



Advocates for Children of New York

Protecting every child's right to learn since 1971

Testimony to be Delivered to the New York City Council Committee on Education

Re: 3-K Funding Cuts and Delayed Reimbursements to Early Childhood Providers

February 15, 2023

Thank you for the opportunity to discuss early childhood education in New York City. My name is Betty Baez Melo, and I am an attorney and Director of the Early Childhood Education Project at Advocates for Children of New York (AFC). For more than 50 years, Advocates for Children 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. Every year, we help thousands of families navigate the education system, starting from the time children are born.

We appreciate the Council's focus on early childhood education today. It is now widely accepted that the first few years of a child's life are fundamental to their development and that preschool programs are crucial in preparing young children for kindergarten and setting them up for success later in life. Over the past ten years, the City has greatly expanded access to early childhood programs by launching Pre-K and 3-K for All and, most recently, by implementing Promise NYC to increase access to programs for children who are undocumented. However, making 3-K truly universal is not only a matter of adding seats, but of ensuring access to preschoolers with disabilities and other historically marginalized groups of children.

At AFC, we have heard from numerous families who needed a preschool special education classroom placement for their child but were told that there was no seat available. At the end of last June, 800 preschoolers with significant disabilities were waiting for seats in their legally mandated preschool special education classes. Many of these children are diagnosed with autism, are non-verbal, or have delays in multiple areas of development. These children stand to benefit significantly from early childhood programs, and the City cannot leave these children behind.

We have also heard from families whose children with disabilities are in 3-K and pre-K general education classes but are not receiving their legally mandated special education services – such as part-time special education teacher services, speech

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therapy, or counseling. According to DOE data, one in four children with Individualized Education Programs (IEPs) in 3-K and Pre-K for All programs did not receive their full mandated services by the end of the 2020-2021 school year, in violation of their legal rights.

While there is more work to do, with the Council's support, the City has taken some important steps to help address these systemic legal violations – including opening hundreds of new preschool special class seats, committing to addressing the shortage of seats by the spring, opening integrated classes, and hiring dozens of related service providers and staff to help address delays with preschool IEPs.

However, the City is relying on \$88 million in federal COVID-19 stimulus funding this year to fund these initiatives—funding that will be expiring in the fall of 2024. As you consider next steps on sustaining and expanding 3-K, it is critical to also work to sustain and expand these preschool special education programs and services.¹ Serving children with disabilities is not optional.

Similarly, while some seats remain empty, the City's 3-K and Pre-K programs are under serving children in temporary housing, who could greatly benefit from having a safe, consistent, high-quality preschool program, and children from immigrant families who have historically been excluded from certain programs because of their immigration status. Plans to assess need and determine the location of classrooms need to include increased access and outreach to families whose children are disproportionately left out of these programs. To sustain recent progress, we urge you to ensure the City extends funding for [Promise NYC](#) so that children can access all 3-K and Pre-K for All programs regardless of their immigration status. Funding for this program, which just launched in January, will expire in June unless it is extended in the upcoming city budget.

We look forward to working with you to ensure the City has an early childhood system that meets the needs of all young children and families in New York City, including children from immigrant families, children in temporary housing and children with disabilities.

Thank you for the opportunity to speak to you today. I would be happy to answer any questions.

¹ For more information about long-term education programs currently funded with one-time federal COVID-19 relief funding, see [Sustaining Progress for NYC Students: A Call to Action for Policy Makers](#).