’s school, children are sorted into small groups with children from the same school on the same schedule.[[57]](#footnote-57) Program staff and participants are also required to wear masks and to undergo daily health screenings, with nurses available for in-person visits and telehealth appointments.[[58]](#footnote-58) Additional health and safety measures implemented at program sites include frequent hand washing as well as cleaning and disinfecting.[[59]](#footnote-59)

In September 2020, the Administration announced that it planned on enrolling 100,000 students to the Learning Bridges program on a rolling basis, with a goal of filling 30,000 slots by September; 70,000 slots by the end of October; and finally 100,000 slots by December 2020.[[60]](#footnote-60) As of December 2020, DOE reports a capacity of 45,000 slots for 3-K to 8th grade, of which 39,000 slots have been offered to families.[[61]](#footnote-61) Current enrollment for the program is unclear. Additionally, as of November 5, 2020, there were 216 Learning Labs sites serving children in grades K through eightacross the five boroughs: 47 in the Bronx, 59 in Brooklyn, 57 in Manhattan, 38 in Queens and 15 in Staten Island.[[62]](#footnote-62)

The November 2020 Financial Plan adds $44.9 million to DOE’s Fiscal 2021 budget for the early childhood education portion of Learning Bridges.[[63]](#footnote-63) This funding supports the expansion of existing 3-K and pre-K general and special education contracts to support Learning Bridges childcare ($40.6 million), center leases ($2.4 million), and costs associated with center provided meals, facility maintenance and cleaning, and central administrative expenses ($1.9 million). DOE expressed to the Council that $44.9 million covers the entirety of the early childhood education portion, however it is expected that the cost associated with the program will rise.[[64]](#footnote-64) This funding is only added for one year, and as the need for childcare during the pandemic continues to increase, it is likely additional funding will need to be added in the Fiscal 2022 Preliminary Financial Plan. Additionally, the Financial Plan reflects $45.9 million in CARES Act revenue for DYCD’s portion of the Learning Bridges program (K-8).[[65]](#footnote-65)

1. **After-School Programs**

One potential resource available to parents seeking reliable care and educational opportunities for their children is the City’s after-school programs, which are operating during COVID-19, although some programs are limiting services or offering them remotely.[[66]](#footnote-66) The City’s numerous City-funded after-school programs, provided through DYCD, for students in grades K-12 throughout the city,[[67]](#footnote-67) including but not limited to the Comprehensive After School System of NYC (COMPASS NYC), School’s Out New York City (SONYC), Beacon programs and Cornerstone Programs.[[68]](#footnote-68)

COMPASS NYC serves students in grades K-12 and consists of more than 900 programs operated by a network of providers offering academics, recreation, enrichment and cultural activities.[[69]](#footnote-69) COMPASS programs are free, and located in public and private schools, community centers, religious institutions, public housing, and recreational facilities throughout the five boroughs.[[70]](#footnote-70)

SONYC is COMPASS NYC’s middle school model for 6th, 7th and 8th graders.[[71]](#footnote-71) Programming is offered three hours a day, five days a week and are structured like clubs, offering young people a choice in how they spend their time, featuring sports and arts, and require youth leadership through service.[[72]](#footnote-72) The COMPASS NYC portfolio of programs, including SONYC, are funded under the program area of Out of School Time or “OST.” In Fiscal 2021, $334.9 million was allocated towards all OST after-school program areas, with a budgeted number of slots totaling 102,821 participants across programs.[[73]](#footnote-73)

Beacon programs are school-based community centers serving school-age children, youth, and adults.[[74]](#footnote-74) There are currently 91 Beacons located in public schools across NYC operating year-round in the afternoons and evenings, as well as on weekends, and during school holidays and vacation periods, including summer.[[75]](#footnote-75) The Beacon program includes $69.4 million in Fiscal 2021, with a budgeted number of slots totaling 100,450 participants across all ages served.[[76]](#footnote-76)

Cornerstone programs provide year-round programs for young people and adults and are located at 94 NYCHA Community Centers throughout the city.[[77]](#footnote-77) Programs are operated in partnership with NYCHA and a network of nonprofit providers, and typically include academic supports; high school and college prep; project-based activities; STEM; creative and performance arts; and other activities.[[78]](#footnote-78) The Cornerstone program includes $69.4 million in Fiscal 2021, with a budgeted number of approximately 75,000 slots across all ages served.[[79]](#footnote-79)

While DYCD acknowledges that some programs are limiting services or offering them remotely due to the pandemic,[[80]](#footnote-80) it is unclear how much COVID-19 protocols and guidance has impacted the activities of and number of students served by these after-school programs.

1. **Early Childcare**

Ongoing access to childcare for children from birth to five is a major concern during the pandemic, especially in light of a pre-pandemic shortage of seats and reduction in early childcare capacity over the past decade.[[81]](#footnote-81) NYC has the largest municipal childcare system in the country, which was administered by the NYC Administration for Children’s Services (ACS) until 2018, when most of the system transitioned to DOE management.[[82]](#footnote-82) Subsidized childcare in NYC for income-eligible families includes informal care provided in the home of an unlicensed provider (usually a family member or friend); family (three to eight children) or group family day care (seven to sixteen children), provided in the home of a licensed caregiver; and center-based day care in a licensed facility, including Head Start centers.[[83]](#footnote-83) Subsidy payments are made either directly to providers under contract or through vouchers, with informal care provided solely through vouchers, while family and center-based care are paid by a mix of contracts and vouchers.[[84]](#footnote-84) While some subsidies are available for school-aged children in after-school programs, the remainder of this section will focus on early childcare for children from six weeks to four years old.

Despite NYC having the largest municipal childcare system, there has been a reduction in subsidized childcare enrollment over the past decade for a number of reasons, including City and federal funding cuts, with the largest capacity loss occurring since 2012.[[85]](#footnote-85)

In 2012, ACS began implementation of EarlyLearn NYC, which blended all contracted childcare and Head Start programs into one system to improve quality of care while expanding services to communities with the greatest need.[[86]](#footnote-86) EarlyLearn NYC was designed to emphasize quality over quantity and included changes in the way that contractors were funded, with higher spending per slot but a decreased number of slots, resulting in a loss of subsidized childcare capacity.[[87]](#footnote-87) A number of changes that occurred under EarlyLearn NYC implementation, such as the way that contractors were funded, created challenges for providers that also led to reduced capacity.[[88]](#footnote-88) Previously, contracted childcare providers were paid based on program capacity and costs, but with the initial EarlyLearn NYC RFP, providers were paid a daily rate based on the number of children actually enrolled, leaving some providers struggling to run their programs if not fully enrolled.[[89]](#footnote-89) In addition, the new contracts required the providers themselves to contribute at least 6.7 percent of total annual operating costs and failed to cover health insurance, workers compensation, and unemployment insurance for childcare employees, leaving it to the providers to deliver these benefits.[[90]](#footnote-90)

Starting in September 2014, Mayor de Blasio launched Pre-K for All, which significantly expanded the Universal Prekindergarten (UPK) program. In doing so, enrollment in prekindergarten increased by 28.9 percent from 55,734 in October 2013 to 71,845 in October 2015.[[91]](#footnote-91) According to DOE’s report on enrollment for the 2018-2019 school year, the enrollment for pre-K was 69,409.[[92]](#footnote-92) The widespread availability of full-day prekindergarten programs provided an alternative to childcare vouchers for many families with four year olds, thereby reducing some demand for subsidized childcare slots.[[93]](#footnote-93) DOE’s budget for Universal Pre-K in Fiscal 2021 is currently $864 million, growing to $882.8 million in Fiscal 2022.[[94]](#footnote-94) This excludes the costs associated with 3-K, which is referenced in the following section.

In April 2017, Mayor de Blasio announced the “3-K for All” program “to provide universal, free, full-day, high-quality early childhood education for every three-year-old child regardless of family income.”[[95]](#footnote-95) DOE offers 3-K programs free to parents in the following four setting: NYCEEC’s; DOE District Schools; pre-K Centers; and Family Childcare or home-based programs.[[96]](#footnote-96) Similar to UPK expansion, availability of 3-K for All programs provided an alternative to childcare vouchers for many families with 3-year olds, further reducing demand for subsidized childcare slots.[[97]](#footnote-97)

While subsidized childcare slots for three- and four-year olds have decreased, demand for children ages zero to two has increased.[[98]](#footnote-98) Additionally, as part of the original 3-K expansion announced in 2017, the Fiscal 2018 Executive Budget identified a new need of $349.3 million for Fiscal 2018 and in the out years.[[99]](#footnote-99) Of this $349.3 million new need, $156.7 million was added to the Fiscal 2021 Budget.[[100]](#footnote-100) In February 2020, DOE and the Administration announced an accelerated 3-K expansion and added District 12 and District 29 to the 2020-2021 roll out, which already included expansion to District 1 and District 14, however this was halted as a result of the COVID-19 Pandemic.[[101]](#footnote-101) The Fiscal 2021 Executive Financial Plan identified $43.8 million in savings related to the delay in the expansion of 3-K.[[102]](#footnote-102) Of the total savings $9 million is associated with District 12 and $12 million is associated with District 29. The remaining savings are associated with Districts 1 and 14.[[103]](#footnote-103) The cost of expanding to a new district varies based on the enrollment and capacity within that District. DOE’s Fiscal 2021 budget for 3-K is currently $238.4 million, growing to $242.5 million in Fiscal 2022.[[104]](#footnote-104)

1. **Issues and Concerns**

Overall, the Committees are interested in learning whether the Administration is providing a sufficient number of childcare slots and coverage time to serve the needs of families throughout the city, especially those who must work outside the home. The plan to provide free childcare options for 100,000 children this fall for those in 3-K through 8th grade has not come to fruition; as of October 18th, four weeks after schools had reopened, only 18,564 students were being served in Learning Bridges locations, while thousands remained on waiting lists.[[105]](#footnote-105) In October, a DYCD spokesperson stated that they would “continue adding seats on a rolling basis throughout the fall, eventually reaching 100,000 slots by December.”[[106]](#footnote-106) Critics contended that even the original number of 100,000 slots was inadequate to serve the needs of a school system with 1.1 million students.[[107]](#footnote-107)

Further, the original Learning Bridges announcement lacked clarity and initial media reports implied that the program would also cover after school hours.[[108]](#footnote-108) In fact, unlike RECs which were open from 7:30 am to 6:00 pm,[[109]](#footnote-109) Learning Bridges programs operate only from 8:00 am until 3:00 pm, with no after school coverage.[[110]](#footnote-110) The lack of extended day coverage is problematic for most working parents, especially teachers and other school staff who must often start their work day before 8:00 am, and whose work site may be far from their child’s Learning Bridges site.[[111]](#footnote-111) Additionally, while DYCD will continue to operate many of their existing after school programs, most are located in school buildings and a DYCD representative indicated in a call with elected officials that those sites cannot accommodate Learning Bridges students, as they only have room for the students attending school on a given day due to social distancing protocols.[[112]](#footnote-112)

Further, DOE states that students with disabilities are among priority groups to receive seats in Learning Bridges programs,[[113]](#footnote-113) but advocates say there are too few seats to meet the needs of this vulnerable student population for whom remote learning provides significant challenges.[[114]](#footnote-114) Advocates also contend that some Learning Bridges programs are illegally turning away students with serious challenges, such as autism.[[115]](#footnote-115)

In addition, as previously noted, there have been numerous changes in school reopening dates and start and stop of in-person learning whenever schools were closed—because they were in a zone of high COVID-19 incidence, or when cases of the virus are discovered in specific schools, or when the Mayor closed all public schools citywide on November 19th.[[116]](#footnote-116) Subsequently, Mayor de Blasio reopened 3-K, pre-K and elementary grades K-5 on December 7th, followed by District 75 programs on December 10th, but offered no reopening plans for students in grades 6 and higher.[[117]](#footnote-117) All of these changes prevent parents/guardians from confidently balance their own schedules with the ever-changing ones of their children.[[118]](#footnote-118) Parents/guardians have also objected to changes in the way families could enroll their children in in-person learning; while originally promised an opportunity to opt-in to blended learning each quarter, there was only one additional opportunity to enroll for the rest of the school year, which ended in mid-November.[[119]](#footnote-119) Since Learning Bridges programs are only available to students enrolled in blended learning, families that did not opt-in by mid-November are also closed out of Learning Bridges programs for the remainder of the school year.

There has also been a reduction in available early childhood seats across the city, due to COVD-19. At the outset of the pandemic, all preschools were forced to close, with some later allowed to reopen, but many independent preschools are worried that they will not survive.[[120]](#footnote-120) According to a coalition of nine settlement house providers, DOE’s recent Birth to Five/Early Head Start RFP, with funding set to begin July 1, 2021, will eliminate a large number of childcare slots, particularly extended day slots.[[121]](#footnote-121) Just among this coalition of nine providers, the provisional RFP awards will result in a loss of 39 percent of the 1,352 childcare slots serving low-income, working families they collectively had in Fiscal 2020.[[122]](#footnote-122) Worse, extended day slots for these providers may be cut dramatically. For these nine providers, 91 percent of Fiscal 2020’s 1,352 slots were year-round extended day slots from 8:00 am to 6:00 pm, but only 41 percent (344) of the currently-awarded 831 slots are extended, full day slots, for a net loss of 888 slots which is a 72 percent reduction from last year’s extended day total. [[123]](#footnote-123) These cuts would also impact early childcare workers, who are primarily women/women of color whose annual average income is $40,000, and would result in the loss of more than 125 jobs among these nine providers alone.[[124]](#footnote-124) However, DOE maintains that these cuts stem from an effort to redirect funding to neighborhoods deemed to have higher needs and will not result in a loss of seats overall.[[125]](#footnote-125) DOE has not yet released any data on the RFP awards as yet.

Finally, while the cost of childcare in NYC is comparatively high,[[126]](#footnote-126) data show that the pandemic has exacerbated inequities and barriers for working mothers, who, as described above, disproportionately take on unpaid caregiving responsibilities when their family cannot find or afford childcare,[[127]](#footnote-127) and those working in the childcare industry, which are largely women of color.[[128]](#footnote-128)

1. **Conclusion**

At today’s hearing, the Committees on Women and Gender Equity and Education seek an overview of the City’s childcare services and programming. This includes an examination of the programming implemented by the DOE during the height of the pandemic, as well as the City’s plans to provide childcare as the rate of COVID-19 infections increase across the five boroughs. More specifically, the Committees are interested in learning how the City will build on successes and how the DOE will continue to serve children and their families. Lastly, the Council is specifically interested in how the City will target and serve low-income and families of color, and continue to support them throughout the pandemic and how the Council can best support these efforts.

**UPDATE:** On Wednesday, February 24, 2021, the Committee on Education passed Resolution Number 1473 by a vote of 15 in the affirmative, zero in the negative, with zero abstentions.

Res. No. 1473

..Title

Resolution calling upon the New York City Department of Education to provide families of children with disabilities the necessary training and equipment to properly enable distance learning.

..Body

By Council Members Louis, Treyger, Chin, Rosenthal, Rose, Lander, Kallos, Ayala, Ampry-Samuel, Barron, Grodenchik, Cornegy, Salamanca, Riley, Levin and Borelli

Whereas, The Individuals with Disabilities Education Act (IDEA) guarantees a free appropriate public education to eligible children with disabilities in the U.S. and ensures special education and related services to those children; and

Whereas, As required by the IDEA, the New York City Department of Education (DOE) provides special education services to students with disabilities, defined as any child with an Individualized Education Program (IEP); and

Whereas, According to DOE, in the 2019-20 school year, there were approximately 231,000 students with disabilities, more than 20.4 percent of the total 1.1 million students enrolled in City public schools; and

Whereas, In response to the global COVID-19 pandemic, Mayor Bill de Blasio closed all New York City public schools effective Monday, March 16, in an effort to limit the spread of the virus; and

Whereas, On Monday, March 23, 2020 DOE transitioned to providing online instruction, commonly referred to as distance learning or remote learning, to all students at home, including students with disabilities; and

Whereas, Due to the pandemic and emergency closure of schools, there was very little preparation and training for teachers on how to switch to online instruction and no training provided for parents on how to assist their children with remote learning; and

Whereas, Numerous media reports recounted problems experienced by students with remote learning, including lack of engagement, as well as parents’ frustration over the lack of preparation and support to enable them to assist their children; and

Whereas, According to parents and advocates, difficulties with the remote learning environment are even more severe for students with disabilities; and

Whereas, While DOE attempted to provide students with disabilities instruction and related services, such as speech and physical therapy, via video “teletherapy” sessions, many families reported that the online therapy provided little help and their children have significantly regressed since schools were closed, as reported in a June 17, 2020 *Chalkbeat* article and other press accounts; and

Whereas, The proposed school reopening plans for September 2020 recently announced by Mayor De Blasio and Chancellor Carranza will give families the option of selecting either a blend of in-school and remote learning for students, or continuing with remote learning only; and

Whereas, It is also widely recognized that distance learning will increasingly be used by schools across the country in future years, as described in an April 24, 2020 article from The Brookings Institution; and

Whereas, Families with children with disabilities face unprecedented challenges in light of the transition to distance learning, as reported in an April 18, 2020 article in *The Atlantic* entitled, “The Pandemic Is a Crisis for Students With Special Needs”; and

Whereas, According to The Atlantic*,* students with disabilities require properly trained educators and many also rely on assistive technology, such as screen-reader software to read text aloud, in order to learn successfully; and

Whereas, To ensure that remote learning is as effective as possible for students with disabilities, who require special instruction and services and are particularly vulnerable to learning loss and regression, it is imperative that their parents be well-prepared and receive all necessary support and materials to assist their children with remote learning; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York City Department of Education to provide families of children with disabilities the necessary training and equipment to properly enable distance learning.

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5. *Supra* note 1. [↑](#footnote-ref-5)
6. NYC Comptroller Scott M. Stringer, “NYC Under 3: A Plan to Make Child Care Affordable for New York City Families,” May 2019, accessed at<https://comptroller.nyc.gov/wp-content/uploads/documents/Child-Care-Report.pdf>. [↑](#footnote-ref-6)
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11. *Id.* [↑](#footnote-ref-11)
12. *Id.* [↑](#footnote-ref-12)
13. *Id.* [↑](#footnote-ref-13)
14. *Id.* [↑](#footnote-ref-14)
15. *Id.* [↑](#footnote-ref-15)
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17. *Id.* (directing all agency heads “to take all appropriate and necessary steps to preserve public safety and to render all required and available assistance to protect the security, well-being and health of [New Yorkers]”) [↑](#footnote-ref-17)
18. Office of the Mayor press release, “New York City to Close All School Buildings and Transition to Remote Learning” (Mar. 15, 2020) *available at* <https://www1.nyc.gov/office-of-the-mayor/news/151-20/new-york-city-close-all-school-buildings-transition-remote-learning>. [↑](#footnote-ref-18)
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31. Eliza Shapiro, “New York City to Close Public Schools Again as Virus Cases Rise,” NY Times (Nov. 18, 2020), *available at* <https://www.nytimes.com/2020/11/18/nyregion/nyc-schools-covid.html> (explaining that, as a result of this decision, more than 300,000 students who had been attending in-person classes transitioned to remote learning) [↑](#footnote-ref-31)
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42. *Id.*; Sophia Chang and Jessica Gould, “"There Are No Kids Here": Some Enrichment Centers For Children Of Essential Personnel See Light Attendance On Day One,” *The Gothamist*. March 23, 2020. Accessed at: <https://gothamist.com/news/rec-enrichment-centers-doe-education-coronavirus>. [↑](#footnote-ref-42)
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