

LEGISLATIVE FISCAL COMMITTEES' JOINT BUDGET HEARING
State Fiscal Year 2021-22 Executive Budget
Human Services
Tuesday, February 9, 2021
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Good morning, Chairs Krueger and Weinstein, Children and Families Committee Chairs Brisport and Hevesi, and distinguished members of the Senate and Assembly. Congratulations on your election, Senator Brisport, and congratulations to both you and Assemblyman Hevesi on your appointments as Chairs of the Children and Families Committees. I am Sheila Poole, Commissioner of the New York State Office of Children and Family Services (OCFS). Thank you for providing me with the opportunity to present Governor Cuomo's Fiscal Year 2022 Executive Budget as it relates to OCFS.

This year's Executive Budget balances ongoing support for OCFS's core child welfare, child care and juvenile justice programs with the fiscal realities faced by our state during this extraordinary time. The proposed budget also advances bold new policies and initiatives to better serve New York's children and families with an intentional focus on addressing bias and structural racism.

The Governor's budget maintains the state's historic \$832 million in child care subsidies that serve more than 100,000 low-income families. In addition, it proposes to invest \$40 million to cap child care co-pays so that no family will have to pay more than 20 percent of their income above the federal poverty level. This cap will make child care more affordable for 32,000 low-income working families.

Affordability and lack of access to quality programs can be barriers to families in need of child care. To increase access in so-called child care deserts, this year's budget proposes \$6 million in start-up grants for new programs and wage supports for existing programs. Underserved areas will be identified in partnership with the Regional Economic Development Councils (REDCs).

Last year, the Governor mandated that REDCs consider child care as a component of their region's overall economic development strategy. The state awarded \$8.7 million to 15 projects aimed at increasing access to child care statewide. To further emphasize child care as foundational to the economy and pandemic recovery, the Governor proposes that the state establish permanent child care workgroups in each REDC and provide businesses with a guide to subsidizing or helping employees access child care.

Further, the budget proposes enhanced tax credits to help encourage businesses to provide child care for their employees.

The proposed budget would also ease administrative burdens on child care providers. It eliminates unnecessary and duplicative requirements and lessens costs for child care providers. We are excited about these proposals and their potential to increase accessibility to quality, affordable child care for all families who need it.

Additionally, I am pleased to share that last week, NYS was awarded an additional \$469M in Child Care Development Funds as part of the Consolidated Appropriations Act of 2021. These one-time funds will provide additional assistance to our child care industry as we recover from the pandemic.

The proposed budget continues to invest in both the Empire State After School Program and the Advantage After School Program. The pandemic has deeply impacted after school programs and OCFS has been working with providers since last summer to offer contract flexibility so they can adapt their programs to these changing times. This new flexibility accommodates 100 percent in-person, 100 percent virtual, or hybrid models and allows providers to meet changing needs during the school year.

The Governor proposes to include child welfare reforms to promote social, economic and racial equity. The number of children entering foster care in New York State continues its downward trajectory, with children in care at near-historic lows. However, we know that the child welfare system disproportionately impacts children and families of color. Last year, New York took bold steps in requiring counties to follow a blind removal process when considering whether to remove a child from their home to eliminate implicit bias from decision making. We also implemented a kin-first firewall policy requiring an additional administrative review before a child is placed in care.

We will now expand these efforts and create a more safe and just child welfare system by creating a “blind step-up” procedure to determine whether a child needs to be elevated into congregate care; by eliminating the use of prone restraints in all child welfare and residential juvenile justice settings; and by requiring implicit bias training for all child welfare staff statewide.

The budget advances legislation to expand the Family Assessment Response (FAR) approach to certain Child Protective Services (CPS) investigations. This collaborative, alternative response to a traditional CPS investigation engages families in assessing their unique needs and connects them to tailored services and supports. In counties currently using the FAR approach families have experienced better outcomes because of higher quality and more focused caseworker visits and a reduced need for indicated reports, which can have lasting negative consequences. We are eager to expand this approach statewide.

In addition to promoting the well-being of youth in foster care and addressing racial disproportionality in child welfare, these ongoing efforts complement federal Family First Prevention Services Act implementation efforts.

With your support, New York provided \$3 million in Family First Transition Funds in each of the last two years to help local social services districts recruit and retain foster families, including kinship caregivers. This year’s budget includes an additional \$3 million toward these Family First readiness efforts and provides continued appropriation authority for the state and New York City Administration for Children’s Services (ACS) to access federal Transition Act funds.

The budget also proposes to close four OCFS state-operated juvenile facilities. These facilities have been under-utilized, some have aging infrastructure, and there is ample capacity in the remaining system to serve youth. The time has come to right-size our system to better serve youth in our custody and, most importantly, to reduce the confinement of young people.

Although these are extremely challenging times for our state and the people we serve, we must seize upon the imperative this pandemic and related civil unrest have presented. I strongly believe that now is the moment, with additional federal pandemic relief funding and additional federal assistance for human services, to improve our capacity and sharpen our focus to serve all children and families fairly and equitably, regardless of race or social or economic standing. I hope I can count on your support as we embark on these vital initiatives for the coming year.

Thank you again for the opportunity to address you today. I welcome your questions and comments.