

ROBIN HOOD

MEMORANDUM OF SUPPORT

DECOUPLING CHILD CARE SUBSIDIES FROM PARENTS' HOURS OF WORK

S.5327-A (Brisport) / A.4986-A (Hevesi)

May 24, 2023

Robin Hood supports and respectfully urges the New York State Legislature and Governor Hochul to immediately pass S.5327-A (Brisport) / A.4986-A (Hevesi) and sign this legislation into law. Robin Hood is one of New York State's largest organizations focused on lifting families out of poverty. For over 30 years, Robin Hood has supported innovative and effective programs that enable New Yorkers to move out of poverty and realize economic opportunity for themselves and their families which, in many instances, includes their young children.

The Harms the Current Subsidy System Creates & Why Regulatory Change Must Happen Now

The earliest years of a child's life are critical for their healthy brain development, laying the groundwork for future educational achievement, economic productivity, and lifelong health. **Equitable access to affordable and high-quality child care and early learning opportunities can be a life changing for both children and parents, with studies showing a [high return on investment for early childhood education programs](#).** In order to work or participate in educational activities and workforce development that will improve their financial stability, parents need to know their children are in safe, nurturing child care environments. Children, in turn, benefit from their parents' and teachers' economic stability.

However, New York's current practice of linking child care subsidies to the number of hours that parents have worked unnecessarily limits access to care, harming children, families, and providers. Under the current flawed [child care subsidy system](#), New York state law requires that a parent can only receive a subsidy for the hours they work plus commuting time – meaning that if the only employment they could obtain is a part-time job that gives them fluctuating hours, then:

- Their child *could not* attend full-day/all-week child care, even if that program would best meet the child's educational and social-emotional needs.
- The parent must pick up their child in the middle of nap time, pull the child from circle time or while engaged in a learning exercise, or disrupt their participation in another important developmental experience.
- Their child is deprived of the consistency, stability, and continuity of care that is critical to young children's development.

Unfortunately, the pandemic economic downturn has led to a spike in involuntary part-time employment. (The number of working New Yorkers who were "involuntarily part-time" in 2020 was [almost double](#) the number of involuntarily part-time in 2019.)

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This broken subsidy system also ties child care providers' hands given that many providers cannot afford to offer part-time care. As a result, many low-income parents on a part-time or fluctuating schedule who need child care subsidies currently cannot find regulated child care that can accommodate them. Providers must then require families to commit to a set schedule and number of child care hours – which for many low-wage earning parents with inconsistent work schedules, is simply not an option. This leads to parents missing potential work opportunities if they must instead make the difficult – but necessary – choice to stay home to care for their child. This then leads to children missing out on learning and socializing during the most important developmental phase of their lives. Alternatively, parents who must go to work may make the difficult choice to leave their child in an unregulated child care setting, hoping for the best.

The Solution within Reach that Helps Children, Families, Child Care Providers & the Economy

Decoupling hours worked from child care subsidies provides stable, reliable, and regulated child care for parents, especially parents whose only current work option is a schedule that fluctuates from week to week, and enhances stability for providers, many of whom cannot afford to offer part-time care.

The current Assembly and Senate bills, S.5327-A (Brisport) / A.4986-A (Hevesi), provide a technical fix to legislation signed into law by Governor Hochul in December 2022 (S.6655A (Brisport)/A.7661 (Hevesi)). This law was intended to decouple the hours a parent works from the hours child care is available to them, thus expanding access to many parents who work part time, have rotating work schedules, are homeless, or have other non-traditional arrangements. Unfortunately, a drafting error limits the bill's impact to child care assistance solely supported by local funds. New York's child care assistance program is almost entirely funded by a combination of federal, state, and a small contribution of local funds, with local funds generally not "segregated" from the other funds. Accordingly, the burden of developing new systems to ensure only local funds are used for families eligible for "decoupled" assistance would be formidable, if not impossible, for many localities, rendering the bill largely, if not entirely, ineffective.

This new legislation corrects the problem with clarifying language about the bill's purpose and applicability, and will deliver a significant win for New York families and child care providers. By paying child care providers what they deserve and continuing to break down barriers like these that prevent families from accessing the care they need, New York can lead the way in building the best child care system in the nation.