



HOMELESS SERVICES UNITED

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Comments of Homeless Services United on the Proposed Amendment to Child Care Services regarding Care for Children in Shelter (Article 47 of the NYC Health Code)

Introduction

Homeless Services United (HSU) is a coalition membership coalition representing New York City's nonprofit homeless service providers. HSU provides advocacy, information, and training to member agencies to expand their capacity to deliver high-quality services. HSU advocates for expansion of affordable housing and prevention services and, for immediate access to safe, decent, emergency and transitional housing, outreach and drop-in services for homeless New Yorkers. Homeless Services United promotes effective solutions to end the crisis of homelessness in New York City.

Following careful review of the proposed amendment to Article 47 of the NYC Health Code and conversations with our members, HSU offers the following comments:

I. HSU strongly objects to the limit on the number of care hours homeless families may use in drop-in child supervision programs.

The justification given for proposing a limit on this type of care stems from the assertion that such programs "are not designed to provide for the early education or full-time, long-term care of children". While this may be true of many drop-in child supervision programs (though certainly not all), it does not justify depriving homeless parents of a valuable flexible care option their children may require, at times for more than ten hours per week.

HSU agrees that children benefit from structured learning environments designed to promote healthy child development and education. HSU member agencies often provide such licensed care on site and those that do not work diligently with families residing in their programs to link children to appropriate care as already required by both the letter and spirit of existing regulations. Drop-off child supervision programs are not designed or intended to replace such structured programs but, are designed to offer emergency or back-up child-care, respite care, baby-sitting services and/or an interim care option for families seeking placement options in a structured care program. To understand why unrestricted access to such a care option is necessary one must understand how families use the service and what is unique about shelter life that makes flexibility so essential for family wellbeing.

Families newly admitted to shelter rely on drop-off child supervision programs while working to secure shelter placements and arrange more structured care for their children. When a family first applies for shelter, they are conditionally placed for up to 10 days while their eligibility for continued shelter services is processed by the Department of Homeless Services. Families that are conditionally placed rely upon drop-off child supervision programs because they need access to care while they attend eligibility appointments but cannot place their children into licensed care if they do not know

where they will be staying in ten days' time. Even once accepted to shelter, families must weigh the pros and cons of registering their children into full time care if they expect to transition quickly to a new community. In such cases, a ten hour limit would quickly prove impractical.

One might suppose that such parents could simply leave their children in the care that was in place prior to entering shelter or rely on family or friends to help solve this problem but, most families are placed in communities far from their former homes and such solutions are impractical. This may be due to lack of shelter capacity in communities from which families came or, because it is unsafe for families to be placed in shelters in their communities or origin due to domestic violence or other safety issues making former care options unsafe or unrealistic. In such cases, it is often necessary for families to "start over" and seek new care options for their children near their shelter placement.

Once accepted to a shelter, parents must meet with caseworkers and social workers to arrange such services as well as to begin establishing independent living plans that include applying for benefits, housing assistance, seeking employment and a host of other appointments and obligations associated with a new shelter stay. Children need a safe place to receive care while their parents attend such appointments. Any homeless parent could tell you that these obligations can take a substantial amount of time – it is not unusual for a single trip to an HRA center to apply for benefits to take an entire day. Should the City decide to limit access to drop-off child supervision programs to ten hours per week, a parent would have to choose between spreading mandatory appointments out over several weeks to avoid exceeding the cap (thus delaying progress in their independent living plan) or, take their children with them to all of these appointments where they would be subject to long waits in government offices with no stimulation, overhearing their parents discuss often painful details of their circumstances with workers and have little to no access to recreation during this time. It can take 30-45 days to open a public benefits case that would make a parent eligible for child care benefits so homeless children would be in this circumstance for at least a month when their parents first enter shelter.

Families in need of respite rely on drop-off child supervision programs even when their children are also enrolled in licensed early childhood education or daycare programs. Even after a family has settled into their shelter placement, life in a shelter can be extremely stressful and homelessness itself is traumatic. Sometimes, parents may need the support of the shelter staff to help them cope with these stresses and that includes having the option to drop off their children in a child supervision program after they come home from school or work to give the parent time to have a moment or two for self-care, or to attend a support group, counseling session or house meeting which are typically held in the evenings to allow working shelter residents the chance to attend. In other instances, shelter staff may be integral to a family's back-up childcare plan. Because most shelters prohibit visitors and children cannot enter shelters without their parents, a person who is running late from picking up their child from daycare or meeting the bus cannot simply call a neighbor, the shelter staff is often the person who pitches in in these cases. For parents with long commutes, unpredictable work schedules, last minute appointments to view available permanent housing (particularly viewings where The Department of Homeless Services prohibits parents from bringing their children) the flexibility provided by drop-off programs is a lifeline. Placing an arbitrary limit on that kind of support when a child's safety or ability to access permanent housing is at stake is illogical.

Lack of community childcare options for infants and older children outside of school hours, as well as lack of care options in gentrifying neighborhoods, make access to shelter based programs essential.

Many HSU shelter programs are located in areas of the City where free subsidized childcare programs are rare. Neighborhoods like the Lower East Side, Upper West Side and parts of Brooklyn have

notoriously few options for families and it can take an especially long time to find suitable care outside of what is offered at a shelter. While staff endeavor to find structured early learning programs for families in their care, many facilities have enhanced their drop-off services to include a rich learning environment that offers trauma informed care for homeless children. Robbing these children of access to this care or otherwise limiting their access to it would not enhance their wellbeing.

In addition to a general dearth of options for families in some parts of the city, there is a citywide shortage of care for infants. Older children are not contemplated at all in the proposed regulatory changes and framework and they too need access to safe, enriching programming outside of school hours. Therefore, limiting care hours or forcing licensing that would restrict access to certain age groups would not solve the childcare problem for many homeless children, it would exacerbate it.

II. The proposed changes to staffing requirements for drop-off child supervision programs are too rigid

In addition to HSU's serious concerns about the proposed ten hour time limit for drop-off childcare supervision programs, we have concerns about the proposed staffing requirements. At the same time the City is seeking to limit care, they are also seeking to set enhanced staffing requirements for child care liaisons and supervisors. Requiring a baccalaureate degree for liaisons and associates degrees for supervisors would disqualify many excellent providers currently working in the shelter system from continuing with their duties. While HSU agrees that careful screening and consideration should be given prior to hiring anyone working with vulnerable children, we strongly believe that years of experience can and should be substituted for degrees as is done with various other civil service titles citywide.

III. Existing unlicensed childcare programs may not be able to comply with license requirements should they be forced to do so to overcome the proposed care hour limitation

Some might suggest that to overcome the barriers associated with the limit to care hours, shelter providers should simply apply for licenses so they can continue to operate. As described above, because drop-off care is a compliment to licensed care, not a replacement, most shelter based drop-off child supervision programs do not aspire to become licensed daycare. Still, for those who might choose this over closing a program due to the potential limitation on care hours, the obstacles could prove to be insurmountable.

There are significant costs associated with operating licensed care including the administrative burdens of the permitting process, food service requirements, staff training requirements, staffing (the educational requirements are such that higher salaries would be necessary in addition to increased headcount) and, most significantly, the physical plant requirements. Even if the cost burdens associated with upgrading programs and facilities to meet licensing requirements could somehow be covered via existing DHS funding streams, many shelters simply do not have the space to install separate bathrooms for staff and children or to provide separate rooms for different age groups that don't already exist.

Conclusion

HSU has no objection to oversight- we share the City's goals of enhancing safety and promoting healthy child development. However, a comprehensive framework of regulations already exists to address facility requirements such as safeguarding against lead paint hazards, fire safety, pest control and maintenance. The Department of Homeless Services and The State Office of Temporary Disability and Assistance also offer oversight and guidance with respect to programming offered onsite to children and

families in shelters. Adding an additional layer of oversight to childcare programs by the Board of Health may not offer significant added value particularly when the proposed changes are seeking to solve a problem that exists outside of the shelter system, not within it. As described above, drop-off child care programs play a vital role in the lives of homeless families but, they do not seek to replicate early education and long-term care programs. Therefore, they ought not be treated as such nor should access be arbitrarily limited in an effort to force parents to avail themselves to alternative resources when such alternatives may be ill equipped to meet their needs if they even exist at all. Should the City like to see more homeless children enrolled in long term early education programs, HSU urges the City to continue their efforts to open more slots in underserved communities, market such programs to homeless families and, provide priority access to those programs for children living in shelters. By extending additional resources to homeless families the City could achieve their goal without disrupting access to the high quality drop-off care upon which parents rely.

Comments respectfully submitted by:

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