Advocates for Children of New York
Protecting every child's right to learn

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

Re: FY 2026 Preliminary Budget - Education

March 13, 2025

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Thank you for the opportunity to speak with you. My name is Randi Levine, and I am the Policy Director at Advocates for Children of New York. For more than 50 years, AFC 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 school system.

We are concerned that a number of important education programs are funded only through the end of this year. If funding is not continued:

- Hundreds of young children with autism and other disabilities could lose access to preschool special education programs, in violation of their legal rights, at a time when 450 preschoolers with disabilities are still waiting for seats, and thousands of children could lose access to 3-K;
- The immigrant family outreach initiative could end at a time when changes to federal policy make it essential for schools to be able to communicate key information to families;
- Thousands of students at 50 high-needs schools could lose access to the Mental Health Continuum, while there is an ongoing youth mental health crisis;
- The majority of restorative justice programming could end despite the importance of students learning to resolve conflicts and repair relationships instead of being excluded from school.

We appreciate that the City Council fought for each of these programs last year.

While it is important to ensure these programs and others are continued and baselined, the City must also do more to address pressing needs we see in our work with families. We recommend that the City add at least:

- $70 million for preschool special education evaluations, services, and staffing at a time when 11,000 preschoolers are waiting for at least one of their mandated services to begin and more than 5,000 are receiving none of their services.

- $17.5 million to expand access to small group support for students who need extra help learning to read; we should not have to take legal action to get private tutoring because our public schools are not equipped to provide effective reading interventions to students who need them.
- $3.75 million to provide behavioral support not currently funded through school-based mental health clinics, such as training for school staff.
- $450 million to the five-year Capital Plan to make more schools fully accessible so that students with physical disabilities are not turned away from school because they can't get in the building.

More information about each of these priorities and others is in our written testimony.

Finally, we want to mention our deep concern that Governor Hochul's proposed changes to the Foundation Aid per pupil funding formula would result in New York City schools getting $350 million less than they would under the current formula. We urge you to work with the Governor and State Legislature to ensure that any changes to the Foundation Aid formula drive more resources to NYC schools and certainly do not result in our schools receiving *less money* than they would under the current formula.

We look forward to working with you as the budget process moves forward. Thank you for the opportunity to speak with you. I would be happy to answer any questions you may have.

ADVOCATES FOR CHILDREN OF NEW YORK

City Education Budget Priorities for FY 2026

Sustain impactful programs.

We appreciate that last year, in the face of expiring federal stimulus funding and city funding, the Administration and the City Council provided continued funding for many impactful education programs that would have otherwise been rolled back or eliminated. While a number of these programs were baselined, others were funded for one year only. The Mayor's FY 2026 Preliminary Budget extends funding for two of them—Summer Rising and Learning to Work—for another year, but many other critical programs were left out and are once again at risk of severe cuts. We are calling on the City to avoid taking a step backwards and **extend and baseline funding for these programs**—helping to ensure their long-term stability and support for students and families.

Key programs left out of the Preliminary Budget that are funded with one-year city dollars expiring in June 2025 include:

- Early Childhood Education
  - Preschool special education classes ($55M)
  - Promise NYC ($25M)
  - 3-K and Pre-K: 3-K ($112M), Extended day seats ($25M), and Outreach ($5M)
- Immigrant Family Communication and Outreach ($4M in expiring funds; we are requesting an increase of $3M, for a total allocation of $7M, for FY 2026)
- Restorative Justice ($12M)
- Mental Health Continuum ($5M)
- Community Schools ($14M)

Make additional investments to address pressing needs.

It is also essential for the City to keep moving forward by increasing investments to address the pressing needs we see on the ground in our work with families every day—including the need for legally mandated preschool special education services, one-on-one or small group reading support, mental health support, and accessible schools. We urge the City to:

- Provide preschoolers with disabilities with the evaluations and services they need ($70M) and extend enhancements of the recent early childhood labor agreement to staff at preschool special education programs at community-based organizations.
- Expand access to one-on-one or small group support for students who need more help learning to read ($17.5M).
- Enhance services at school-based mental health clinics ($3.75M).
- Make more schools accessible to students, parents, educators, and community members with physical disabilities ($450M in capital funding over five years).

Sustain impactful programs funded with city funding scheduled to expire in June 2025.

The following education programs are funded, in whole or in part, with one-year city funding set to expire in June unless extended in the FY 2026 budget. The funding amounts listed are the dollar amounts needed merely to sustain these existing programs at their current funding levels; unless funding is extended, students will lose access to these programs. The City should extend and baseline funding for these programs.

EARLY CHILDHOOD EDUCATION

Preschool special education classes ($55M)

Even as the City has expanded 3-K and Pre-K, 450 three- and four-year-olds with disabilities were waiting for the seats they needed in preschool special education classes as of late January 2025, in violation of their legal rights. We appreciate that the City included $55M in the FY 2025 budget to open new preschool special education classes. While this funding is not sufficient to address the need for preschool special education classes and services, it has provided seats for hundreds of children with autism and other disabilities who would otherwise be going without the classes they need and have a legal right to receive. However, the $55M is one-year city funding set to expire in June. As the City keeps working to use this funding to open new classes this year, it is important for everyone to know as soon as possible that funding will continue next year and beyond.

Promise NYC ($25M)

No child should be turned away from an early learning program because of their immigration status. In January 2023, the City launched Promise NYC to increase access to subsidized childcare for children who would otherwise be ineligible for existing programs due to federal restrictions. We appreciate that the City increased the initiative's funding for FY 2025, allowing 1,000 children to enroll in early care and education programs—helping prepare them for success in elementary school and beyond, while also enabling their parents to work and connect with resources. However, the full $25M in Administration for Children's Services (ACS) funding for Promise NYC will run out at the end of June if not extended in the FY 2026 budget.

3-K and Pre-K: 3-K ($112M), Extended day seats ($25M), and Outreach ($5M)

3-K and Pre-K programs provide high-quality early learning opportunities to children—helping prepare them for success in kindergarten and beyond. The previous Administration used temporary federal funding to expand 3-K, which had 17,500 children participating in 2019–20 and now serves around 40,000 students. We appreciate that the City has continued the program with city dollars and also invested additional funding to provide more extended day seats and do much-needed community outreach. However, the City's current investment in early childhood education includes one-year city dollars for 3-K ($112M), extended day seats ($25M), and outreach ($5M), all set to expire in June.

MULTI-FACETED IMMIGRANT FAMILY COMMUNICATION & OUTREACH ($4M in expiring one-year city funds; we are requesting an increase of $3M, for a total of $7M)

This initiative strengthens New York City Public Schools' (NYCPS') communication with immigrant families—many of whom would otherwise be left without important information—by using local ethnic media to share school-related updates, sending paper notices to families' homes, reaching families via phone calls and text messages, helping schools bolster their translation and interpretation systems, and collaborating with immigrant-facing community-based organizations to create and launch information campaigns. However, this work is currently supported by $4M in one-year city funding that expires this June. Given the increase in the number of newly arrived immigrant families in New York City, it is critical for this initiative to continue, particularly at a time when changes in federal policies could lead families to keep their children out of school or avoid accessing educational services for which they are eligible. In addition to restoring the current $4M budget, the City should invest an additional $3M (for a total allocation of $7M) to help meet the growing need for translation and interpretation and to help ensure information—including information about the rights of students with disabilities—reaches families who speak languages other than English via comprehensive information campaigns.

RESTORATIVE JUSTICE ($12M)

All students deserve schools where they feel safe and supported, but without sufficient resources and appropriate alternatives for addressing behavior and helping students navigate conflict, schools will continue to resort to suspensions—which do not repair relationships or make schools safer; disproportionately impact students of color, students with disabilities, and youth who are homeless or in the foster system; and have been linked with lower educational attainment and higher odds of future contact with the juvenile or criminal legal system. Restorative justice practices enable schools to keep students in the classroom while helping them resolve conflicts and build and repair relationships. We appreciate that the FY 2025 budget included $12M in increased city funding to replace expired federal stimulus dollars. However, this $12M was for one year only.

MENTAL HEALTH CONTINUUM ($5M)

The Mental Health Continuum is a cross-agency partnership (NYCPS, Health + Hospitals, Department of Health & Mental Hygiene) to help students with significant mental health needs access expedited mental healthcare. This innovative model, which was highlighted in the Mayor's Mental Health Plan and the City Council's Mental Health Roadmap, supports students at 50 high-needs schools through school partnerships with H+H mental health clinics, dedicated staff to provide students with timely access to mental health services, a NYC Well hotline to advise school staff, mobile response teams to respond to students in crisis, and training for school staff in Collaborative Problem Solving to build their capacity to address student behavior. Recognizing the youth mental health crisis, the Mayor announced last April that the City would open 16 mental health clinics as part of the Mental Health Continuum. These clinics are now up and running, serving thousands of students. However, the $5M for this initiative (NYCPS: $787K, H+H: $3.74M, DOHMH: $472K) is set to expire in June.

COMMUNITY SCHOOLS ($14M)

Community schools provide students and their families with wrap-around supports and services, such as after-school programming, adult education classes, and medical, dental, and mental healthcare. Community schools have had a positive impact; a report found that compared to otherwise similar schools, community schools in New York City had significantly lower chronic absenteeism; higher on-time graduation; and fewer disciplinary incidents. While most of the City's 400 community schools have baselined funding, the City is currently using $14M in one-year city funding to support more than 50 community schools.

NOTE: The above is not a comprehensive list of important education programs at risk; other initiatives funded with one-year expiring city funding include:

- Teacher Recruitment ($10M)
- High-Impact Tutoring ($4M)
- Arts Programming ($41M)
- Student Success Centers ($3.3M)

Make additional investments to address pressing needs.

Ensuring that key programs remain funded at their current levels is important, but not sufficient to meet student needs. In our work on the ground with families, we see a significant need for additional supports, including the following investments.

Provide preschoolers with disabilities with the evaluations and services they need ($70M) and extend enhancements of the recent early childhood labor agreement to staff at preschool special education programs at CBOs.

Parents know that the preschool years provide a critical window for addressing developmental delays, but thousands of them hit a wall when trying to secure the most basic services for their children. Forty-five percent of preschoolers with IEPs—more than 14,400 children—ended the 2023–24 school year without ever receiving at least one of the types of services the City was legally required to provide. This year, we have continued to hear from numerous families whose preschoolers are waiting for their services to begin, as well as families unable to get an appointment for a preschool evaluation in the first place. In fact, as of late January, more than 5,600 preschoolers with IEPs were receiving *none* of their mandated services—representing 22% of all preschoolers recommended for related services and/or Special Education Itinerant Teacher (SEIT) services (a part-time special education teacher to help include a 3-K or pre-K student in their general education class). An additional 5,800 preschoolers were receiving at least one, but not all, of their services. While we appreciate the $55M investment in FY 2025 to open new preschool special education classes, this funding does not address the need for evaluations or the need for services for children with disabilities participating in general education or integrated 3-K and Pre-K classes.

The City must address these legal violations and ensure young children with disabilities are not left waiting for the help they need. The City should invest and baseline at least $70M to provide preschoolers with evaluations and mandated services by taking steps such as launching more NYCPS evaluation teams; hiring more Committee on Preschool Special Education (CPSE) staff to help parents with the evaluation and Individualized Education Program (IEP) meeting process; hiring more NYCPS service providers and teachers; and allocating funding to NYCPS Pre-K Centers and schools with 3-K and Pre-K programs so that young children receive their special education services where they go to preschool.

In addition to this investment, the City should extend the enhanced provisions of the early childhood education labor agreement reached this fall to staff at preschool special education programs at community-based organizations. While AFC has no vested interest in teacher compensation, we are very concerned about the implications of returning to a system where preschool special education teachers are the lowest paid teachers in New York City, despite working with children with some of the most intensive needs—including children with severe autism, serious medical conditions, or significant behavioral needs—and doing so over the twelve-month school year. Continuing to exclude teachers of preschool special education classes from the agreement will likely result in teachers leaving for higher paid jobs, classes closing, and even more children sitting at home in violation of their legal rights.

The City should invest and baseline at least $70M to address the systemic failure to provide preschoolers with disabilities with the evaluations and services they need and should extend the enhancements of the recent early childhood labor agreement to staff at preschool special education programs at CBOs to help address the shortage of preschool special education classes.

Expand access to one-on-one or small group support for students who need more help learning to read ($17.5M).

Far too many NYC students struggle to become skilled readers: less than half of all students in grades 3–8, including only 37% of Black and Hispanic students and 21% of students with disabilities, are reading proficiently, according to the 2024 State tests. In 2023, the City launched NYC Reads, an ambitious effort to overhaul reading instruction in grades K–5. This initiative, which has now rolled out Citywide, requires each community school district to choose one of three pre-approved reading curricula to use in all its elementary schools; in the past, individual schools had free reign to choose their own curricula, resulting in widespread use of ineffective programs. While there is still much work to do to help schools implement new curricula to their maximum effectiveness, including continuing the job-embedded training critical to the initiative's success, NYCPS must also prioritize improving systems of support for struggling readers. Even when core instruction in the early grades is strong, there will always be a subset of students who need more individualized attention and targeted instruction. At AFC, we continue to hear from families of students across grade levels who have dyslexia or other reading difficulties and have been unable to access the help they desperately need. Often, we need to take legal action to help them obtain intensive private tutoring due to difficulties finding effective reading interventions in the public schools.

Building a robust system of intensive intervention and support for students struggling with reading is a necessary piece of the puzzle. While some schools have already started offering evidence-based reading interventions that align with the approved core reading curricula, many others need to buy

new materials and train educators in delivering the new programs. In addition, schools must have sufficient staff capacity to provide intervention to all students who need it. While schools receive a yearly allocation for Academic Intervention Services (AIS), these funds are rarely sufficient to hire a full-time staff member and must cover intervention in both reading *and* math. In fact, there are almost 500 schools that each received less than $15,000 this year for AIS. Increasing that allocation and providing additional money for curricular materials and training would help schools ramp up to address the needs of struggling readers.

The City should invest and baseline at least $17.5 million to help schools deliver one-on-one or small group intervention to more students who need extra help learning to read.

Enhance services at school-based mental health clinics ($3.75M).

Children are facing a well-documented mental health crisis. School-based mental health clinics (SBMHCs) provide on-site mental health services to children during the school day, including psychiatry, medication management, family peer support, youth advocacy, and counseling. SBMHC staff work closely with school staff to identify children in need and coordinate services. SBMHCs work to engage the whole family and can serve family members at their community location. SBMHCs provide crisis mental health services, helping to ensure children receive a supportive response when they are in need and reducing the use of suspensions and punitive disciplinary measures.

Currently, most funding for SBMHCs comes from Medicaid, which does not adequately cover the range of supports and services that students and school communities need. Supplemental funding is needed to provide additional services, such as consulting on specific behavioral supports for classrooms, working as part of a school's crisis response team, providing support to the full school staff on behavior support, and being on call to de-escalate crises.

Providing existing school-based mental health clinics with supplemental funding to help fill this gap would allow clinics to better integrate into school communities and better support students with behavioral and mental health challenges. The City should invest and baseline at least $3.75M to provide the additional resources these SBMHCs need.

Make more schools accessible to students, parents, educators, and community members with physical disabilities ($450M in capital funding over five years).

More than 30 years after the Americans with Disabilities Act (ADA) prohibited discrimination on the basis of disability, physical barriers to full inclusion remain widespread in New York City's schools—and as a result, New Yorkers with disabilities continue to be excluded from buildings that are central to public life. In fact, only about a third of schools are fully accessible to students, teachers, parents, and community members with disabilities.

Five years ago, the situation was much worse—fewer than one in five schools was fully accessible as of the start of the 2018–19 school year—and New York City invested a historic $750 million in the 2020–2024 Capital Plan to improve school accessibility. While this funding has enabled significant progress, there is much work left to do: NYCPS itself estimated that it would take $1 billion in each of the next four five-year plans to reach "maximum practical accessibility" by 2045.

At a minimum, the City must make the investments necessary to keep pace with the work done over the past five years. The 2025–2029 Capital Plan currently includes $800 million for school accessibility projects, an amount that represents a *decreased* commitment to improving school accessibility once inflation is taken into account.

The City should allocate an additional $450 million—for a total investment of $1.25 billion—for school accessibility projects in the 2025–2029 Capital Plan, with the goal of making at least 45% of buildings that serve as the primary location for a school fully accessible by 2030.