



Advocates for Children of New York
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News Release

For Immediate Release

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NYC Projecting Shortage of More than 900 Seats in Preschool Special Education Classes for Spring 2022

The City and State Must Take Action to Close this Gap

November 30, 2021 (NEW YORK CITY) — *Advocates for Children of New York (AFC) issued the following response to the NYC Department of Education's posting of new data showing a need for more than 900 additional seats in preschool special education classes in the spring of 2022:*

New data released by the DOE show a projected deficit of more than 900 seats in preschool special education classes in the spring of 2022 for children with disabilities who have a legal right to such classes – even at a time when special education referrals and overall preschool enrollment are down due to the pandemic. While the City and State have been expanding seats in general education prekindergarten classes, they have not met their basic legal obligation to provide preschool special education classes for children with disabilities who need them—leaving behind children with the most significant disabilities.

“The State and the City need to step up and address this legal violation,” said Kim Sweet, Executive Director of Advocates for Children of New York. “This is the moment for the Governor and the Mayor to show they value young children with disabilities—that they will ensure there is a high-quality class for every child who needs one instead of leaving children on waitlists in violation of their legal rights.”

A bill awaiting action from Governor Kathy Hochul would help stop preschool special education programs run by community-based organizations (CBOs) from closing—a significant contributing factor to the shortage of seats. In June, the New York State Assembly and Senate unanimously passed A. 8013 (Benedetto)/ S. 6516-A (Mannion) to provide preschool special education programs with a payment rate increase on par with the total school aid increase the Legislature approved for school districts—following years of underinvestment in preschool special education programs. Today, more than 100 organizations sent a [letter to Governor Hochul](#) urging her to sign this bill. With the Assembly, Senate, State Education Department, and [more than 100 organizations](#) united that preschool special education programs need equitable funding, it is time for the Governor to act.

On the city level, we are pleased that Mayor de Blasio announced a new initiative to provide support to community-based organizations running preschool special education classes with the goal of having CBOs open 800 additional preschool special education class seats in the 2022-23 school year. But the Mayor has not yet committed to paying teachers and staff at these preschool special education programs on par with their DOE colleagues, jeopardizing the ability of CBOs to open new classes. CBOs are struggling to recruit and retain teachers and staff for the preschool special education classes they already run since their staff—who work over the 12-month school year serving young children with the most intensive needs in the City—could earn far more working in DOE schools. The City must commit to increasing salaries so that CBOs will be able to attract the teachers they need to open new classes.

“Families of young children with disabilities wonder why there are no seats for their children, why their children’s teachers are paid less than other teachers, why their children always come last,” said Kim Sweet. “The children waiting for seats are counting on the State and the City to act now.”

About Advocates for Children of New York (AFC)

Since 1971, Advocates for Children of New York has worked to ensure a high-quality education for New York students who face barriers to academic success, focusing on students from low-income backgrounds who are at greatest risk for failure or discrimination in school because of their poverty, disability, race, ethnicity, immigrant or English Language Learner status, sexual orientation, gender identity, homelessness, or involvement in the foster care or juvenile justice systems. AFC uses four integrated strategies: free advice and legal representation for families of students; free trainings and workshops for parents, communities, and educators and other professionals to equip them to advocate on behalf of students; policy advocacy to effect change in the education system and improve education outcomes; and impact litigation to protect the right to quality education and compel needed reform.