



Advocates for Children of New York

Protecting every child's right to learn

Testimony for the Joint Legislative Hearing on the Fiscal Year 2027 Executive Budget Proposal: Human Services

Re: Child Care Proposals

February 5, 2026

Board of Directors

Kimberley D. Harris, *President*

Jessica A. Davis, *Treasurer*

Eric F. Grossman, *President Emeritus*

Carmita Alonso

Matt Berke

Whitney Chatterjee

Matt Darnall

Brian Friedman

Jamie A. Levitt, *past president*

Maura K. Monaghan

Jon H. Oram

Jonathan D. Polkes

Victoria Reese

Ashish Shah

Misti Ushio

Veronica M. Wissel

Executive Director

Maria M. Odom

Chief Operating Officer

Melkis Alvarez-Baez

Deputy Director

Matthew Lenaghan

Advocates for Children of New York (AFC) appreciates the opportunity to submit testimony regarding the Fiscal Year 2027 Executive Budget: Human Services. 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 New Yorkers navigate the early childhood education and school-aged education systems. We focus on students whose needs are often overlooked, such as students with disabilities, English Language Learners, students who are homeless or in foster care, students with mental health needs, and students with involvement in the juvenile or criminal legal systems.

We are pleased to see the significant investments Governor Hochul has proposed for early childhood care and education programs in the Executive Budget, including funding for New York City to strengthen its 3-K Program, provide continued child care assistance to thousands of low-income families in NYC who are currently relying on that support, and launch a new 2-Care program. These investments have the potential to meaningfully expand access to early childhood education and care – leading to better outcomes for the young children participating in the programs as well as their families.

As the State moves forward with expanding child care, it is essential to ensure that these investments and expansion efforts do not leave behind the children and families who often struggle the most to access child care and early childhood education programs, including children with developmental delays or disabilities. ***Child care is not universal if children with disabilities and their families are being turned away,*** and the Legislature must ensure children with disabilities can get the support they need to participate in state-funded child care programs.



With this expansion, the State has the opportunity to build an inclusive system that is responsive to the needs of young children with disabilities who stand to benefit significantly from attending high-quality early childhood education programs and whose parents need care in order to work.

Unfortunately, we continue to hear from families struggling to find child care programs that can serve children with disabilities, and we hear about programs turning away children – illegally – with the explanation they did not feel they had the support to serve children with disabilities. Among other things, parents report being told that it would not be safe for their child to attend the program, that the program cannot provide the therapies and services the child needs, and that the staff are not equipped to support children with disabilities. When talking to providers, we learn that they are often not aware of existing supports for children with disabilities offered by Early Intervention and Preschool Special Education, that they do not know how to coordinate services with these programs, and that they need additional capacity building and resources to work with young children with disabilities.

State-funded child care programs must be available to children with disabilities, and children with disabilities must be able to get the support and accommodations that they need to fully participate in these programs.

First, the State needs to address the shortage of legally mandated Early Intervention and preschool special education services. While the Governor announced a 5% increase in the reimbursement rate for Early Intervention services two years ago to help address the shortage, the State has not yet begun to implement this rate increase. Meanwhile, thousands of young children with developmental delays and disabilities have gone without the Early Intervention services they need.

Data shared by the New York State Department of Health in December 2026 shows that across the State only 61.4% of children received timely Early Intervention services during program year 2023-2024.¹ The primary reasons reported for the delays include the lack of providers available to provide services in person, provider capacity issues, and provider scheduling problems and waitlists.

In New York City, which serves nearly half of all the children receiving Early Intervention in the State, only 55% of infants and toddlers with developmental delays or disabilities received all their mandated services within the 30-day legally required timeframe between July 1, 2024, and June 30, 2025 (NYC Fiscal Year 2025)². During this same period, close to 2,000 young children (1,875 or 8%) did not receive any of their mandated Early Intervention services.

While investing in Early Intervention is a critical step, Early Intervention provides only part-time services, and children with the most intensive needs may require additional support in order to participate in child care programs even if they receive their full legally mandated EI services.

¹ See NYS Department of Health: *Annual Performance Report State Systemic Improvement Plan*, December 2025 EICC Meeting.

² See NYC Department of Health: *Bureau of Early Intervention FY2025 Annual Report*, December 1, 2025



**Advocates for Children
of New York**

Protecting every child's right to learn

As the State moves forward with child care expansion efforts, it must ensure there is sufficient targeted funding to meet the needs of children with disabilities. Funding is essential to ensure that children who need additional support in order to participate in child care can access that assistance instead of being turned away – whether a provider needs training in caring for a child with a particular disability, consultation with a professional who has expertise, specialized materials or equipment, or an additional aide to help meet the needs of the child. Such funding could be allocated by doubling the enhanced “special needs” rate through CCAP for children with disabilities and by allocating targeted funding to meet the needs of children with disabilities participating in child care through CCAP, 2-Care, and the new child care pilot programs.

We also note that while the funding proposed in the Executive Budget for the Child Care Assistance Program (CCAP) is urgently needed to help the City to maintain current capacity, it is not enough to address the growing list of families – currently around 16,000 families – waiting for care.

We look forward to working with the Legislature to build an early childhood care and education system that works for all children and families, including children with developmental delays and disabilities.

Thank you for the opportunity to submit this testimony. If you have any questions, please feel free to contact me at 212-822-9534 or bbaez@advocatesforchildren.org.

Respectfully submitted,

Betty Baez Melo, Esq.
Director, Early Childhood Education Project