



Advocates for Children of New York

Protecting every child's right to learn

Testimony to be Delivered to the New York City Council Subcommittee on Early Childhood Education

Re: The Path to Universal Child Care March 2, 2026

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Thank you for the chance to discuss the expansion of early childhood care and education programs and how the City should use this opportunity to create a fully inclusive and accessible system. My name is Betty Baez Melo, and I am an attorney and the Director of Early Childhood Education 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 are pleased with the City's commitment to strengthen 3-K and Pre-K and launch 2-K to expand access to free high-quality programs for two-year-old children. As the City undertakes these expansion efforts, it must ensure that early childhood care and education programs serve all New York City families, including families who often struggle to access care, such as families of young children with disabilities, families who speak a language other than English, and families in temporary housing.

In recent years, we've seen families of young children with disabilities experience hurdles in securing the preschool placements and services their children need, in violation of their legal rights—families waiting weeks to hear back after requesting evaluations, families desperate for their children's services to start so they can benefit from 3-K alongside their peers, and families whose children are sitting at home due to the City's shortage of preschool special education classes. Unfortunately, we know that the experiences we hear from families are not uncommon. As of May 2025, 7,156 (29%) of preschoolers with disabilities were missing one or more of their legally mandated services like speech therapy or counseling; more than half of those children—3,729 preschoolers—were receiving none of their mandated preschool special education services. Additionally, the New York City Department of Education (DOE) recently posted information online projecting a shortage of preschool special education classrooms this spring that could leave hundreds of young children with



disabilities with the most intensive needs sitting at home in violation of their legal rights while their peers benefit from preschool programs.

Child care can only be universal if it provides children with disabilities with the support they need to fully participate. We appreciate that the Mayor extended and baselined \$70 million for preschool special education in the preliminary budget. The City must invest the resources needed to meet its legal obligation to preschoolers with disabilities and ensure they are not left behind.

As the City launches 2-K, it must ensure that families are not turned away because their child has a disability and it must support providers to meet the needs of toddlers with delays or disabilities in their care. Among other things, the DOE will need to work closely with the Early Intervention (EI) program to develop processes to help identify children in need of referral or services and to coordinate the provision of EI services in all 2-K settings. Because EI generally provides only part-time services, the City must also ensure that 2-K programs can fully support children with disabilities during all program hours. Among other steps, we encourage the City to develop a plan for children to get needed accommodations and to set aside resources that providers can access for things like professional development, learning materials and equipment, or staffing support to appropriately serve children with disabilities.

Young children living in shelters also disproportionately miss out on early childhood education opportunities. We appreciate efforts the DOE is already making to increase 3-K and Pre-K applications and enrollment of children in shelter, including conducting targeted outreach during the application processes and making automatic offers to 3-K and Pre-K for families in shelter who did not apply, but more support is needed. We call on the City to convene an interagency initiative focused on improving the education of students in temporary housing, including access to early childhood education.

Thank you for the opportunity to testify. We look forward to working with you to ensure that universal child care truly meets the needs of all the City's children and families.