

November 30, 2021

The Honorable Kathy Hochul
Executive Chamber
New York State Capitol Building
Albany, NY 12224

Re: Support for A. 8013 / S. 6516-A re: yearly tuition and regional rate reimbursement for approved school-age and preschool special education programs

Dear Governor Hochul:

As organizations working with children and families across New York State, we write to urge you to sign A. 8013 (Benedetto) / S. 6516-A (Mannion) into law as soon as you receive it. This legislation, which was passed by both the Senate and Assembly in June, would ensure that preschool special education programs, as well as state-approved non-public schools for school-age students with significant disabilities, receive the same increase in payment rates as school districts; it is essential to address the significant shortage of seats in preschool special education classes, which is causing young children with disabilities to go without the support they need and have a legal right to receive.

Parity in payment rate increases is a matter of equity: programs that serve children with the most intensive needs should receive at least the same annual payment rate increase as district programs. School-age students who attend non-public special education schools do so because they have significant needs that their district schools have determined they are unable to meet. Likewise, the State relies on preschool special education programs to meet the needs of preschoolers with significant disabilities who require a small class size led by teachers trained to educate students with disabilities. The programs that serve these children have experienced rising costs and have had trouble recruiting and retaining special education teachers with their current funding rates.

We are particularly concerned about preschoolers with disabilities throughout the State who are going without the instruction and services they need because the State has a shortage of preschool special education classes. Prior to the 2015-2016 school year, the State did not provide any increase in reimbursement rates for preschool special classes for six years, keeping the rate stagnant with no cost of living adjustments. Between 2015-2016 and 2019-2020, the State approved only a two percent increase each year—far less than the increase provided to school districts in the State budget. Meanwhile, more than 60 preschool special education programs around the State have closed in recent years, including more than 30 in New York City, and many agencies have pointed to the State's low payment rate as the cause.

As a result, children who had a legal right to such a class missed the chance to receive services at a time in their lives when those services can have the greatest impact. While preschool special education referrals have dropped due to COVID-19, there are still children going without the support they need—and the problem will likely only grow larger as more children need more intensive help because they missed out on months of services during the pandemic. According to

recently released data, in New York City alone, 1,215 preschoolers with disabilities were waiting for seats in legally mandated preschool special education classes at the end of the 2019-20 school year.

The State has a legal obligation to ensure there is an appropriate school setting for every preschooler and school-age student with a disability. New York relies on preschool special education programs and state-approved non-public schools to meet the educational needs of students with the most significant disabilities. At a time when school districts are receiving an infusion of new funding, the State must not shortchange students with the most intensive needs and the schools that serve them. To help prevent additional programs from shutting their doors and ensure children with disabilities across New York State receive the support they need to learn, we strongly urge you to sign A. 8013 / S. 6516-A into law.

Thank you.

Sincerely,

A Starting Place

Abilities First, Inc.

ACDS, Inc.

ACLD - Children's Services

ADAPT Community Network

Adirondack Foundation - Birth to Three Alliance

Advocates for Children of New York

Agencies for Children's Therapy Services (ACTS)

AHRC New York City

Alternatives for Children

ARISE Coalition

Astor Services for Children and Families

Birch Family Services

Block Institute Preschool

Bornhava

Brooklyn Defender Services

Buffalo Hearing & Speech Center

CACF - Coalition for Asian American Children and Families

Capital Region Alliance for Children with Special Needs

Center for Spectrum Services

Cerebral Palsy Associations of NYS

Child Care Council of Orange County, Inc.

Child Care Council of Suffolk, Inc.

Child Study Center of NY

Children At Play

Children's Defense Fund-New York

Citizens' Committee for Children of New York

Developmental Disabilities Institute

Early Care & Learning Council

Early Childhood Alliance Onondaga

Educators for Excellence - New York
Elizabeth Seton Children's School
Everyone Reading, Inc.
Extreme Kids & Crew
Generations Child Care, Inc.
Goddard Riverside
HASC
Hawthorne Foundation Inc.
HeartShare Education Center
HeartShare Human Services of New York
HeartShare St. Vincent's Services
HeartShare Wellness
Hebrew Institute for the Deaf and Exceptional Children
Hudson Alliance for Children with Special Needs
Integrated Treatment Services
InterAgency Council
Jawonio Inc
JCC of Mid Westchester
JCCA
Jewish Community Center of Staten Island
Just Kids Early Childhood Learning Center
Kennedy Children's Center
Keuka Lake School
Kids Can't Wait Campaign
Lawyers for Children, Inc.
LearningSpring School
Leeway School
Life-Skills Home Training Tutorial Program for Preschoolers, Inc.
Liftoff Western New York
Little Lukes Preschool & Childcare Center
Long Island Coalition for Children with Special Needs
Los Ninos Services
Marie Pense Center
Mozaic
New Interdisciplinary School
New York Center for Child Development
New York Center for Infants and Toddlers
New York City Coalition for Children with Special Needs
New York Immigration Coalition
New York State Occupational Therapy Association
New York Zero to Three Network
NY Performance Standards Consortium
OLV Human Services
Orange County Cerebral Palsy Association Inc. dba Inspire
Parents Helping Parents Coalition of Monroe County
Prevent Child Abuse NY

Psychotherapeutic Evaluational Programs, Inc.
QSAC, Inc.
Queens Centers for Progress
Rising Ground, Inc.
Room to Bloom Therapy Services LLC
Schuyler Center for Analysis and Advocacy
SCO Family of Services; Tyree Learning Center
Small Wonder Preschool, Inc.
Special Support Services
Step by Step Developmental Services
SteppingStone Day School
The Arc Greater Hudson Valley NY
The Center for Developmental Disabilities
The Children's Agenda
The Children's Law Center
The Guild for Exceptional Children
The Hagedorn Little Village School
The Jewish Board of Family & Children's Services
The New York Foundling
The Parkside School
The Right to Read Project
The Summit Center
Therapy and Learning Center
These Our Treasures, Inc. (TOTS)
UNITED COMMUNITY SERVICES, INC.
Village Child Development Center
Volunteers of America-GNY Bronx Early Learning Center
Westchester Children's Association
Western-Central NY Coalition for Children with Special Needs
Zone 126