



Testimony of

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Finance, General Welfare, Women's Issues and Juvenile Justice Committees

Regarding the
New York City
Fiscal Year 2017 Preliminary Budget

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Good afternoon. My name is Stephanie Gendell and I am the Associate Executive Director for Policy and Government Relations at Citizens' Committee for Children. CCC is a 72-year-old, privately supported, independent, multi-issue child advocacy organization dedicated to ensuring every New York child is healthy, housed, educated and safe. I would like to thank Chairs Ferreras-Copeland, Levin, Cumbo and Cabrera, as well as the members of the City Council Committees on Finance, General Welfare, Women's Issues and Juvenile Justice for holding today's hearing regarding the City's Preliminary Budget for Fiscal Year 2017.

CCC is incredibly grateful to the City Council for its long-standing commitment to the needs of the vulnerable families who interact with the Administration for Children's Services (ACS), Human Resources Administration (HRA) and Department of Homeless Services (DHS). Your relentless efforts to protect child care and preventive service capacity, strengthen the quality of shelter services, ensure children and families have access to healthy affordable food, and help families attain economic security, have helped countless children and their families.

The Preliminary Budget proposes to fund a number of previously announced initiatives for children and families related to education, behavioral health and addressing homelessness. Unfortunately, however, the Preliminary Budget fails to include a number of critical programs and initiatives that are important to addressing income inequality and ensuring the well-being of New York City's children and youth.

Specifically, we look forward to an Executive Budget that makes the investments needed to: improve access to high quality early childhood education and after-school services; bring school breakfast to all classrooms and universal lunch programs to all schools; support primary preventive services that strengthen families and prevent abuse and neglect; restore summer programming for 31,000 children; and establish salary parity and fair benefits for the early childhood providers.

We hope to see much-needed investments and restorations for children and families such as these in the Executive Budget. We look forward to partnering with the City Council in this advocacy effort.

Administration for Children's Services- Child Welfare

This year, we mark the 20th anniversary of the creation of ACS as its own agency—and we mark this with the historic figure of **under 10,000 children in foster care**. The significance of this accomplishment cannot be understated. Twenty years ago there were over 40,000 children in foster care and as of December 2015 there were 9,957.¹

Despite the foster care reduction, the number of reports of alleged abuse or maltreatment and the indication rate for abuse/neglect have remained fairly constant, meaning that the City is documenting abuse or neglect in roughly the same number of families each year. And while the foster care census has continued to decline over time, the number of families and children served through preventive services has remained fairly constant over the past decade. As of January 2016, there were 24,315 children receiving preventive services.² In short, this continues to mean that there are a number of families with indicated cases not receiving services through ACS.

In addition, those children who do come into foster care, often remain in foster care for long lengths of stay. The most recent federal Child and Family Services Review data, released in 2014, documented that New York's child welfare challenges have not improved over time, nor in comparison to other states. In fact, New York ranked in the bottom 5 states for 4 out of 7 of the indicators and only met the national standards for one indicator:

- Maltreatment in care (rate): 46 out of 48 ranked states (did not meet national standards)
- Recurrence of maltreatment (%): 48 out of 48 ranked states (did not meet national standards)
- Permanency in 12 months (%): 35 out of 49 ranked states (did not meet national standards)
- Permanency in 12 months for children in care 12-23 months (%): 50 out of 51 ranked states (did not meet national standards)
- Permanency in 12 months for children in care 24 months or more (%): 48 out of 51 ranked states (did not meet national standards)
- Re-entry to foster care in 12 months (%): 40 out of 48 ranked states (did not meet national standards)
- Placement stability (rate): 3 out of 46 ranked states (met national standards)

Given how poorly New York performs on permanency (and notably the majority of the children touched by NY's child welfare system are from New York City), it is not surprising that far too many youth age out of New York City's foster care system without a family. It is similarly unsurprising, that these young people who age out of the system sometime between ages 18-21, after facing a number of traumas (including the child welfare system and the incident(s) that led to foster care) and do not have the support of a family, have poor outcomes related to housing, employment, education, parenting, etc. CCC looks forward to reviewing ACS's 2016 reports in response to Local Laws 46, 48 and 49, which are not yet online, to see whether there have been any improvements in outcomes for youth aging out and in decreasing the number of youth aging out.

¹ Administration for Children's Services. www.nyc.gov/acs (accessed 3/12/16.)

² Id.

We believe that there are a number of investments ACS and the City Council can make to help strengthen the child welfare system and we hope to see these in the upcoming Executive and Adopted Budgets:

- Funding for Normalcy/Reasonable and Prudent Parent Standard/\$1 million City Council Initiative: In 2014, the federal government passed the Strengthening Families Act, which became effective in September of this past year. One of the key provisions is a requirement to provide children and youth in foster care with opportunities for normalcy—meaning to engage in developmentally appropriate activities that other children participate in. This includes sleeping over at a friend’s house, going on a family vacation, going to the prom, and participating in activities such as soccer, violin lessons and dance. The law empowers foster parents to act as reasonable and prudent parents in determining whether the activity is appropriate for the child they are fostering (without needing agency approval.) Unfortunately, participating in activities often has a cost. **We urge the City Council to create a \$1 million initiative to distribute to foster care agencies to help pay for these activities, which have the opportunity to enable foster children to be children.**
- Discharge Grant: ACS should restore the \$750 discharge grant previously provided when families reunified from foster care and youth aged out of the system. (Note: This had at one time been funded by the City Council, baselined and then cut several years ago.)
- Primary Prevention Services: ACS should invest in primary preventive services. This would enable families to receive services before there were allegations of abuse or neglect, in a way that was stigmatizing. Using data, the City could identify schools, NYCHA facilities, homeless shelters, etc. and based on the needs identified offer services for families and children. Services could include a parenting program for youth fathers, mentoring, tutoring, domestic violence programs, substance abuse programs, etc. These various services could be provided by ACS’s preventive service programs, but without the need to open a preventive case. There is an opportunity to develop some pilot programs within the City’s Beacons (15 have general preventive service contracts), the City’s homeless shelters and perhaps some NYCHA facilities with Cornerstone programs and/or EarlyLearn sites. This would also allow ACS to create Family Empowerment Centers in high-risk neighborhoods- places where parents could turn to other parents and community partners for support without stigma.
- Post-Permanency Services: The City needs to invest \$5 million in post-permanency services, which would assist families in achieving more timely permanency and maintaining permanency once it is achieved. This would be for reunifications, adoptions and KinGAP (subsidized relative guardianships).
- Housing Subsidy: The City should support legislation pending in the State Assembly, A7756A (Hevesi), which would increase the child welfare housing subsidy from \$300 to \$600 (which the City supports), extend the age from 21 to 24 for youth aging out, and ensure youth can have roommates and still receive subsidy.
- Educational Stability for foster children: For many years, educational stability for foster children has been both the federal and state law—meaning that when children enter foster care or change placements, the district is supposed to ensure that foster children remain in

their school of origin unless it is contrary to their best interests. Child welfare agencies often faced barriers because this was only in child welfare law. To resolve this issue, when the federal government reauthorized the Every Student Succeeds Act (ESSA), educational stability for foster children was included. This is a very important issue for New York City to resolve. Before any child is placed in a foster home, the City should be assessing whether the child should be remaining in their school of origin and making plans accordingly. CCC urges the administration to a) require DOE and ACS to make a joint plan; b) fund transportation costs; and c) fund any additional administrative or social work costs to finally implementing educational stability requirements.

- Restore and Baseline City Council Initiatives:
 - \$748,000 for child advocacy centers
 - \$600,000 for CONNECT

Administration for Children's Services- Juvenile Justice

CCC appreciates the attention the new administration has paid to strengthening the juvenile justice system, including the elimination of punitive segregation for the youth ages 16-17 years old on Riker's Island and the start of Limited Secure Placements as part of Close to Home.

We remain cautiously optimistic that the State will raise the age of criminal responsibility this session. We urge the City Council and the Administration to ensure the Governor, Assembly and Senate know that you believe that it is critical that this is finally the year when they raise the age.

CCC supports the Preliminary Budget proposal to add \$1.6 million for 35 new positions to increase the frequency of site visits and program support within Close to Home. ACS has an important role in monitoring the programs for which they contract. In addition, we encourage ACS to once again create an independent oversight panel or ombudsman office for its entire juvenile justice continuum. ACS and its predecessor DJJ used to have various independent oversight models and we would encourage ACS to do this again so that the community can be sure that youth are well-cared for, safe, and receiving the services they need.

CCC was disappointed to see that several City Council initiatives from FY16 were not included in the Preliminary Budget. CCC will be urging the Administration to restore and baseline these items:

- \$250,000 for Vera Adolescent Portable Therapy Program
- \$4.43 million for Alternatives to Incarceration Programs
- \$500,000 for the Center for Court Innovation
- \$1.0 million for the Juvenile Robbery Intervention Program.

Administration for Children's Services- Early Childhood Education

The Preliminary Budget proposes to invest \$2.98 million in ThriveNYC: Trauma Informed Care in EarlyLearn programs, which is training and ongoing support to address the social services needs of the families they serve. This funding is a component of the First Lady's Mental Health Roadmap and CCC was pleased to see attention being paid to the mental health needs of the youngest New Yorkers.

On the other hand, CCC was deeply disappointed that there were no additional investments to ACS's early childhood system proposed in the Preliminary Budget, despite the well-known needs and the recommendations made by the Deputy Mayor Lilliam Barrios-Paoli after she and the Mayor convened the NYC Early Care and Education Task Force to address the issues facing the early childhood community.

This MUST change by the Executive Budget. CCC will be looking to the Executive Budget for the following critical investments in ACS's early childhood system:

- Salary Parity and Adequate Benefits for Staff in ACS-funded Community-Based Programs: The staff in ACS community-based organizations have not had a contract for the past 10 years. While we appreciate that the de Blasio administration has been having conversations with the relevant parties, we remain very concerned about the status of the negotiations related to salary, health insurance and benefits.

The lack of salary parity between staff at ACS CBOs and DOE, doing the same job and with the same credentials, is extremely unfair. For example, a certified teacher with five years of experience in a community based organization contracted by the city's Administration for Children's Services (ACS) makes \$41,700, while a teacher with the same credentials and experience in the public schools earns about \$17,000 more. With 10 years of experience, this gap widens to \$34,000.

In addition, the current health insurance plan for providers in EarlyLearn centers is so inadequate and costly, that over half of the providers have turned it down. Furthermore, the pension plan must ensure sustainability for those working in programs that end up shuttered by the City.

Staff in CBOs are struggling to take care of young children during the day and then support their families; many of them are receiving public assistance or SNAP (food stamps). The unequal treatment between staff in CBOs and DOE, doing the same job, must be addressed immediately; otherwise, experienced staff will continue to leave the CBOs to more lucrative jobs (with fewer hours) in the DOE system. This could severely impact the quality of the early childhood education of the lowest-income children.

- Increase capacity for children 0-3: According to a recent report by the Campaign for Children, using data provided by ACS and analyzed by CCC, ACS only serves 14% of income eligible infants and toddlers and thousands of three-year olds need care.³

The need for an early childhood education does not start when a child turns four- either for the child or the parents. Now is the time for the de Blasio administration to take the next step and build upon its successful pre-kindergarten program by increasing access for younger children.

³ Campaign for Children. *New York City's Early Childhood Education System Meets Only a Fraction of the Need*. September 2015. http://www.campaignforchildrenewyork.com/wp-content/uploads/2015/09/Child-Care-Need-2015_final.pdf

- Increase the EarlyLearn rate: It is well-known and well-documented⁴ that the EarlyLearn rate is not sufficient to cover the costs of high-quality programming nor adequately pay for programs' facility and maintenance costs. Furthermore, to ensure a high quality classroom experience, the City needs to ensure the EarlyLearn rate is sufficient to enable agencies to invest in necessary classroom materials and technology.
- Direct lease sites: The administration must ensure the stability of direct lease sites by resolving lease issues and maintaining capacity in the communities where the sites are located. In April 2008, Mayor de Blasio, then Chair of the City Council General Welfare Committee, held a hearing on efforts to preserve child care centers. He said, "My bottom line is the closing of one child care center is one too many, and we have to look at these as absolute precious resources. We have to understand that when there is a closure, it affects the children, it affects the parents, it affects the people who work at the center and it affects the broader community. And then this precious resource is lost, we don't get it back, and that's my fear...So we can't eliminate slots, we have to find a way to preserve them and in fact build our capacity going forward."⁵ Eight years later, this is even more true, as the capacity in ACS's contracted system has decreased since the creation of EarlyLearn.
- Capital Repair Fund: The City should create a capital fund to pay for repairs at child care centers and family child care homes so that these costs do not come out of the funding that could otherwise be spent on programming for children. This is especially needed to assist programs in NYCHA facilities.
- Restore and Baseline City Council Initiatives:
CCC will be encouraging the administration to restore and baseline the early childhood education initiatives added by the City Council in the FY16 budget:
 - \$12.08 million for 16 child care programs.
 - \$1.79 million for the First Reader's Initiative
 - \$4.4 million for Priority 5 child care vouchers for low-income families with school-aged children
 - \$500,000 for Technical Assistance for Child Care Providers
 - \$210,000 for WHEDCO to train low-income informal child care providers

Family Homelessness- Department of Homeless Services (DHS) and Human Resources Administration (HRA)

Today's Preliminary Budget hearing comes at a time when homelessness is still at crisis levels in New York City. According to DHS's Daily Report, as of March 10, 2016, there were over 12,195 families with nearly 23,000 children sleeping in DHS homeless shelters last week.⁶ As

⁴ Campaign for Children. *EarlyLearn Rate is too Low to Sustain Quality Early Childhood Education in New York City*. January 2015. <http://www.campaignforchildrennyc.com/wp-content/uploads/2012/03/EarlyLearn-Report-FINAL.pdf>

⁵ City Council General Welfare Hearing Transcript. April 10, 2008.

⁶ Department of Homeless Services Daily Report. March 11, 2016. <http://www1.nyc.gov/assets/dhs/downloads/pdf/dailyreport.pdf>

we know, the shelter census often increases as the weather gets warmer, so we are on target to once again see record numbers of children in shelter.

CCC supports the Preliminary Budget proposals that work to address the current homelessness crisis and we look forward to hearing more about HRA and DHS's forthcoming plans for strengthening the City's work to prevent homelessness and help those who are homeless. We are also pleased to see that finally, shelter repairs and safety seem to have become a priority.

CCC supports the Preliminary Budget proposals to add:

- \$9.22 million for anti-eviction legal services expansion (HRA)
- \$4.56 million for Domestic Violence Shelter expansion (HRA)
- \$9.0 million for LINC for NYCHA tenants (HRA)
- \$13.15 million in FY17 (increasing in the outyears) for supportive housing
- \$7.65 million for shelter repairs and maintenance (DHS)

We remain hopeful that these strategies and those the Mayor, DHS and HRA have already put into place and are working to put in place will soon lead to a decrease in the shelter census.

As the Administration continues its assessment and plans for addressing homelessness, we respectfully submit the following recommendations that we hope the City Council can also support:

- Supportive Housing: While we are incredibly grateful to both the de Blasio and the Cuomo Administrations for committing to expand supportive housing, we hope that the City and the State can come together to create a New York/NY IV agreement. This is critical to ensuring coordination and that the plan lives beyond these two administrations.

Furthermore, as the City develops its plans for supportive housing, we urge the administration to ensure that there are units set aside for families and for youth aging out of foster care (as there were in NY/NY III).

- Shelter Conditions and Security/Eliminate Scatter Sites for Families with Children: While we are pleased to see attention paid to shelter security and conditions, as well as the addition of \$7.65 million for shelter repairs, we believe that there is more that needs to be done and additional resources needed to do it.

CCC requests that the Administration include adding additional resources to address the health and safety concerns in shelters for families and children in the Executive Budget for Fiscal Year 2017. In a March 2015, report, DOI reported that it inspected 25 Tier II shelters, hotels and cluster sites and found 621 City issued violations.⁷ They determined that cluster sites are in need of the most immediate action and were unsafe and unhealthy. Some of the violations include seeing a dead rat in an apartment where children live, roaches throughout buildings, garbage in the stairs and hallway, urine on the floor of an

⁷ New York City Department of Investigation Probe of Department of Homeless Services' Shelters for Families with Children Finds Serious Deficiencies, March 2015. Available at: <http://www.nytimes.com/interactive/2015/03/12/nyregion/report-on-violations-in-homeless-shelters.html>

elevator, lax security, and lack of an onsite caseworker.”⁸ CCC has long-advocated against the use of cluster sites as shelter, especially for families and children and we once again renew this request.

- Services to Keep Children Safe and Address Trauma:
Entering and leaving shelter is traumatic and stressful to both parents and their children. We encourage the City to invest in services that are targeted to families in shelter, aimed at reducing stress, addressing trauma, and thereby preventing abuse, neglect and mental health issues.

This is important not only while families are in shelter but also when they leave shelter. For some parents, being in shelter for over a year provided the most housing stability that they have ever had. Leaving this community to live in perhaps a new community, with the stress of needing to pay rent and maintain housing, can be difficult for families and thus warrant additional preventive services.

- Universal Lunch for Elementary and High School students
While this initiative falls within the Department of Education, it is important to mention when thinking about meeting the needs of homeless children. For children who are homeless, they already feel stigmatized at school. While they are eligible for free lunch based upon being homeless, requiring them to document this adds to the stigma and trauma they are facing. This could be eliminated by instituting Mayor de Blasio’s campaign promise of free universal lunch for all New York City public school children. Now is the time to expand universal lunch beyond students in stand-alone middle schools.
- Child Care for Homeless Children
The relatively new federal reauthorization of the Child Care Development Block Grant made being homeless a priority group for receiving subsidized child care. The federal government recognized the benefits to both the children and the parents that child care could provide for these families. We urge the City to invest resources into ensuring homeless children are enrolled in child care programs, particularly EarlyLearn, by using the same deliberate system it has put in place to ensure homeless 4-year olds are enrolled in prekindergarten.
- Restore and baseline Council Initiatives aimed at addressing homelessness: There are several City Council initiatives that were not included in the preliminary budget that we believe should be restored and baselined, including:
 - \$1.0 Million for Children and Families in the NYC Homeless System (to prevent child maltreatment in high-risk cases)
 - \$820,000 for the Citywide Homeless Prevention Fund
 - \$650,000 for the Citywide Task Force on Housing Court/Housing Court Answers
 - \$2.45 million total for the Housing Preservation Initiative
 - \$1.1 million total for Community Consultants

⁸ *Id.*

- \$750,000 for the Mortgage Foreclosure Prevention Initiative
- \$750,000 for the HPD Alternative Enforcement Program to identify 200 most distressed multiple dwelling and make repairs
- \$1.25 million for Stabilizing NYC, a citywide coalition to prevent the loss of affordable housing

We are optimistic that the Mayor's focus on preventing homelessness, ensuring the homeless have a path out of shelter through the LINC program, and providing supports and services when families leave the shelter system will soon lead to a decrease in the homeless shelter census. We look forward to continuing our work with the Administration and City Council to help homeless families and children in New York City.

Human Resources Administration (HRA): Food and Economic Security

CCC is very pleased with the direction and initiatives being pursued by HRA in support of families and children. We are hopeful that the new policies and procedures related to work-requirements will help bring families both short-term and long-term economic security.

Far too many hard-working New Yorkers are living in poverty. According to the most recent U.S. Census data, New York City's overall poverty rate is 20.9%, which means that one in every five New Yorkers lives in poverty.⁹ Even more sobering, the child poverty rate in New York City is 29.6%, meaning over 520,000 NYC children lived in poverty in 2015.

Many New Yorkers who live in poverty work at minimum wage jobs, and need higher wages in order to support themselves and their families. CCC supports the Governor's proposal to raise NYC's minimum wage to \$15.00 per hour and we are pleased that the Mayor has raised the minimum wage for City employees. Ultimately, we believe every working New Yorker should earn a living wage.

CCC also supports the Preliminary Budget proposals to add \$7.63 million for the IDNYC program. We are pleased that so many New Yorkers have been obtaining these IDs and we appreciate all of the efforts of both the Administration and the City Council for making IDNYC a reality.

We were also extremely pleased to see the Preliminary Budget proposes to add \$806,000 for the Teen Relationship Abuse Prevention Program (Teen RAPP), to maintain enhanced programming at 30 schools. This important program that targets dating violence, had been targeted for elimination by the Bloomberg Administration and was saved by the City Council. It is therefore refreshing to see the de Blasio Administration investing even more in this wonderful program.

While we appreciate the investments and reforms that have been made by the Administration, we urge the City to go further in the Executive Budget to better meet the needs of struggling New Yorkers:

⁹ U.S. Census Bureau, American Community Survey 1-Year Estimates, 2014.

- Increase support for Emergency Food Programs:
While SNAP benefits are a critical component of ensuring the food security of New Yorkers, there are many hungry New Yorkers who are not eligible, eligible New Yorkers who are not enrolled, and the federal government has cut SNAP benefits. Thus, unfortunately, many New Yorkers need to turn to emergency food programs (EFPs), such as food pantries and soup kitchens. We are urging the Administration to bring baselined funding for emergency food programs to \$15.3 million, a \$3.8 million increase.

- Restore and Baseline City Council Initiatives:
CCC will be urging the Administration to restore and baseline FY16 City Council initiatives including:
 - \$2.8 million for the Anti-Poverty Initiative
 - \$500,000 for the Communities for Healthy Foods Initiative
 - \$250,000 total for the EITC Assistance Program
 - \$335,000 for EBTs at Farmers' Markets
 - \$95,000 to expand low income farmers' markets
 - \$475,000 for Food Pantries and Technical Assistance
 - \$1.93 million for food pantries
 - \$148,000 for SCO Family of Services/Center for Family Life Worker Cooperatives
 - \$2.1 million for Worker Cooperative Business Development Initiative

Conclusion

In conclusion, while the de Blasio administration has taken some critical steps towards addressing income inequality and the needs of vulnerable children and families, there is much more work to be done. The budget is a document that reflects the priorities of an Administration. We therefore remain hopeful that the Executive Budget will include many of the restorations and priorities that are raised in this testimony. We hope that the City Council will also support these priorities.

Thank you for the opportunity to testify.