



# From Crisis to Opportunity

A POLICY AGENDA FOR AN EQUITABLE NYC

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**ROBIN HOOD**



**THE CENTURY  
FOUNDATION**

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# Introduction

The COVID-19 pandemic has exposed and exacerbated New York City’s underlying inequities. *From Crisis to Opportunity* provides the next mayor a roadmap to finally build the city that New York aspires to be.

New York City is no stranger to crises. Over the past two decades, the city has faced multiple exigent challenges that deeply impacted the lives of its residents: 9/11, the 2008 financial crash, and Hurricane Sandy. In responding to these events, the city has effectively run on a cycle of recover, rebuild, repeat.

Alongside these crises has been a less visible but ever-present reality facing New Yorkers unable to reap the benefits of the city’s cycle of recoveries. It is a reality of immense hardship and disadvantage; of racism, inequality, declining economic mobility; and poverty and the criminalization of it. The COVID-19 pandemic, as with all disasters, has exposed and exacerbated these underlying inequities.

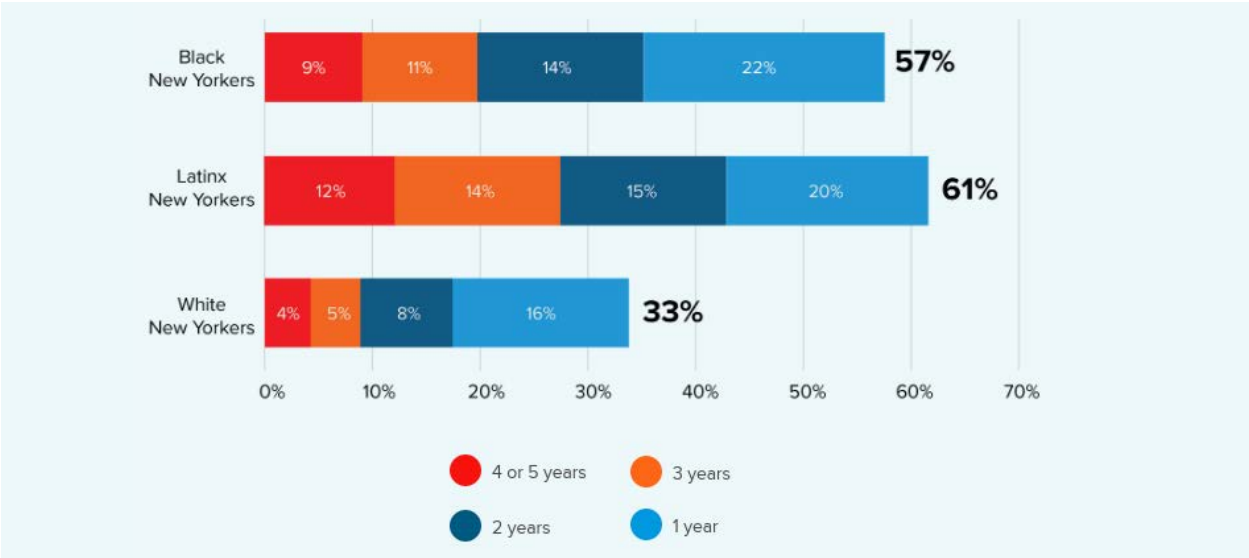
### America’s “Fairest” City?

Between 2015 and 2018, **half of all New Yorkers** experienced poverty for at least one year.

Roughly **40 percent** of Black New Yorkers and **30 percent** of Latinx New Yorkers who exited poverty were pushed back below the poverty threshold within one year.

Before the pandemic hit, one in five adults and one in five children—more than 1.5 million people combined—experienced poverty in New York City. Black and Latinx New Yorkers were twice as likely to experience poverty, with nearly 60 percent of Black and Latinx adults experiencing poverty for at least one year between 2016 and 2019. All too often, a common life event—such as having a child, losing a job, or ending a relationship—forced these New Yorkers into poverty, or back into it, which profoundly impacted their ability to afford housing, medical care, and food for themselves and their families.

**FIGURE 1. SHARE OF ADULT NEW YORKERS EXPERIENCING POVERTY IN AT LEAST ONE YEAR FROM 2015 TO 2019, BY RACE AND ETHNICITY**

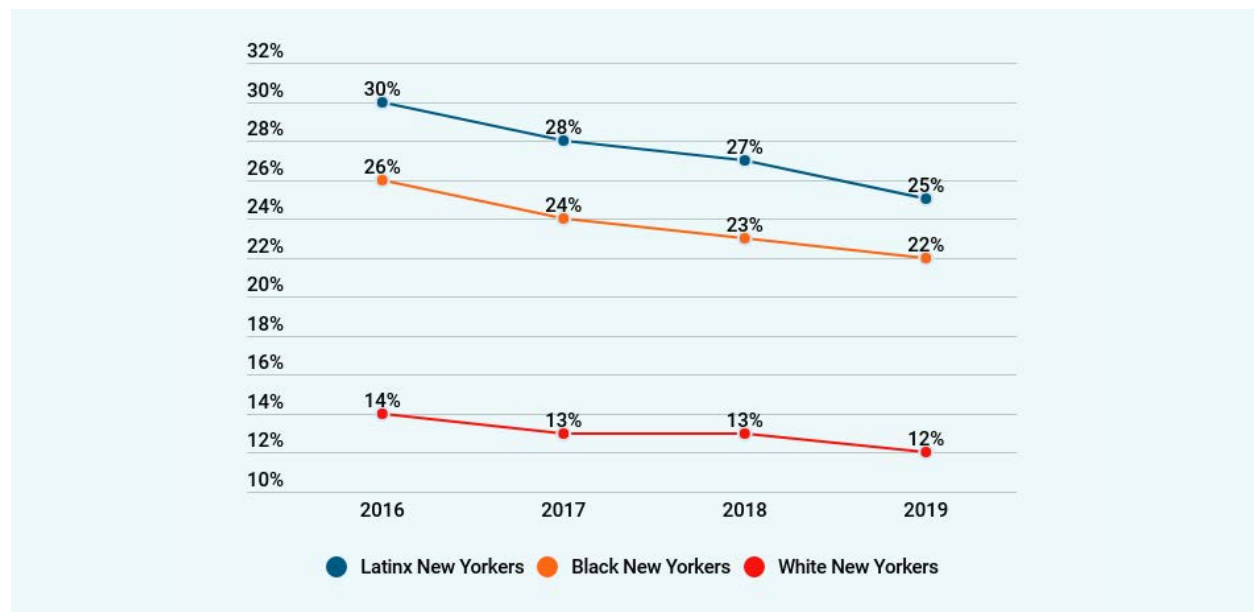


Source: Robin Hood Poverty Tracker Survey Data

The COVID-19 pandemic has pushed New Yorkers already struggling to make ends meet for themselves and their families to the brink. Nearly half of city residents lost employment income during the pandemic—and those who did were more than twice as likely to have experienced poverty prior to the outbreak, compared to those who were able to transition to remote work. One in four city renters could not pay their rent at some point during the pandemic and roughly 40 percent of New Yorkers faced food hardship. Immigrants, and undocumented immigrants in particular, were hit especially hard, and were excluded from federal relief programs despite disproportionately working in frontline jobs, where the risk of loss of employment or contracting the virus was highest.

The fallout from the pandemic has not been limited to a temporary increase in hardship, either. Lingering high unemployment, a greater reliance on savings and credit cards, the need to pay accumulated back rent not to mention future rent, and widened education disparities due to disruptions to learning—these and other factors present major challenges for New Yorkers’ ability to meet their own and their children’s basic needs, now and into the future.

**FIGURE 2. ADULT POVERTY RATES IN NEW YORK CITY, BY RACE AND ETHNICITY, 2016 TO 2019**



Source: Robin Hood Poverty Tracker Survey Data

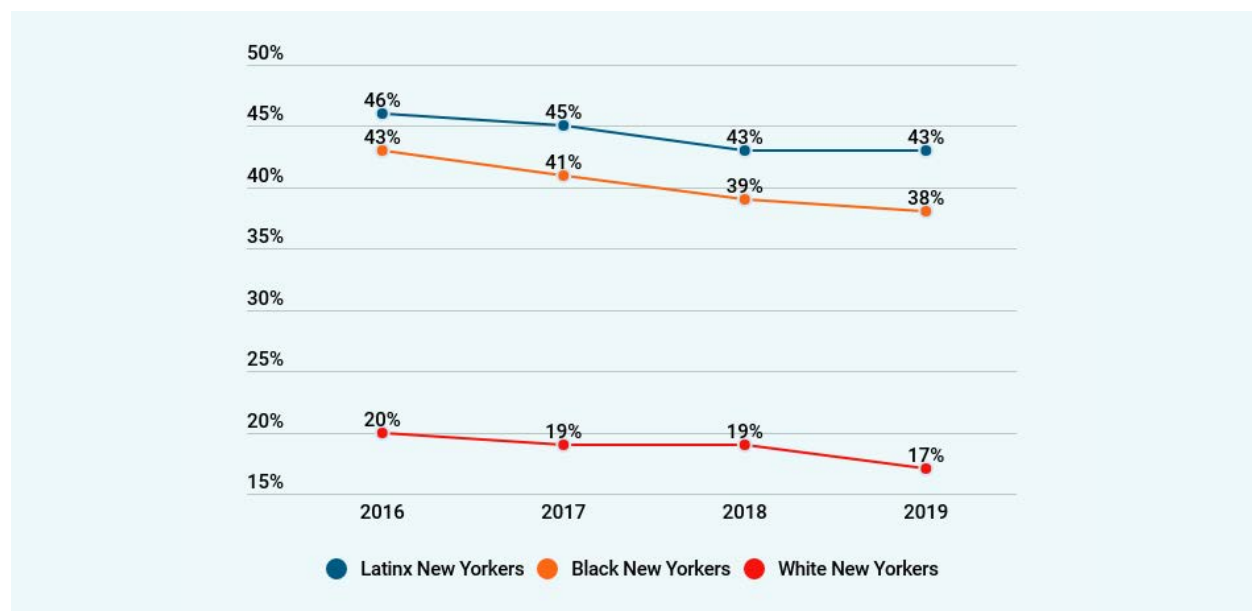
New York City’s ability to recover from crises has masked the chronic and systemic difficulties underpinning the lived reality of too many New Yorkers. Now, however, there is a growing recognition that, as the city exits from the pandemic, it cannot go back to “normal” because normal simply didn’t work for millions of New Yorkers. Simply put, the recovery from the COVID-19 pandemic must be markedly different from past city recoveries.

## From Crisis to Opportunity: A Policy Agenda for an Equitable NYC

Over the course of the past year, during one of the darkest periods in New York City history, as suffering abounded, we saw New Yorkers rise to the occasion. Frontline workers sacrificed their safety to keep the city running, communities banded together in displays of support, small businesses transformed their operations into relief efforts, and foundations and nonprofits established life-saving programs for those in need. While there were certainly missteps by government actors at every level, we also saw the incredible power of public policy: preliminary estimates show that government transfers, including those provided through the federal CARES Act, kept roughly one million adults in New York City from experiencing poverty in 2020, reducing the overall poverty rate by 43 percent.

When a new mayoral administration takes office in January 2022, alongside a City Council with dozens of newly elected members, they will face the herculean task of getting New York City back on its feet. Unprecedented challenges and a wide range of immediate concerns, in nearly every area of public life, will await city leaders on day one. An equitable recovery will require deft policymaking, creativity, innovation, genuine engagement with New Yorkers, and collaboration with the private, nonprofit, and philanthropic sectors.

**FIGURE 3. RATE OF MATERIAL HARDSHIP AMONG ADULTS IN NEW YORK CITY, BY RACE AND ETHNICITY, 2016 TO 2019**



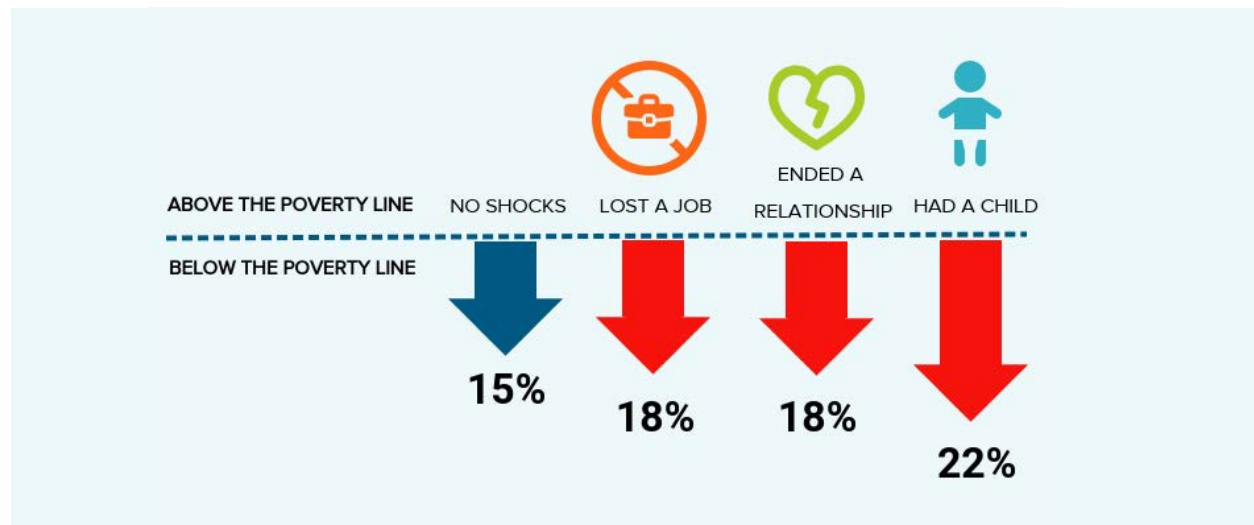
Source: Robin Hood Poverty Tracker Survey Data

To help guide and hasten that recovery, our three institutions—Robin Hood, The Century Foundation, and Next100—have developed a bold and ambitious policy agenda for the incoming mayoral administration to create a more fair, equitable, and just New York City. The agenda was developed through a comprehensive, inclusive policy process that combined the knowledge and experiences of New York City’s largest anti-poverty organization and its community partners with the expertise of two leading think tanks with a proven record of effecting policy change at all levels of government.

In developing *From Crisis to Opportunity: A Policy Agenda for an Equitable NYC*, our teams relied on focus groups and conversations with residents, advocates, nonprofits, and other stakeholders. After conducting a large initial survey of New Yorkers and analyzing data on various hardships New Yorkers experienced during the pandemic, we identified six key issue areas that present both considerable challenges for residents, as well as opportunities for policy impact: child care, K–12 education, economy and jobs, housing, policing, and human services.

Across the six issue areas, we convened a series of roundtables to gain insights from New Yorkers with lived experience, grassroots community organizations, and local and national policy experts. Our policy recommendations are informed by what we heard from those conversations, as well as by evidence, best practices, and lessons learned from across the country. The agenda was also shaped by data from Robin Hood’s pioneering *Poverty Tracker*, a longitudinal survey of 4,000 New York City households that provides a dynamic view of poverty, hardship, and disadvantage in the city. We structured the report such that each issue area provides goals for a new mayor; followed by background on the problem and current needs; and concludes with a series of recommended policy responses, which include projections for the impacts associated with different policies as well as new polling showing overwhelming, enthusiastic support for the proposals across the board.

**FIGURE 4. THE LIKELIHOOD OF FALLING INTO POVERTY FOR NEW YORK CITY ADULTS, BY LIFE EVENT**



Source: Robin Hood Poverty Tracker Survey Data, 2012 to 2018

Our policy recommendations focus foremost on the areas where the need is the greatest, and are aimed at helping individuals and communities most likely to have limited access to resources and to be experiencing poverty. Where relevant, we pay particular attention to households with children, as underinvestment in our youth compounds the impact of poverty and stifles upward mobility. We propose interventions that expand opportunity across various stages of life, from early childhood to adulthood, in order to break the intergenerational cycle of poverty that burdens too many New York families.

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The policy agenda recognizes that New York’s diversity is one of the city’s greatest strengths, and that oft overlooked groups such as undocumented New Yorkers are central to our recovery efforts. Perhaps most importantly, our agenda acknowledges the intersections and interconnectedness of the forces that contribute to poverty and hardship—how unaffordable housing produces segregated schools and educational disparities, for instance, or how a lack of available child care constrains the employment prospects of working families, and women of color in particular. Our recommendations are mutually reinforcing but push in the opposite direction: they build off one another, working in tandem to move the most New Yorkers out of poverty in the most efficient, equitable, and sustainable way.

### **A Policy Agenda Designed for Impact**

Throughout the agenda, we propose policies targeted to support the mobility of New Yorkers of all ages, that range from immediate, urgent responses to acute challenges stemming from the COVID-19 pandemic, to longer-term, structural solutions that address existing inequities and will lead to higher-quality child care and education services, higher-quality jobs, and higher quality services for all New Yorkers. For example:

In the **child care** sector, we recommend that a new mayor restore the child care slots lost during the pandemic, while also rebuilding a better, more equitable child care system. Our proposal would ensure that every eligible low-income family who wants child care assistance can receive it, and that no family with income up to \$150,000 should have to spend more than 7 percent of their income on child care. According to researchers at Columbia University’s Center on Poverty and Social Policy, our child care recommendations would decrease the poverty rate for children under age 3 in New York City by 5 to 8 percent.

To build a stronger and fairer **economy**, we urge the incoming mayor to implement a new wage subsidy program that would ensure the speedy rehiring of 30,000

New Yorkers—including at least 24,000 New Yorkers of color—and help thousands of badly hit small businesses reopen. Researchers at Columbia University estimate that this program by itself would slash the poverty rate among participants and their families by more than one-half, from 37 percent to between 11.8 percent and 15.7 percent. Additionally, we encourage the next mayor to make significant investments to strengthen the city’s workforce development pathways, which would in turn support 150,000 workers as they shift into new and better-paying jobs post pandemic.

In many cases, we make recommendations for the best use of federal funding streams, to ensure that the city is using these critical relief funds wisely, in both current relief efforts and longer-term, equity-driven investments. We build upon previous relief initiatives in the city, and address those areas in which recovery efforts have fallen short. For instance, we offer various recommendations for the city to better include and

### **A Winning Agenda**

**87 percent of New Yorkers** and **90 percent of low-income New Yorkers** support expanding who is eligible for City-funded child care assistance so that low-income families do not have to pay and middle-income families also receive assistance.

**90 percent of New Yorkers** and **92 percent of low-income New Yorkers** support a new City fund to help small businesses reopen by covering the wages of newly hired or re-hired workers for their first three months back to the job.

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support undocumented New Yorkers who have been shut out from previous federal stimulus payments—a shameful, arbitrary exclusion that 76 percent of New Yorkers agree is concerning.

Taken together, the policy proposals in this agenda are at once visionary and attainable. They respond to the challenges of the moment, while also taking advantage of the opportunities presented by an influx of new federal funds into New York. In fact, many of the recommendations require little to no new revenue generation; yet they would go a long way toward reimagining our workforce development, child care, education, affordable housing, policing, and human services systems.

### **Toward a New York for Everyone**

This is a defining moment for New York City—a point in time in which the need, the desire, and the opportunity for advancing meaningful change have all converged. Nearly three in four New Yorkers say that they are hopeful about a new mayor’s ability to improve quality of life in the city. The incoming administration must seize this moment and dramatically remake New York City into a more fair, just, and equitable place to live—a city in which every New Yorker, regardless of their background, can thrive.

The spirit of ingenuity and cooperation, the sense of urgency and problem-solving that defined so much of the past year, must serve as inspiration for a new administration. The next mayor should use all the tools at their disposal—an all hands-on-deck approach, including executive action, close collaboration with the City Council, and partnerships with the private, nonprofit, and philanthropic sectors—to break the cycle of poverty and hardship that continues to entrap millions of New York families.

This agenda is a plan to do just that. It is a true New Yorker’s agenda, addressing the issues most pressing to residents, informed by their lived experiences, and supported by people from every corner of the city and walk of life. It is a holistic, data-driven, and evidence-based plan that will advance racial and economic justice while helping New York families move and stay out of poverty. In short, it is a roadmap to finally build the city that New York aspires to be.

*It’s time to get to work.*



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# Policy Summary

Robin Hood, The Century Foundation, and Next100 have developed a bold and ambitious policy agenda for the incoming mayoral administration to create a more fair, equitable, and just New York City. The agenda was developed through a comprehensive, inclusive policy process that combined the knowledge and experiences of New York City’s largest anti-poverty organization and its community partners with the expertise of two leading think tanks with a proven record of effecting policy change at all levels of government.

In developing these recommendations, our teams relied on focus groups and conversations with residents, advocates, nonprofits, and other stakeholders. After conducting a large initial survey of New Yorkers and analyzing data on various hardships they experienced during the pandemic, we identified six key issue areas that present considerable challenges for residents, as well as opportunities for policy impact: child care, education, economy and jobs, housing, policing, and human services.

Throughout the agenda, we propose evidence-based policies that range from immediate, urgent responses to acute challenges stemming from the COVID-19 pandemic, as well as longer-term, structural solutions that address existing inequities and will lead to higher-quality child care and education services, higher-quality jobs, and higher-quality services for all New Yorkers. For example:

## **Building a High-Quality Child Care and Early Learning Infrastructure for New York City**

The next mayoral administration must prioritize a child care and early learning system that provides sufficient public funding to equitably guarantee affordable, high-quality child care to families when and where they need it; investments in high-quality, early childhood education have been demonstrated to have amongst the highest returns on investment. **Specifically, the next mayor should:**

- 1. Expand New York City’s supply of high-quality, equitable child care and early learning options** by restoring what was lost during the pandemic and building back a better system by investing in high-quality care and care jobs and expanding the supply of diverse child care options for all families.
- 2. Support New York City parents’ and other caregivers’ ability to work, continue their own education, and participate in job training or workforce development activities** by expanding access to child care assistance—slots and vouchers—for all New Yorkers who need it the most.
- 3. Support socioeconomic and racial integration in early childhood classrooms** and expand integrated early learning opportunities for children with disabilities and non-disabled children.

## **Creating High-Quality, Inclusive, and Equitable Educational Experiences for All of New York City’s Students**

The next mayoral administration must prioritize a child care and early learning system that provides sufficient public funding to equitably guarantee affordable, high-quality child care to families when and where they

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need it; investments in high-quality, early childhood education have been demonstrated to have amongst the highest returns on investment. **Specifically, the next mayor should:**

1. **Mitigate pandemic-related learning disruption and the social, emotional, and mental health toll the pandemic has taken on students and families** by providing targeted, personalized, high-impact tutoring; acceleration academies; and tiered mental health and social emotional supports.
2. **Improve the quality and cultural responsiveness of the curricula and instructional materials all students are learning from, and provide educators with aligned, high-quality preparation, professional development and other supports** including working with educators, families, and students to develop, or identify and adapt these materials, and supporting strong implementation across all schools.
3. **Give more students access to socioeconomically and racially diverse learning environments** by implementing more equitable enrollment policies, funding and supporting community-driven integration planning processes, and opening new high-quality integrated schools.
4. **Create a college and career readiness pipeline from elementary school through college, in district and charter schools**, that provides aligned experiences for career awareness, exploration, planning, preparation, and training, including paid internships and apprenticeships as well as opportunities to earn college credit while still in high school.

### **Promoting a Rapid, Equitable Economic Recovery from COVID-19 for New York City**

The COVID-19 pandemic unleashed an unprecedented jobs crisis in New York City, particularly for low-income New Yorkers and New Yorkers of color. A new administration should put in place a comprehensive strategy that accelerates hiring and invests public resources into getting more low-income New Yorkers and New Yorkers of color on the track to family-sustaining jobs with the dignity that all workers deserve and a pathway to upward professional mobility. **Specifically, the next mayor should:**

1. **Revitalize the workforce development system to empower workers displaced by the pandemic to find new, better-paying jobs** by investing substantial public funds in a sustainable workforce development plan that responds to job displacement and the pre-existing and expanded inequities in the wake of the pandemic, working with New York City's training providers, educators, and employers.
2. **Implement a new wage subsidy program that will incentivize hiring and boost small businesses, particularly those owned by women or people of color**, guiding aid through intermediaries across the city that can identify businesses that were left out of previous federal programs, and expanding the City Service Corps to provide employment pathways for young adults.
3. **Invest in shovel-ready infrastructure in ways that will build a more equitable New York City**, including infrastructure investments in caregiving, broadband, transit, schools, health, and climate resilience, to create hundreds of thousands of jobs and shape a more equitable city. To ensure these investments create jobs for the New Yorkers that need them, infrastructure investments should include strong targeted and local hiring requirements, and improved bridge and apprenticeship programs.

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4. **Establish a strong floor of worker protections that prevents exploitation of the most vulnerable workers**, including minimum wage standards for more gig workers, new policies to lift restaurant workers to the \$15 minimum wage, and policies and enforcement to protect all workers from wage theft, retaliation, and arbitrary dismissal.

### **Strengthening Housing Stability and Increasing Opportunity for Low-Income Families in New York City**

New York City's decades-long housing crises have only intensified in the wake of the pandemic and subsequent economic fallout. As part of the city's recovery, the next mayor should pursue a comprehensive, ambitious, and integrated housing and homelessness plan that centers racial equity and economic justice for all New Yorkers, with a focus on increasing housing stability and affordability for low-income households with children. **Specifically, the next mayor should:**

1. **Reform the One-Shot Deal program to expand takeup and avert evictions**, utilizing an existing New York City program to bridge the gap between outstanding rental arrears from pandemic-related economic distress and prior hardships and New York State's emergency rental assistance program.
2. **Expand and fully implement New York City's Right to Counsel program**, expanding it up to 400 percent of the Federal Poverty Line (FPL) in order to avert evictions moving forward.
3. **Expand the power of CityFHEPS (New York City's Family Homelessness and Eviction Prevention Supplement) voucher program to promote housing stability** by injecting significant new funding into the program, reforming eligibility requirements, improving bureaucratic processes, and changing renewal requirements to avoid a benefits cliff.
4. **Maximize the impact of housing vouchers on economic mobility and well-being** by creating a housing navigator program to support New Yorkers looking to move, and stamping out source-of-income discrimination.

### **Reimagining a More Equitable Policing and Public Safety System in New York City**

For decades, New York City's policing and public safety structures have kept residents experiencing poverty ensnared in the criminal justice system rather than address poverty's underlying problems. The next mayor should target the structures that leave the many New Yorkers who are experiencing poverty over-policed yet underserved in the areas of education, health care, and economic supports. A new administration can build upon the work of the Police Reform and Reinvention Collaborative by establishing and funding policies that address the criminalization of poverty and racialized policing in New York City. **Specifically, the next mayor should:**

1. **Address the criminalization of poverty through budget justice**, allocating the necessary funds to provide trauma-informed, streamlined services in low-income communities that have been disproportionately affected by over-policing.
2. **End racial disparities in police stops** through routine, independent audits of stop data and corresponding footage and an overall reduction in unnecessary police encounters.

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3. **Remove police from New York City schools** and invest in students' social, emotional, and behavioral needs through a supportive, holistic, and trauma-informed public health approach to school safety and crisis intervention.
  4. **Ensure accountability for racialized and biased policing** through the administration of fair and independent oversight that is centered on addressing the harm caused to the community.
  5. **Address violence through community-centered interventions** that focus on interrupting cycles of violence and supporting those most at risk for involvement with gun violence through a combination of short- and long-term strategies.

### **Strengthening New York City's Nonprofit Human Services Sector**

Millions of New Yorkers rely on nonprofit human services organizations to provide essential, lifesaving, and stabilizing supports every day. During the pandemic, these organizations were New York City's safety net and their workers served on the frontlines in low-income communities that were hit hardest by COVID-19. The next mayor must prioritize ensuring that these organizations, who rely largely on government contracts for funding, have sufficient resources to continue to serve New Yorkers in need. These recommendations track those of the Human Services Recovery Task Force, which was convened by Human Services Council (HSC) and conducted in collaboration with more than sixty-five leading nonprofits. **Specifically, the next mayor should:**

1. **Ensure strong systems are in place for human services to support equitable disaster response and community recovery** by including nonprofits in disaster planning so that the sector can respond to community needs swiftly, with accurate information and sufficient resources, and without threatening their own financial futures.
2. **Pay equitable wages to all contracted nonprofit human services workers**, with appropriate cost-of-living adjustments and a wage floor.
3. **Ensure city government pays in full and on time for essential services for New Yorkers**, with contracts covering indirect expenses, reflecting market rates, and without delayed reimbursement.
4. **Transform the human services procurement system to prioritize meaningful outcomes for New Yorkers**, rather than race-to-the-bottom cost-cutting, starting with a Procurement Reform Commission.



# Building a High-Quality Child Care and Early Learning Infrastructure for New York City

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A POLICY AGENDA FOR AN EQUITABLE NYC

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# Building a High-Quality Child Care and Early Learning Infrastructure for New York City

For children, the earliest years are critical for healthy brain development and lay the groundwork for future educational achievement, economic productivity, and lifelong health. Equitable access to affordable, high-quality, and culturally responsive child care and early learning opportunities can be life changing, shaping the trajectories of our youngest New Yorkers and equipping them with a strong foundation from which to grow and excel. The benefits of child care also extend to parents.<sup>1</sup> Studies have shown that high-quality child care and early learning programs have a high return on investment for both children and parents. 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 environments with early educators who are caring and well compensated. Children, in turn, benefit from their parents' and teachers' economic stability. As a result, child care and early learning policies have a significant and overlapping impact on children, their families, and the early educators and child care staff who work in the field.

Over the past year, the pandemic has put the health, well-being, and economic stability of children and families—especially women, low-income families, and communities of color—at risk. In particular, when child care programs and schools closed, working parents lost the supervision they had previously relied on for their children, disrupting their ability to work. Women, who tend to be responsible for the majority of family caregiving, were more likely to be forced out of their jobs or to cut their work hours as a result of the pandemic.<sup>2</sup> And, families of color had a particularly challenging time finding affordable care: during the worst of the pandemic, 56 percent of Black New Yorkers strongly agreed that there were not enough child care options in the city for working parents, as compared to 47 percent of all New Yorkers.<sup>3</sup>

While the pandemic eroded New York City's child care sector, it also revealed the deep crisis that preceded it—an inadequate child care infrastructure that has long presented significant challenges for parents, children, providers who own and direct programs, and early educators and other staff. The supply of high-quality

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1. "Return on Investment in Birth to Three Early Childhood Development Programs," Heckman Equation, September 6, 2018, [https://heckmanequation.org/www/assets/2018/09/F\\_ROI-Webinar-Deck\\_birth-to-three\\_091818.pdf](https://heckmanequation.org/www/assets/2018/09/F_ROI-Webinar-Deck_birth-to-three_091818.pdf).

2. Julie Kashen, Sarah Jane Glynn, and Amanda Novello, "How COVID-19 Sent Women's Workforce Progress Backwards: Congress' \$64.5 Billion Mistake," The Century Foundation and the Center for American Progress, October 29, 2020, <https://tcf.org/content/report/how-covid-19-sent-womens-workforce-progress-backward-congress-64-5-billion-mistake/>.

3. Robin Hood commissioned Global Strategy Group (GSG) to conduct public opinion polls on priorities for New Yorkers in November 2020 and May 2021. GSG oversampled low-income New Yorkers to ensure the needs of the highest-impacted community were well represented. See "New York City Issues Research Finding," Global Strategy Group, January 26, 2021, <https://globalstrategygroup.app.box.com/s/wmpmhza15pr3gom7c20qlpx65dom55eq>.

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care options has long been insufficient to meet the demand, and at the same time, the options available have been financially out of reach for most families. The child care workforce, which is predominantly made up of women of color and immigrant women, has historically been undercompensated for their essential work, which further strains the sector as it leads to a stressed workforce, high turnover, and challenges in recruitment, which can impact both the availability and quality of care.<sup>4</sup>

The inadequacy and complexity of child care in New York City is evident throughout the system. Child care in the city is funded, administered, and regulated by a complex combination of state and local agencies and structures, including the state Office of Children and Family Services (OCFS), New York City’s Department of Health and Mental Hygiene (DOHMH) and Department of Education (DOE), with some funding for certain income-contingent programs coming from the federal government. These agencies offer a patchwork of inadequately funded services that fails to ensure all children have equitable access to high-quality care. While OCFS has developed basic health and safety requirements and the DOE has put out a pre-kindergarten (pre-K) early childhood framework for quality (EFQ),<sup>5</sup> there has been a lack of coordinated investment in and attention to supporting children’s social-emotional, cognitive, mental, and physical health across settings—from schools to centers to home-based providers. At the same time, these agencies have not had or devoted the resources to invest in needed professional development and compensation for the child care and early learning workforce. This has increased longstanding racial and economic inequity among New York City providers and the children in their care.

With the influx of federal child care funding through the American Rescue Plan Act and the governor’s FY22 budget proposal to use \$2.3 billion<sup>6</sup> of those funds to expand child care availability, quality, and affordability, New York City’s next mayor has a once-in-a-lifetime opportunity to build a child care assistance model that works for all New Yorkers. This system must ensure affordable, high-quality care for children, provide better and more equitably paying jobs for all child care workers, and enable parents and other caregivers to rejoin the paid workforce, increase their work hours, and restart their careers.

The next mayoral administration must prioritize a child care and early learning system that provides sufficient public funding to equitably guarantee affordable, high-quality child care to families when and where they need it. This includes infant and toddler care, preschool, after-school, and summer care in a diverse array of high-quality settings. (While this section focuses on the needs of children from birth to age 5, it is important to point out that early care is only part of the picture, and parents and children need after school and summer care through age 12, and for children with disabilities through age 18.)<sup>7</sup> The next mayor must also ensure early educators and child care staff have access to professional development, mental health supports, and compensation that sustains their families. These investments are crucial to family economic mobility and positive outcomes for children and must be targeted first to those whose well-being depends on them.

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4. Julie, Kashen, Halley Potter, and Andrew Stettner, “Quality Jobs, Quality Child Care: The Case for a Well-Paid, Diverse Early Education Workforce,” The Century Foundation, June 13, 2016, <https://tcf.org/content/report/quality-jobs-quality-child-care/>.

5. “Parent’s Guide to Child Care Options,” New York State Office of Children and Family Services, <https://ocfs.ny.gov/programs/childcare/looking/brochure.php>; “Early Childhood Framework for Quality (EFQ),” New York City Department of Education, August 2019, <https://infohub.nyced.org/docs/default-source/default-document-library/early-childhood-framework-for-quality.pdf>.

6. Governor Andrew Cuomo, “Governor Cuomo Announces Highlights of FY 2022 Budget to Reimagine, Rebuild and Renew New York,” April 6, 2021 <https://www.governor.ny.gov/news/governor-cuomo-announces-highlights-fy-2022-budget-reimagine-rebuild-and-renew-new-york>.

7. For additional recommendations for expanding after-school and summer care, see the Campaign for Children’s campaign platform, available at <http://www.campaignforchildrency.com/a-call-to-action>.

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### Specifically, the next mayor should:

1. **Expand New York City’s supply of high-quality, equitable child care and early learning options** by restoring what was lost during the pandemic and building back a better system by investing in high-quality care and care jobs (defined in the box below) and expanding the supply of diverse child care options for all families.<sup>8</sup>
2. **Support New York City parents’ and other caregivers’ ability to work, continue their own education, and participate in job training or workforce development activities** by expanding access to child care assistance—slots and vouchers—for all New Yorkers who need it the most.<sup>9</sup>
3. **Support socioeconomic and racial integration in early childhood classrooms** and expand integrated early learning opportunities for children with disabilities and non-disabled children.

### Goals

By implementing the recommended policies, the next mayor can more equitably support New York City’s parents and caregivers by: helping them return to work and increase their work hours and earnings; ensure New York City’s early educators and child care staff have sustainable, quality jobs; and help more young New Yorkers have a strong start in life. The next administration should aim, by the end of the new mayor’s first term, to take major steps toward universal child care and early learning by:

- Ensuring that every currently eligible low-income family (up to 200 percent of the Federal Poverty Line, or \$53,000/year for a family of four) who wants child care assistance receives it; that child care is affordable for middle-income families (up to 150 percent of State Median Income, or roughly \$150,000 for a four-person family, with a phase out up to 175 percent); and that the supply of high-quality child care meets the demand.
- Increasing the overall numbers of children receiving child care assistance by up to 127,000.<sup>10</sup>
- Raising the wage floor for 88 percent of early educators and child care staff to the equivalent of \$25 an hour.<sup>11</sup>

According to an analysis by the Center on Poverty and Social Policy at Columbia University, the policy recommendations in this paper are predicted to decrease the poverty rate for children under age 3 in New York City by 5 to 8 percent. For children who directly benefit from the policies, there would be a 20 to 25 percent decrease in poverty<sup>12</sup>

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8. “Child care desert” was first described by the Center for American Progress to describe areas with an insufficient supply of licensed child care. Specifically, it describes an area with a ratio of more than three young children for every licensed child care slot. See Rasheed Malik, Katie Hamm, Leila Schochet, Cristina Novoa, Simon Workman, and Steven Jessen-Howard, “America’s Child Care Deserts in 2018,” Center for American Progress, December 6, 2018, <https://www.americanprogress.org/issues/early-childhood/reports/2018/12/06/461643/americas-child-care-deserts-2018/>.

9. Child care assistance refers to subsidies that provide either child care slots or vouchers to eligible families.

10. Analysis by author with support from economist Jessica Milli of Results2Impact.

11. Ibid.

12. Robert Paul Hartley, Irwin Garfinkel, and Laurel Sariscsany, “Impacts of Child Care Subsidy Reforms in New York City on Family Income and Poverty,” Center on Poverty and Social Policy at Columbia University, May 14, 2021 [revised May 18, 2021]. Note that this analysis assumes an 85 percent SMI (\$69,292) rather than 200 percent FPL (\$52,400 for a family of four). The state legislature recently considered and rejected a statutory change to use the federal eligibility threshold of 85 percent SMI instead of the state’s current 200 percent FPL. In addition, these numbers assume a broader scope of support that includes after school and summer care for school-age children.



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Investing in New York City’s child care system would help reduce poverty, increase family economic stability, ensure healthy child development, and increase the ability of parents and caregivers, especially mothers, to work and earn more, making it a win for all.

**Throughout this report, high-quality child care means a program that:**

- creates a language-rich learning environment that optimizes children’s cognitive, social, and emotional development;
- engages in developmentally appropriate, culturally responsive, and linguistically sustaining practices;
- uses curricula, learning materials, and resources that encourage respect for diversity as well as respect for children’s racial identities and cultural heritages;
- fosters consistent relationships with caring, responsible educators and child care staff who are attuned and appropriately responsive to children’s social-emotional needs; and
- recognizes that families are essential to children’s well-being and engages them in an inclusive, supportive way.

## **Background and Need**

To support the well-being of all of New York City’s children today and set them up for success in the future, the city must ensure they have affordable, high-quality child care and early education opportunities. Affordable, high-quality child care supports children’s well-being in two ways: first, by promoting their positive early learning experience and second by enabling parental employment, which increases family income and well-being. As James Heckman puts it: “Child care has a two-generation effect when combined with quality early learning: mothers grow their income while children gain the skills to succeed in school and life.”<sup>13</sup> Studies have shown that family income impacts children’s cognitive development, physical health, and social and behavioral development because it is connected not only to parents’ ability to invest in goods and services that further child development, but also to the stress and anxiety parents can suffer when faced with financial difficulty, which in turn can have an adverse effect on their children.<sup>14</sup>

According to Harvard University’s Center for the Developing Child, “Healthy development in the early years (particularly birth to three) provides the building blocks for educational achievement, economic productivity, responsible citizenship, lifelong health, strong communities, and successful parenting of the next generation.”<sup>15</sup> Inadequate and unstable care can impact children’s physical and mental well-being, preparedness for school, and long-term economic mobility. Unstable care situations can have long-lasting

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13. “Return on Investment in Birth to Three Early Childhood Development Programs,” Heckman Equation, September 6, 2018, [https://heckmanequation.org/www/assets/2018/09/F\\_ROI-Webinar-Deck\\_birth-to-three\\_091818.pdf](https://heckmanequation.org/www/assets/2018/09/F_ROI-Webinar-Deck_birth-to-three_091818.pdf).

14. Kerris Cooper and Kitty Stewart, “Does Money Affect Children’s Outcomes? A Systematic Review,” Joseph Rowntree Foundation, October 2013, [https://sticerd.lse.ac.uk/case/\\_new/research/money\\_matters/default.asp](https://sticerd.lse.ac.uk/case/_new/research/money_matters/default.asp).

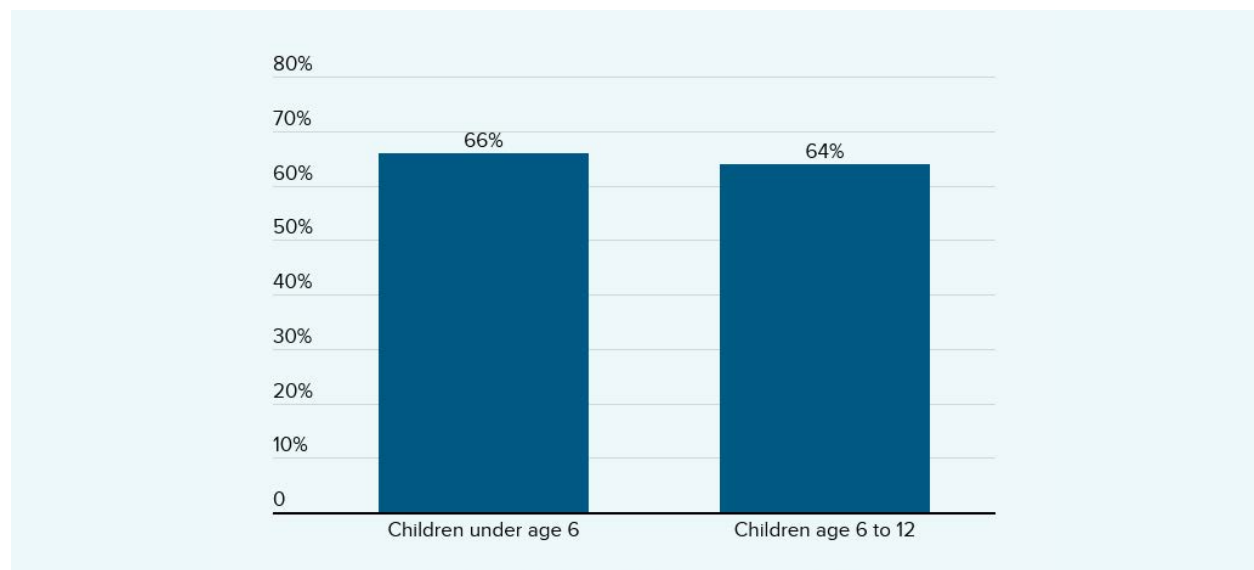
15. “In Brief: The Science of Resilience,” Center on the Developing Child, Harvard University, 2015, retrieved from <https://developingchild.harvard.edu/resources/inbrief-the-science-of-resilience/>.

impacts that lead to poverty or economic insecurity in adulthood, just as high-quality, stable care provision can lead to greater rates of high school graduation, greater lifetime earnings, better health, and a host of other positive outcomes.<sup>16</sup> To date, the city has not adequately prioritized ensuring that child care and early learning programs provide high-quality care. As a result, too often, families with greater economic means can pay for quality, while those with less cannot, to the detriment of children and families.

### Most Parents Work, but High-Quality Child Care Is Expensive and Hard to Find

In New York City, two-thirds of children under age 6 and almost the same percentage of children ages 6 to 12 (64 percent) have all available parents (either both parents or their solo parent) in the workforce.<sup>17</sup> Yet, most families do not receive any child care assistance, despite the out-of-reach costs of the city’s child care programs, which are often more expensive than rent, mortgages, or in-state-tuition at the City University of New York.<sup>18</sup> Based on the U.S. Department of Health and Human Services’ definition of affordability (no more than 7 percent of a family’s income), child care is unaffordable for about half (52 percent) of New York City families with children under age 4, including 56 percent of lower-income families and 49 percent of higher-income families.<sup>19</sup>

**FIGURE 1. PERCENTAGE OF NEW YORK CITY CHILDREN WITH ALL PARENTS IN THE WORKFORCE**



*Source:* “Kids Count Data Center,” The Annie E. Casey Foundation, retrieved May 27, 2021, <https://datacenter.kidscount.org/data/tables/5057-children-under-age-6-with-all-available-parents-in-the-labor-force?loc=1&loc=1#detailed/3/79/false/1729,37,871,870,573,869,36,868,867,133/any/11472,11473>.

16. James J. Heckman, “Creating Flourishing Lives: The Dynamics of Capability Formation,” Amartya Sen Lecture, Human Development and Capability Association, September 11, 2015, [https://heckmanequation.org/www/assets/2017/01/HDCA-SenLecture\\_091115.pdf](https://heckmanequation.org/www/assets/2017/01/HDCA-SenLecture_091115.pdf).

17. “Kids Count Data Center,” The Annie E. Casey Foundation, retrieved May 27, 2021, <https://datacenter.kidscount.org/data/tables/5057-children-under-age-6-with-all-available-parents-in-the-labor-force?loc=1&loc=1#detailed/3/79/false/1729,37,871,870,573,869,36,868,867,133/any/11472,11473>.

18. “NYC Under 3: A Plan to Make Child Care Affordable for New York City Families,” Office of the New York City Comptroller Scott M. Stringer, Bureau of Policy and Research, Bureau of Budget, May 2019, <https://comptroller.nyc.gov/reports/nyc-under-three-a-plan-to-make-child-care-affordable-for-new-york-city-families/>.

19. Unpublished data from Kathryn M. Neckerman, Jeanne Brooks-Gunn, Sophie Collyer, et al., “Child Care Affordability and Accessibility—Challenges Prior to COVID-19, and Disruptions during COVID-19,” Early Childhood Poverty Tracker, Robin Hood and the Center for Poverty and Social Policy, Columbia University Population Research Center, May 2021.

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One advantage New York City's families have over other regions is that the city provides universal pre-K for children age 4 and an expanding 3-K program for children age 3 that serves families for free for the length of the school-day (6.5 hours) during the school year in a variety of settings.<sup>20</sup> In addition, New York City's diversity is a strength, including its diversity of child care providers, from home-based care options such as family child care and family, friend, and neighbor care, to center-based care and, public school settings.

In addition, child care assistance is available to some New York City families, funded through federal, state, and city government, but the funding levels do not adequately meet the needs of city families or providers, and navigating administrative hurdles within a highly fractured system makes it challenging to locate and secure high-quality child care. According to new unpublished data from Robin Hood's Early Childhood Poverty Tracker, only one in four income-eligible families with children ages 0 to 3 in New York City receives government assistance.<sup>21</sup>

There are at least five city and state agencies that touch the child care system, overseeing center and home-based care at Early Learn, subsidized child care slots, Head Start, pre-K, and after-school and summer care. (See Appendix for the list of agencies and programs.) Each program has different eligibility requirements for families and separate standards for providers.

The complexity of the child care system leaves a maze for eligible families to navigate when seeking to access all forms of public child care and early learning support for which they are eligible. While the DOE has established a centralized enrollment process to try to address this, it does not include thousands of community-based programs that are not part of its network, including most home-based and many Head Start and Early Head Start providers. In some cases, this centralized process has slowed down families seeking to access care.<sup>22</sup>

Meanwhile, there are not enough high-quality, culturally responsive child care programs available when and where families need them, whether they receive child care assistance or not. Before the pandemic, seven out of ten children under age 5 lived in neighborhoods with insufficient child care options.<sup>23</sup> The pandemic made things worse, as child care providers—at child care centers and in home-based, family child care—have struggled to keep their businesses open amid COVID-19 requirements and decreased enrollment. In April 2020, New York City issued an order closing many city child care providers until schools reopened, with an exception for Department of Education programs serving essential workers and other high-need groups and home-based child care providers.<sup>24</sup> A May 2020 survey found that one in five child care programs reported that they closed, while 70 percent engaged in remote instruction.<sup>25</sup> Those that stayed open for in-person care

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20. Mayor de Blasio has included in his budget a plan to finish rolling out 3-K to every community by 2023 mayor's budget.

21. Unpublished data from Kathryn M. Neckerman, Jeanne Brooks-Gunn, Sophie Collyer, et al., "Child Care Affordability and Accessibility—Challenges Prior to COVID-19, and Disruptions during COVID-19," Early Childhood Poverty Tracker, Robin Hood and the Center for Poverty and Social Policy, Columbia University Population Research Center, May 2021.

22. Stephanie Thomson, "Parents Are Desperate for Day Care. Yet N.Y. Centers Have Empty Spots," New York Times, March 30, 2021, <https://www.nytimes.com/2021/03/30/nyregion/child-care-vouchers.html>.

23. Rasheed Malik, Katie Hamm, Leila Schochet, Cristina Novoa, Simon Workman, and Steven Jessen-Howard, "America's Child Care Deserts in 2018," Center for American Progress, December 6, 2018, <https://www.americanprogress.org/issues/early-childhood/reports/2018/12/06/461643/americas-child-care-deserts-2018/>.

24. "COVID-19 State Child Care Actions—New York" The Hunt Institute, accessed April 18, 2021, <https://hunt-institute.org/covid-19-resources/state-child-care-actions-covid-19/#state-ny>.

25. Kate Tarrant and Mark Nagasawa, "New York Early Care and Education Survey: Understanding the Impact of COVID-19 on New York Early Childhood System," City University of New York New York Early Childhood Professional Development Institute, June 18, 2020, <https://earlychildhoodny.org/research/docs/NY%20ECE%20Workforce%20COVID%20Survey%20Full%20Report.pdf>.

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dramatically reduced capacity, going into debt and forced to lay off or furlough staff.<sup>26</sup> The challenges of the pandemic put providers' businesses, employees, and even their families at risk: 60 percent of centers and 82 percent of family child care providers reported charging their personal credit card or dipping into their personal savings accounts to purchase supplies or pay for other costs for providing care.<sup>27</sup>

Some programs permanently closed during the pandemic, making the longstanding child care supply challenges even worse. This is especially problematic for parents of infants and toddlers and those who work multiple jobs or have nontraditional work hours or long commutes. Almost half of New York City's neighborhoods are considered infant care deserts, with less than 20 percent capacity to serve neighborhood children under age 2. Citywide, the number of licensed seats in home-based and center-based providers covers just 22 percent of the city's infant and toddler population.<sup>28</sup>

In addition, many parents need child care before and after the traditional school day, throughout the summer when schools close, and options for nights and weekends. Families also have challenges finding programs for dual-language learners and for children with physical and learning disabilities.

For low-income families, difficulty accessing reliable, consistent child care can negatively impact their prospects for economic mobility. Child care disruptions, such as when a child care program is closed or when a babysitter quits, can lead to parents missing work or cutting back on their hours, which can cause them to miss out on hourly wages and negatively impact their long-term employment prospects and earnings. According to Early Childhood Poverty Tracker data, before the pandemic, two-thirds of working parents were absent from work, arrived late to work, or had to leave work early because of disruptions in their child care, over a three month period.<sup>29</sup> These disruptions can lead to turnover for working parents, meaning parents are let go by their employer because of absenteeism or parents decide to leave their jobs because it is too difficult or stressful to continue juggling work and child care. Early Childhood Poverty Tracker data finds that before the pandemic, over a twelve-month period, one in ten parents who worked in the past year reported that child care disruptions led to turnover, with 8 percent saying they had quit and 6 percent reporting they had been fired.

More commonly, disruptions to child care hinder parental advancement in the workplace. For instance, many parents may have to go from full-time to part-time work, may be unable to go from part-time to full-time work when they would like to, or may have to turn down a promotion to a more demanding job. These issues can have long-term impacts on parental employment and career advancement. Early Childhood Poverty Tracker data finds that nearly a third of working parents reported experiencing a child-care disruption that hindered work advancement over a twelve month period, prior to the pandemic.<sup>30</sup>

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26. "Am I Next? Sacrificing to Stay Open, Child Care Providers Face a Bleak Future Without Relief," National Association for the Education of Young Children, December 2020, [https://www.naeyc.org/sites/default/files/globally-shared/downloads/PDFs/our-work/public-policy-advocacy/naeyc\\_policy\\_crisis\\_coronavirus\\_december\\_survey\\_data.pdf](https://www.naeyc.org/sites/default/files/globally-shared/downloads/PDFs/our-work/public-policy-advocacy/naeyc_policy_crisis_coronavirus_december_survey_data.pdf).

27. "State Data: Child Care Providers are Sacrificing to Stay Open and Waiting for Relief," National Association for the Education of Young Children, December 2020, [https://illinoisnaeyc.org/assets/uploads/sites/491/2020/12/naeyc\\_state\\_data\\_policy\\_crisis\\_coronavirus\\_december\\_survey.pdf](https://illinoisnaeyc.org/assets/uploads/sites/491/2020/12/naeyc_state_data_policy_crisis_coronavirus_december_survey.pdf).

28. "NYC Under 3: A Plan to Make Child Care Affordable for New York City Families," Office of the New York City Comptroller Scott M. Stringer, Bureau of Policy and Research, Bureau of Budget, May 2019, <https://comptroller.nyc.gov/reports/nyc-under-three-a-plan-to-make-child-care-affordable-for-new-york-city-families/>.

29. Unpublished data from Kathryn M. Neckerman, Jeanne Brooks-Gunn, Sophie Collyer, et al., "Child Care Affordability and Accessibility—Challenges Prior to COVID-19, and Disruptions during COVID-19," Early Childhood Poverty Tracker, Robin Hood and the Center for Poverty and Social Policy, Columbia University Population Research Center, May 2021.

30. Unpublished data from Elizabeth L. Doran, Jeanne Brooks-Gunn, Sophie Collyer, et al., "Early Childhood Poverty Tracker: The Extent and Cost of Child Care Disruptions in New York City," Robin Hood and the Center for Poverty and Social Policy, Columbia University Population Research Center, June 2021.

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The pre-COVID impact on the New York City economy due to child care related work absenteeism and turnover is an estimated \$1.25 billion per year—and this is just for parents with children under 5 years old.<sup>31</sup> The pandemic and its ensuing health-related concerns reduced child care options even further and increased the impact of child care disruptions on parents and their work, as well as their children. A recent report by the New York City Economic Development Corporation estimates that the city could lose as much as \$2.2 billion per year in tax revenues due to the impact of parents leaving the workforce or downshifting their careers due to COVID-19 and the lack of child care.<sup>32</sup>

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31. Ibid.

32. “A Crisis for Working Women and Mothers: Making the Case for Childcare at the Core of Economic Recovery in NYC,” New York City Economic Development Corporation, May 2021, <https://edc.nyc/sites/default/files/2021-05/NYCEDC-Childcare-Innovation.pdf>.

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## Child Care Offerings in New York City

Families with children age 2 and under who meet certain income and asset eligibility requirements or are eligible for Temporary Assistance for Needy Families (TANF) may receive assistance through one of the city's contracted programs, through Early Head Start, or through a certificate or voucher, which can be used for family day care or an informal provider.<sup>33</sup> Almost half of New York City's neighborhoods are considered infant-toddler care deserts, with less than 20 percent capacity to serve neighborhood children under age 2.<sup>34</sup> Those with the biggest capacity gaps are generally in the areas of the city with the highest rates of poverty.<sup>35</sup>

For preschool, all families with children age 4 are eligible for a slot in a city-run Pre-K for All program, either in a school or community-based program. As of fall 2021, 3-K for All will be available in all community school districts across the city, approaching universal access across the city, with roughly 40,000 3-K slots available out of an estimated 60,000 needed to serve all interested families.<sup>36</sup> Pre-K and 3-K typically run on a school year calendar (covering 6 hours, 20 minutes per day, for 180 days a year), but some community-based programs offer extended day and year programs (covering up to ten hours a day, for 225 or 260 days a year) for families who meet Child Care Development Block Grant (CCDBG)<sup>37</sup> or Head Start<sup>38</sup> eligibility criteria.

Some families are eligible for Early Learn means-tested slots for extended day periods for children ages 0 to 4 years old.<sup>39</sup> In addition, the New York City Department of Youth and Community Development (DYCD) offers school-age child care options before and/or after school, during lunch periods, and on school holidays, as well as periods when schools are not in session, including summer. The out-of-school time programs under the DYCD Comprehensive After School System of NYC (COMPASS NYC) provide care for children enrolled in kindergarten through the end of high school. Families can apply for these programs through their child's school or through DYCD. There is no income eligibility requirement for these programs, but underfunding means that not all families who need slots in these programs receive them.

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## Low-income New Yorkers, Women, Immigrants, and New Yorkers of Color Are Most Impacted

During the pandemic, low-income New Yorkers, women, immigrants, and people of color were overrepresented as the frontline workers and caregivers who faced the most challenges, including those

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33. "Child Care for Infants and Toddlers," EarlyLearn, NYC Department of Education, retrieved March 27, 2021, <https://growingupnyc.cityofnewyork.us/programs/earlylearn/>.

34. "NYC Under 3: A Plan to Make Child Care Affordable for New York City Families," Office of the New York City Comptroller Scott M. Stringer, Bureau of Policy and Research, Bureau of Budget, May 2019, <https://comptroller.nyc.gov/reports/nyc-under-three-a-plan-to-make-child-care-affordable-for-new-york-city-families/>.

35. "Comptroller Stringer Proposes Landmark 'NYC Under 3' Plan to Expand Affordable Child Care Access to New York City Working Families," Office of the New York City Comptroller Scott M. Stringer, Bureau of Policy and Research, May 17, 2019, <https://comptroller.nyc.gov/newsroom/comptroller-stringer-proposes-landmark-nyc-under-3-plan-to-expand-affordable-child-care-access-to-new-york-city-working-families/>.

36. Christina Veiga, "Flush with federal cash, NYC promises preschool for 3-year-olds in every school district," Chalkbeat, May 24, 2021, <https://ny.chalkbeat.org/2021/3/24/22348023/nyc-universal-preschool-3k>.

37. This is the federal child care policy that provides money to the states for child care assistance for low-income families.

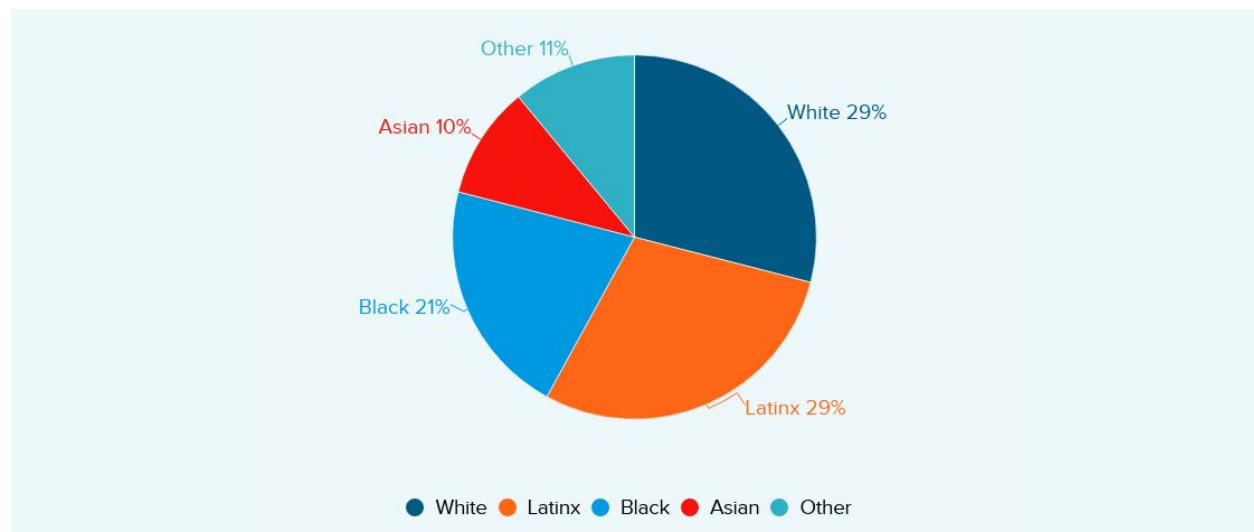
38. Head Start programs offer full-day, year-round care for families for families who meet eligibility criteria—primarily very low-income families.

39. These will be called "Extended Day" instead of "Early Learn" as of September 1, 2021.

working disproportionately in family child care programs that stayed open to serve the children of essential workers. Women were more likely than men to cut back on their work hours or take time off from work for child care responsibilities. A New York City study found that women of color were more likely than white women to have needed to take time off to care for a child (36 percent compared to 29 percent) and less likely to have paid leave available to them.<sup>40</sup> The lost earnings and job instability have both immediate and long-term repercussions for these individuals and their families, as well as their communities.

In addition, the early childhood workforce in New York City is made up of mostly women and people of color, with 29 percent of such workers identifying as white, 29 percent as Latinx, 21 percent as Black, 10 percent as Asian, and 11 percent as other. This workforce also speaks about thirty different languages in addition to English.<sup>41</sup> This diversity is a strength of the sector. Unfortunately, the chronic underfunding of many child care programs has led to poor pay with few benefits for many workers. While some child care workers have union representation, giving them the opportunity to bargain for the higher wages and benefits that are crucial for valuing the complex work of early educators and child care staff, inequities persist. Jobs in child care programs connected with the Department of Education come with benefits, while positions in many centers and many more home-based options do not. As a result of this uneven and often inadequate compensation, the quality available in child care and early learning has long been undermined by high turnover rates and poor working conditions.<sup>42</sup> Higher wages and better working conditions are crucial to recruiting and retaining a diverse, talented workforce that can provide the high-quality care that children need and families deserve.

**FIGURE 2. EARLY CHILDHOOD WORKFORCE IN NEW YORK CITY, BY RACE**



*Source:* "New York State's Infant and Toddler Workforce," New York Early Childhood Professional Development Institute, March 17, 2021, [https://raisingnewyork.org/wp-content/uploads/sites/2/2021/03/State-of-the-Childcare-Report\\_F\\_3.17.2021.pdf](https://raisingnewyork.org/wp-content/uploads/sites/2/2021/03/State-of-the-Childcare-Report_F_3.17.2021.pdf).

40. "Our Crisis of Care: Supporting Women and Caregivers during the Pandemic and Beyond," Office of the New York City Comptroller Scott M. Stringer, Bureau of Policy and Research, March 2021, [https://www.abetterbalance.org/wp-content/uploads/2021/03/Crisis\\_of\\_Care\\_Report\\_031521.pdf](https://www.abetterbalance.org/wp-content/uploads/2021/03/Crisis_of_Care_Report_031521.pdf).

41. "New York State's Infant and Toddler Workforce," New York Early Childhood Professional Development Institute, March 17, 2021, [https://raisingnewyork.org/wp-content/uploads/sites/2/2021/03/State-of-the-Childcare-Report\\_F\\_3.17.2021.pdf](https://raisingnewyork.org/wp-content/uploads/sites/2/2021/03/State-of-the-Childcare-Report_F_3.17.2021.pdf).

42. Julie, Kashen, Halley Potter, and Andrew Stettner, "Quality Jobs, Quality Child Care: The Case for a Well-Paid, Diverse Early Education Workforce," The Century Foundation, June 13, 2016, <https://tcf.org/content/report/quality-jobs-quality-child-care/>.

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## Conditions for Success

In order for a new mayoral administration's policy efforts to succeed for New York City's children, families, and early educators, it is critical that certain baseline conditions for success be in place at the federal and state level.

- **Increased state funding and enhanced state policies to expand eligibility, streamline enrollment, and improve quality.** Through the American Rescue Plan Act, the federal government invested more than \$1.12 billion in New York State for stabilizing the child care sector and an additional \$700 million for child care assistance to families. This is on top of the more than \$600 million in federal relief money invested in 2020, much of which has not yet been spent.<sup>43</sup> The governor's FY22 enacted budget includes a \$5 billion investment in child care through both state and federally funded initiatives.<sup>44</sup> **The state should ensure these increases in funding are continued, whether or not the American Families Plan is passed; and that funds are utilized in line with the recommendations of the state Child Care Availability Task Force,<sup>45</sup> such as adopting subsidy rates that are aligned with the true cost of quality (including recognizing the higher cost of care necessary for infants and toddlers), making child care more affordable, and paying the early childhood workforce fairly, which will set the stage for longer-term systems change.**
- **Passage of the American Families Plan.** In addition, the president has proposed investing \$425 billion over ten years nationally to build a comprehensive child care and preschool program through the American Families Plan. The proposal would use a sliding scale to ensure that no family earning 150 percent of State Median Income (SMI) would pay more than 7 percent of their income for child care, reflecting legislation proposed by Senator Patty Murray (D-WA), chair of the Senate HELP Committee, and Representative Bobby Scott (D-VA), chair of the House Education and Labor Committee. **The passage of the child care provisions in the American Families Plan and the required funding match from New York State would provide the resources New York State needs to expand eligibility and, in turn, guarantee all qualifying families in New York City can receive this assistance.** Without passage of this legislation, New York City can still move ahead and serve as a model for the nation, but the city will need to fund the expansion by raising revenue.

## Policy Response

With the influx of federal and state child care funding from the American Rescue Plan Act, the next administration has a once-in-a-lifetime opportunity to build a child care assistance model that works for all New Yorkers. Such a system must ensure affordable, high-quality care for children, provide better and more equitably paying jobs for all child care workers, and enable parents and other caregivers to rejoin the paid workforce, increase their work hours, and restart their careers.

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42. Julie, Kashen, Halley Potter, and Andrew Stettner, "Quality Jobs, Quality Child Care: The Case for a Well-Paid, Diverse Early Education Workforce," The Century Foundation, June 13, 2016, <https://tcf.org/content/report/quality-jobs-quality-child-care/>.

43. Chris Bragg, "Child care centers closed as New York spent relief funds slowly," Times Union, June 8, 2021, <https://www.timesunion.com/news/article/As-child-care-centers-closed-New-York-spent-16233558.php>.

44. "Governor Cuomo Announces FY 2022 Budget Invests an Historic \$5 Billion in Child Care, Fulfilling Many Recommendations Included in Child Care Availability Task Force Report," Office of Governor Andrew M. Cuomo, May 4, 2021, <https://www.governor.ny.gov/news/governor-cuomo-announces-fy-2022-budget-invests-historic-5-billion-child-care-fulfilling-many>.

45. "Supporting Families, Employers and New York's Future: An Action Plan for a Strong and Equitable Child Care System: Final Report of the Child Care Availability Task Force," New York State Office of Children and Family Services and Department of Labor, <https://ocfs.ny.gov/reports/childcare/Child-Care-Availability-Task-Force-Report.pdf>



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## 1. Expand New York City's Supply of High-Quality, Equitable Child Care and Early Learning Options

The next mayor should not only restore the child care capacity that New York City lost during the pandemic but also build back a better system by investing in high-quality child care (defined above). High-quality child care requires intentionally defining and supporting quality across programs and improving job quality and pay parity for New York City's child care workforce. Building capacity requires expanding the supply of diverse child care options for all families, especially for infants and toddlers, as well as options during nontraditional hours and in child care deserts.

### High-Quality Care

- **Develop the structure and tools to move from licensing for health and safety to supporting high-quality, equitable care in every setting.** While the current administration has made progress around

**91% of New Yorkers and 94% of low-income New Yorkers approve of supporting childcare programs to help them better support the social, emotional, and cognitive development of children and the needs of their families.**

defining and supporting quality in 3-K and pre-K, the city's oversight of child care programs via the Department of Health and Mental Health Services still focuses solely on basic health and safety provisions, which are necessary, but not sufficient to ensure that all children are learning in high-quality, equitable contexts that support their social

emotional and cognitive development. A new administration has an opportunity to work closely with a diverse constituency of stakeholders to develop a clear framework for high-quality, equitable care (as defined above) that includes evidence-based measurements, inputs, and an implementation plan to support programs in meeting this standard. This framework should build on and enhance the New York State's Quality Ratings and Improvement System (QRIS) standards (QualityStarsNY) and, as appropriate, draw on the Department of Education's Early Childhood Framework for Quality (EFQ).

The mayor should designate an appropriate entity to lead the effort of developing and implementing this plan, possibly within the context of building out and leading the QualityStarsNY work in the city. Funding and technical assistance to achieve higher levels of quality must precede any requirements or expectations that programs achieve these standards, along with an appropriate timeline that recognizes the intense effort that quality improvement requires. This requires working with the state to achieve subsidy levels and payment policies that cover the true cost of quality care. The NYS Child Care Availability Task Force (CCATF) has recommended that "New York State should adopt subsidy rates that are aligned with the true cost of quality, including recognizing the higher cost of care necessary for infants and toddlers."<sup>46</sup>

In 2019, Raising New York— a diverse statewide coalition focused on school readiness—worked with the Center for American Progress to estimate the true cost of providing quality child care for children under age 5 in New York State, including specific data for New York City. They defined quality as including adequate staffing and staff-to-child ratios, equitable salaries and benefits, resources for professional

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46. "Supporting Families, Employers and New York's Future: An Action Plan for a Strong and Equitable Child Care System: Final Report of the Child Care Availability Task Force," Office of Children and Family Services, New York State Child Care Availability Task Force, 2021, <https://ocfs.ny.gov/reports/childcare/Child-Care-Availability-Task-Force-Report.pdf>.

development, and materials. They looked at child care centers and family child care homes and did not include school-based pre-K or 3-K settings. Table 1 shows their calculations of what the per-child subsidy rate for high-quality care in New York City should be to truly cover the cost of high-quality care.<sup>47</sup>

**TABLE 1. ESTIMATED PER-CHILD SUBSIDY RATE NEEDED FOR HIGH-QUALITY CHILD CARE IN NEW YORK CITY**

Age Group	Cost per child of providing quality center-based care, including K–12 salary parity cost per child	Gap between 2019 subsidy and true cost of quality care
Infant	\$37,540	\$(16,428)
Toddler	\$30,500	\$(14,120)

Family Child Care Home	Cost per child of providing quality family child care home care, including K–12 salary parity	Gap between 2019 subsidy and true cost of quality care for toddlers
Small family child care home	\$28,960	(\$18,889)
Large family child care home	\$33,080	Data not available

*Source:* Simon Workman and Steven Jessen-Howard, “New York State Cost of quality child care study,” Center for American Progress, November 2019, <https://raisingnewyork.org/wp-content/uploads/sites/2/2019/12/NY-Cost-of-Quality-Report-Raising-NY.pdf>.

- Provide equitable compensation to child care workers and adequate funding for programs.** Providing equitable compensation will help recruit and retain diverse talent to provide high-quality care to children and ensure that early educators are economically stable and feel well supported in their work. The city has made progress providing equitable compensation through its union contracts. More needs to be done to ensure that home-based providers are not left behind; that compensation accounts for the length of the work year and longevity pay; and that all child care workers have benefits.<sup>48</sup> At a minimum, no one working in child care should be paid less than \$25/hour, and the city must work with the unions who represent child care workers to raise wages higher than that to reflect the true value and complexity of this work, including pay parity with the K–12 sector; to provide benefits, including health, dental, vision, paid time off, and retirement contribution; and to use cost escalators in multi-year contracts to cover predictable cost increases over a longer period of time. As the Campaign for Children recommended, the next mayoral

**79% of New Yorkers and 85% of low-income New Yorkers support guaranteeing that child care providers earn a wage of at least \$25 an hour.**

47. Simon Workman and Steven Jessen-Howard, “New York State Cost of quality child care study,” Center for American Progress, November 2019, <https://raisingnewyork.org/wp-content/uploads/sites/2/2019/12/NY-Cost-of-Quality-Report-Raising-NY.pdf>. 4

48. James Parrott, “The Road to and from Salary Parity in New York City: Nonprofits and Collective Bargaining in Early Childhood Education,” The New School Center for New York City Affairs, January 2020, [https://static1.squarespace.com/static/53ee4f0be4b015b9c3690d84/t/5e222c2ab457e7527ddc6450/1579297836053/SalaryParity\\_Parrott\\_Jan2020\\_Jan17.pdf](https://static1.squarespace.com/static/53ee4f0be4b015b9c3690d84/t/5e222c2ab457e7527ddc6450/1579297836053/SalaryParity_Parrott_Jan2020_Jan17.pdf).

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administration should also fully fund indirect cost rates—which include personnel, rent or mortgages, and supplies—for child care providers contracting with the city (and all human services contracts).<sup>49</sup>

- **Support professional development.** To build a consistent supply of well-supported early educators to provide high-quality care in diverse settings, educators should receive improved training and professional development that goes hand in hand with equitable compensation. Pay scales must incentivize and reward training, education, and demonstrated competencies. Professional development must be offered at free or low cost and include best practices that will allow educators and programs to meet the definition of high-quality care laid out in this paper; allow for models that combine coursework with on-site coaching and training and cohort models held at times and locations that are accessible (especially for home-based providers, who often work long hours); ensure access to credit-bearing coursework that is relevant to child care educators’ needs, and the use of registered apprenticeships. In addition, specialized training for educators who work with infants and toddlers must be made available as a central part of this effort. The city should work directly with CUNY on improved preparation and training for child care providers.
- **Establish an empirically validated mental health consultation program to help providers better support the mental health of the children they serve.** The New York State FY22 child care assistance plan includes a rollout of a partnership with Youth Research, Inc. (YRI), an OCFS affiliate agency, Robin Hood, and The Edward Zigler Center in Child Development and Social Policy at Yale University (Yale Zigler) to improve the lives of young children through providing Mental Health Consultation (MHC) models for educators. YRI will conduct its pilot Achieving Equitable Mental Health Consultation Statewide project to measure the impact of the Climate of Healthy Interactions for Learning & Development (IT-CHILD) approach on improving the socio-emotional environment in child care settings (with the support of Robin Hood, Yale Zigler, and OCFS).<sup>50</sup> These types of models have yielded promising results in states such as Ohio, Connecticut, Minnesota, and Colorado. The new mayoral administration should leverage this pilot program to roll out these tools across the city in zip codes with the highest incident rates of child poverty.

### Expanding Capacity

- **Ensure providers have the funds they need to operate and provide high-quality care that is safe and healthy for children.** City officials should use federal and state dollars to help providers offset their debts and other issues caused by the pandemic, by subsidizing payroll and covering the cost of rent, mortgage, and utilities. The city should also leverage rental assistance funds to prevent the loss of housing among home-based child care providers. Over time, the city should work with the state to—per the CCATF recommendation—“move to an enrollment-based system that relies on contracts with high-quality providers instead of vouchers based on day-to-day attendance to increase stability in the system and simplify access for families.”<sup>51</sup> Vouchers should remain an available option for families who prefer them, but the majority of funding should be provided through contracts.

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49. “A Call To Action: The Campaign For Children’s Plan for Incoming City Leaders to Achieve Universal Access to Early Care and Education and Youth Services,” Campaign for Children, 2021, <http://www.campaignforchildrency.com/a-call-to-action>.

50. “Child Care Development Fund Plan for New York FY2022–2024,” Office of Children and Family Services, <https://ocfs.ny.gov/programs/childcare/stateplan/assets/2022-plan/FFY2022-2024-CCDF-Plan.pdf>.

51. “Supporting Families, Employers and New York’s Future: An Action Plan for a Strong and Equitable Child Care System: Final Report of the Child Care Availability Task Force,” Office of Children and Family Services, New York State Child Care Availability Task Force, 2021, <https://ocfs.ny.gov/reports/childcare/Child-Care-Availability-Task-Force-Report.pdf>.

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- **Expand infant and toddler care capacity.** The city should invest in expanding the number of child care slots available to 60,000 to 127,000 infants and toddlers, including increased support for home-based providers. According to All Our Kin, “family child care reaches the children of families that face the greatest barriers to accessing care, including infants and toddlers, low-income children, children of color, children in rural communities, and children whose parents work nontraditional hours.”<sup>52</sup> Yet, home-based programs are struggling to stay afloat economically. New York should ensure that home-based providers have the resources they need to provide care that meets community needs: contracting with more home-based child care providers, investing in home-based child care networks, providing support for shared services and other sustainability practices, and providing resources to support family, friend, and neighbor care. In addition, the city should offer direct technical assistance and leverage the expertise of community-based organizations, building on relationships with home-based child care networks, to provide help navigating any relevant requirements of zoning, licensing, child and adult care food programs, subsidies, and quality improvement systems. Grants should also be made available to home-based providers to cover costs associated with these requirements and options.
  - **Provide additional resources for child care programs that serve underserved populations.** These populations include families with children needing care during nontraditional hours and/or in underserved geographic areas, as well as multilingual learners and children, especially younger children, with disabilities. The city should increase the base payments to providers who meet these needs to 15 percent above the current rates and provide professional development aimed at these purposes as well as grants for specialized equipment.

### Expected Impact

Improving the quality of care and rebuilding and expanding capacity in New York City’s child care sector as proposed above would:

- ensure that all young children served by child care programs in New York City (over 100,000 infants and toddlers) would benefit from these recommended policies; and
- ensure that all educators in home- and center-based child care programs (nearly 60,000 educators) would also benefit from increased pay, benefits, and professional development.

## 2. Support New York City Parents and Other Caregivers’ Ability to Work, Continue Their Own Education, and Participate in Job Training or Workforce Development Activities

The next mayor should support New York City parents’ and other caregivers’ ability to return to work or pursue their own education or job training by expanding access to child care assistance—slots and vouchers—for all New Yorkers who need it the most.<sup>53</sup> Over the long term, the city should guarantee universal access to all early care, education, and youth programs—including those serving children ages 0 through 2 years old year round, universal pre-K for children ages 3 and 4 years old, and afterschool and summer care for school-age children who need it. In the shorter term, the next mayoral administration should work with the City Council to:

- **Serve every currently eligible family.** The city should first use the influx of funding from the state and

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52. “A Strong Economy Needs Strong Family Child Care: Principles and State Policy Recommendations,” All Our Kin, accessed April 22, 2021, <http://www.allourkin.org/sites/default/files/A%20Strong%20Economy%20Needs%20Strong%20Family%20Child%20Care%20-%20All%20Our%20Kin.pdf>.

53. Child care assistance refers to subsidies that provide either child care slots or vouchers to families.

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federal government to serve every family that wants assistance and to meet the needs of low-income New Yorkers. In order to meet this goal, the city must improve outreach so families are aware of the options available to them, making sure informational materials are translated into multiple languages. In addition, the city should get creative about outreach—going to where people are rather than relying on people to come to them. Post-pandemic, this could include using traditional organizing techniques—in partnership with child care resource and referral agencies and other community-based organizations—such as door knocking and phone calls to inform families about their options. To make it easier to enroll, the city should create an option for local enrollment in community programs so that providers can leverage relationships in their communities and families can easily access conveniently located care.<sup>54</sup> Simplifying enrollment also requires fortifying connections between city agencies and systems to create more seamless information, application, and enrollment programs, better linking the work of all of the entities that address child and family well-being. Finally, the recently approved state budget approved a change to ensure that once a family receives assistance, they receive it for an entire year regardless of changes in income or work.<sup>55</sup> The city should extend this policy on a permanent basis because losing child care suddenly due to a shift in income can be deeply disruptive for both families and individual children—including negatively impacting employment or other parental engagement, and child development.<sup>56</sup> As one participant in a roundtable discussion held by The Century Foundation and Robin Hood said: “Simplifying the process of getting assistance is important—but not just simplifying. The continuity of care is important; if families apply but are only guaranteed three months, it’s frustrating to navigate. They don’t have time to come back and follow through.”<sup>57</sup>

- **Prioritize assistance for families for whom the need is greatest.** Every income-eligible New Yorker participating in job training or workforce development programs should receive child care assistance by automatically screening and enrolling eligible workers in child care subsidy programs or connecting workers to available child care slots at care settings of the parent’s choice. This will help ensure reliable child care for those who are unemployed and participating in job training or workforce development programs. In addition, certain populations, including those who already meet standard income criteria to receive child care, should receive child care assistance with no copayments until their children age out, including immigrant children who are undocumented; children experiencing homelessness; children with incarcerated parents; children in foster care; children of parents who have been unemployed for more than three months and are actively seeking work, retraining, or pursuing higher education; children in families experiencing domestic violence; and children with disabilities. The city should also test ways to automatically

**83% of New Yorkers and 88% of low-income New Yorkers support ensuring that vulnerable families with undocumented immigrant children, children of incarcerated parents, and homeless children are automatically eligible for financial assistance to help pay for childcare.**

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54. “Call to Action: The Campaign for Children’s Plan for Incoming City Leaders to Achieve Universal Access to early Care and Education and Youth Services,” Campaign for Children, accessed April 26, 2021, <http://www.campaignforchildrennyc.com/wp-content/uploads/2021/04/call-to-action-c4c-2021-platform.pdf>.

55. “Governor Cuomo Announces Highlights of FY 2022 Budget to Reimagine, Rebuild and Renew New York,” Office of Governor Andrew M. Cuomo, April 6, 2021, <https://www.governor.ny.gov/news/governor-cuomo-announces-highlights-fy-2022-budget-reimagine-rebuild-and-renew-new-york>.

56. Unpublished data from Elizabeth L. Doran, Jeanne Brooks-Gunn, Sophie Collyer, et. al, “Early Childhood Poverty Tracker: The Extent and Cost of Child Care Disruptions in New York City,” Robin Hood Foundation and the Center for Poverty and Social Policy, Columbia Population Research Center, June 2021.

57. Mary Cheng, Director of Childhood Development Services, Chinese American Planning Council, “Stakeholder Engagement: Child Care and Early Learning Infrastructure,” The Century Foundation and The Robin Hood Foundation Child Care and Early Learning Roundtable, March 2021.

provide assistance to these families without them having to enroll and, instead, give them a chance to opt-out.

- **Expand access to financial assistance programs that help families pay for child care.** In years two and three of the first term, in addition to serving every currently eligible family who wants assistance for their infants and toddlers, the city should get out in front of and model national efforts to expand child care assistance based on Biden administration and congressional proposals by investing an additional \$500 million to \$1 billion to serve both low- and middle-income families in one seamless system. Under current law, the city will have to spend its own money on this expansion unless the federal or state policy changes first, a change for which the city should advocate.

**87% of New Yorkers and 90% of low-income New Yorkers support expanding who is eligible for City-funded child care assistance, so that low-income families do not have to pay, and those making more also receive some assistance.**

The city should phase-in this additional spending by serving infants and toddlers first and gradually reaching all children who are not fully served by the city’s universal pre-K and 3-K programs. The policy should ensure that no family with income up to approximately \$150,000 for a family of four (150 percent of SMI)<sup>58</sup> pays more than 7 percent of their family income for child care—the affordability benchmark created by the U.S. Department of Health and Human Services.<sup>59</sup> It should provide more assistance to families with lower incomes, using a sliding scale based on income to determine copayments where those with the lowest incomes pay nothing. In addition, this assistance should phase out gradually between 150 percent and 175 percent of SMI to eliminate a benefits cliff, whereby reaching a specific income level simply cuts off your benefits. (See Table 2.)

**TABLE 2. PROPOSED SLIDING SCALE FOR FAMILY CHILD CARE COPAYMENT**

FAMILY INCOME	COPAYMENT (% OF FAMILY INCOME)
\$0–75% SMI	\$0
>75%–100% SMI	2%
>100%–125% SMI	4%
>100%–125% SMI	7%
>150%–175%	10%

*Source:* Department of Health and Human Services, “Child Care and Development Fund (CCDF) Program; Proposed Rule,” Federal Register 80, no. 247 (December 24, 2015), <https://www.govinfo.gov/content/pkg/FR-2015-12-24/pdf/2015-31883.pdf>.

58. The state Child Care Availability Task Force recently made a similar recommendation using the Federal Policy Level (FPL) instead of State Median Income (SMI). The federal poverty level is an outdated measure of poverty, whereas the state median income is a measure of the middle level of income in the state. Using SMI will ensure a more generous benefit that supports low-income and middle class families, bringing them together as stakeholders in one system that serves children across class.

59. Department of Health and Human Services, “Child Care and Development Fund (CCDF) Program; Proposed Rule,” Federal Register 80, no. 247 (December 24, 2015), <https://www.govinfo.gov/content/pkg/FR-2015-12-24/pdf/2015-31883.pdf>.

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## Expected Impact

Expanding access to child care assistance to low- and middle-income families on a sliding scale based on income and focusing on making it easier to access and find appropriate care would:

- provide assistance for 60,000 to 127,000 additional infants and toddlers;
- support the increased employment of 44,500 mothers (43,000 from not working to working, and 1,500 from part-time to full-time work);<sup>60</sup> and
- help many more parents be able to afford and find child care so that they can work, search for jobs, or participate in other work-related activities while ensuring that their children are nurtured and safe.

### 3. Support Socioeconomic and Racial Integration in Early Childhood Classrooms

The socioeconomic and racial diversity of early childhood classrooms can be a key component of their quality. Children, on average, learn more in socioeconomically and racially diverse contexts.<sup>61</sup> And perhaps even more importantly, diverse enrollment in child care and early learning settings can help reduce prejudice among young children.<sup>62</sup> Children typically develop awareness of racial and social categories by kindergarten, and exposure to peers helps shape these perceptions. Unfortunately, parents who seek an integrated early childhood environment for their children—in New York City and across the nation—typically have a hard time finding one. Nationwide, early childhood settings are among the most racially segregated educational spaces in our country,<sup>63</sup> and this is true in New York City, where pre-K classrooms have much higher levels of segregation than kindergarten classrooms<sup>64</sup>—which are themselves among the most segregated in the system. To tackle this segregation in early learning contexts, alongside the K–12 system (see the section on Education for this project), a new administration should:

- **Launch an Early Education Diversity Advisory Group** within the first year of the new administration to make actionable and sustainable recommendations for supporting integration across race, socioeconomic status, language, and disability in early childhood classrooms. As in the K–12 context, tackling an issue as complex as integration in early learning contexts takes careful engagement with stakeholders, including providers, teachers, families, community members, and researchers. A new administration should pull together an Early Education Diversity Advisory Group (including providing adequate funding to support staffing of the group) akin to the School Diversity Advisory Group<sup>65</sup> that recently analyzed elementary and secondary school enrollment to study the current context, the policy levers, and the data

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60. One study noted that as of January 2021, over half a million people were still out of the workforce due to caregiving issues. This assumes that at least half of those would get back to work as a result of these policies. See “A Crisis for Working Women and Mothers: Making the Case for Childcare at the Core of Economic Recovery in NYC,” New York City Economic Development Corporation, May 2021, [https://women.nyc/wp-content/uploads/2021/05/2021-ChildcareInnovation-SOTE\\_report.pdf](https://women.nyc/wp-content/uploads/2021/05/2021-ChildcareInnovation-SOTE_report.pdf).

61. One study noted that as of January 2021, over half a million people were still out of the workforce due to caregiving issues. This assumes that at least half of those would get back to work as a result of these policies. See “A Crisis for Working Women and Mothers: Making the Case for Childcare at the Core of Economic Recovery in NYC,” New York City Economic Development Corporation, May 2021, [https://women.nyc/wp-content/uploads/2021/05/2021-ChildcareInnovation-SOTE\\_report.pdf](https://women.nyc/wp-content/uploads/2021/05/2021-ChildcareInnovation-SOTE_report.pdf).

62. Adam Rutland, Lindsey Cameron, Laura Bennett, and Jennifer Ferrell, “Interracial Contact and Racial Constancy: A Multi-site Study of Racial Intergroup Bias in 3-5 Year Old Anglo-British Children,” *Applied Developmental Psychology* 26 (2005): 699–713, <https://kar.kent.ac.uk/26168/4/rutland%20et%20al%20JADP.pdf>; and Jeanne L. Reid and Sharon Lynn Kagan, “A Better Start: Why Classroom Diversity Matters in Early Education,” The Century Foundation and the Poverty & Race Research Action Council, April 2015, <https://tcf.org/content/report/a-better-start/>.

63. “Segregated from the Start Comparing Segregation in Early Childhood and K–12 Education,” Urban Institute, October 1, 2019, <https://www.urban.org/features/segregated-start>.

64. Halley Potter, “Creating Integrated Early Childhood Education in New York City,” The Century Foundation, October 28, 2019, <https://tcf.org/content/report/creating-integrated-early-childhood-education-new-york-city/>.

65. See “School Diversity Advisory Group Recommendations,” NYC Department of Education, accessed July 12, 2021, <https://www.schools.nyc.gov/about-us/vision-and-mission/diversity-in-our-schools/school-diversity-advisory-group-recommendations>.

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and make recommendations to improve diversity in early childhood programs for children up to age 5. Using a framework like the “5 Rs of Real Integration,”<sup>66</sup> developed by the youth advocacy organization IntegrateNYC, the group would consider not just enrollment demographics but also other aspects of the early care and education experience—such as resource equity, strong relationships among children and teachers, diversity of the early childhood workforce, and culturally responsive pedagogy—that are required for programs to reflect the diversity of the city and meet the needs of diverse families.

- **Require and provide support to blend funding for early childhood programs.** Supporting early childhood programs in their blending of different public and private funding streams—such as universal pre-K funding, extended year pre-K for eligible low-income families, Head Start and Early Head Start funding, CCDBG-funded EarlyLearn programs for infants and toddlers, and private tuition—is a powerful tool to create early childhood classrooms that enroll students of different socioeconomic backgrounds, and frequently of different racial backgrounds as well. Right now, it is administratively complicated for many early childhood providers in the city to receive different types of public and private funding. In some cases, the city discourages programs from doing so by highlighting the administrative burden of blending funding and encourages providers that do take on multiple funding streams to keep children in separate classrooms based on funding type.<sup>67</sup> City officials should instead require and fully support blended funding in EarlyLearn, city-contracted Head Start and Early Head Start,<sup>68</sup> 3-K, and pre-K classrooms, shifting much of the administrative burden for blending funding from individual programs to the DOE and requiring programs that do blend funding to ensure that classrooms mix students across funding types.<sup>69</sup>
- **Expand programs that integrate children with disabilities** and non-disabled children. Building off of some of the recommendations from the Early Education Diversity Advisory Group detailed above, the city should expand the number of classrooms that serve children with and without disabilities in the same classroom (typically called a Special Class in an Integrated Setting), with one general education teacher and one special education teacher, create more of these classrooms that serve children age 3, and increase the funding that is available to community-based organizations to run these classrooms.<sup>70</sup> A large body of research shows that inclusive educational settings, in contrast with segregated classrooms, provide many benefits for children with disabilities, including greater cognitive and language development, increased social competence, and stronger academic and employment outcomes in the long run. And children without disabilities in these settings can also develop empathy and reduce bias by interacting with peers of diverse abilities.<sup>71</sup>

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66. “Real Integration,” IntegrateNYC, accessed July 12, 2021, <https://integrateNYC.org/mission>.

67. DOE operates with a default assumption that Head Start or Early Head Start takes place in separate classrooms, and it will allow providers to blend city-contracted Early Head Start or Head Start programs with CCDBG-funded EarlyLearn programs, 3-K, or pre-K only if the providers request specific permission. Furthermore, DOE cautions providers about the additional administrative burden that individual programs that choose to blend will have to absorb. See Halley Potter, “Creating Integrated Early Childhood Education in New York City,” The Century Foundation, October 28, 2019, <https://tcf.org/content/report/creating-integrated-early-childhood-education-new-york-city/>.

68. Programs with direct Head Start or Early Head Start contracts will need to work with the federal Office of Head Start in order to blend funds. As part of the city’s work to facilitate blended funding in city-contracted Head Start and Early Head Start, it should also raise this issue with the federal Office of Head Start to help programs with direct federal contracts use some of the same strategies for blending.

69. Starting in fall 2021, the DOE will require providers that are awarded both extended day and year seats for eligible low-income children and school day and year universal pre-K or 3-K seats to blend classrooms, but it cautions providers that doing so will replace additional administrative requirements on individual programs and says that “proposers are advised to consider their organizational and staffing capacity before deciding to pursue this option.” See Halley Potter, “Creating Integrated Early Childhood Education in New York City,” The Century Foundation, October 28, 2019, <https://tcf.org/content/report/creating-integrated-early-childhood-education-new-york-city/>.

70. “Information for Families About Preschool Special Class in an Integrated Setting (SCIS) Classes in DOE District Schools and Pre-K Center,” NYC Department of Education, accessed April 22, 2021, <https://infohub.nyced.org/docs/default-source/default-document-library/information-for-families-about-scis.pdf>.

71. “Policy Statement On Inclusion Of Children With Disabilities In Early Childhood Programs,” U.S. Department of Health And Human Services and U.S. Department Of Education, September 14, 2015, <https://www2.ed.gov/policy/speced/guid/earlylearning/joint-statement-full-text.pdf>.



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## Expected Impact

Supporting socioeconomic and racial integration in early childhood classrooms as proposed above would:

- increase the number of children served by pre-K and 3-K programs that offer integrated classrooms with both universal seats and extended day and year seats for eligible low-income families (currently just 4 percent of pre-K enrollment, or roughly 8,000 children);<sup>72</sup>
- increase the number of pre-K and 3-K children enrolled in racially diverse programs (currently just 25 percent of pre-K enrollment, or roughly 17,000 children);<sup>73</sup> and
- support early childcare providers in ensuring that more of the roughly 8,600 infants and toddlers currently in EarlyLearn or city-contracted Early Head Start programs<sup>74</sup> are in integrated settings that bring together eligible low-income children with non-eligible children from diverse socioeconomic backgrounds who are fee-paying or who gain access through new programs with higher income eligibility.

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72. Halley Potter, "Creating Integrated Early Childhood Education in New York City," The Century Foundation, October 29, 2019, <https://tcf.org/content/report/creating-integrated-early-childhood-education-new-york-city/>.

73. As of 2018–19, 16,682 pre-K children were enrolled in racially diverse pre-K programs, defined as those in which no racial or ethnic group comprises more than 50 percent of the enrollment. See Halley Potter, "Creating Integrated Early Childhood Education in New York City," The Century Foundation, October 28, 2019, <https://tcf.org/content/report/creating-integrated-early-childhood-education-new-york-city/>.

74. Marija Drobnjak, "NYC's Early Childhood Education Landscape: Where Children and Families Receive Early Care and Educational Services," Citizens' Committee for Children of New York, March 2019, [https://www.cccnewyork.org/wp-content/uploads/2019/03/CCC\\_NYC%E2%80%99s-Early-Care-and-Education-Landscape.pdf](https://www.cccnewyork.org/wp-content/uploads/2019/03/CCC_NYC%E2%80%99s-Early-Care-and-Education-Landscape.pdf).

## Appendix

**TABLE A1. AGENCIES RESPONSIBLE FOR FUNDING AND ADMINISTERING NEW YORK CITY CHILD CARE SERVICES**

AGENCY	RESPONSIBILITY
NYC Administration for Children’s Services (ACS)	ACS manages vouchers for eligible low-income working families that may be used at licensed child care centers and (home-based) family child care homes that accept them, as well as on informal care arrangements. (HRA administers subsidies for TANF families.)
NYC Department of Health and Mental Hygiene (DOHMH)	DOHMH enforces state health and safety requirements, inspecting all licensed child care centers and (home-based) family child care programs to meet licensing requirements. <sup>76</sup>
NYC Department of Education (DOE)	DOE oversees all EarlyLearn programs, which provide free or low-cost child care and educational options for children from birth to age 2 from eligible families in center-based and some home-based settings (funded using CCDBG funds and Early Head Start subgrants). DOE also oversees and funds 3-K and pre-K for children ages 3 and 4, with options for extended day and year programs for eligible low-income families who meet CCDBG or Head Start requirements. Parents apply for these options through the DOE. <sup>77</sup>
NYS Office of Children and Family Services (OCFS)	OCFS administers the CCDBG, establishing licensing guidelines, provider payment rates, family eligibility, and subcontracting certain functions including licensing to NYC. OCFS also subcontracts with a network of Child Care Resource and Referral Agencies to assist parents and caregivers in applying for subsidies and finding care.
NYC Department of Youth and Community Development (DYCD)	DYCD oversees city-funded after-school programs.
Office of Head Start	While some Early Head Start and Head Start programs in NYC are funded through subgrants from DOE, others have contracts directly with the federal Office of Head Start.

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76. “Subsidized Child Care,” Day Care Council of New York, accessed, April 18, 2021, <https://www.dccnyinc.org/families/what-to-look-for-in-a-program-provider/subsidized-child-care/>.  
77. “EarlyLearn,” NYC Department of Education, accessed, April 18, 2021, <https://www.schools.nyc.gov/enrollment/enroll-grade-by-grade/earlylearn-nyc>.



# From Crisis to Opportunity

A POLICY AGENDA FOR AN EQUITABLE NYC

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DATE: JULY 2021

# Creating High-Quality, Inclusive, and Equitable Educational Experiences for All of New York City's Students



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A POLICY AGENDA FOR AN EQUITABLE NYC

**ROBIN HOOD** 

 **THE CENTURY  
FOUNDATION**

*Next*  
**100**

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# Creating High-Quality, Inclusive, and Equitable Educational Experiences for All of New York City’s Students

For many New Yorkers, the COVID-19 pandemic has massively disrupted their ability not only to thrive, but to survive. This reality has been particularly true for the city’s children and for the parents, caregivers, and educators who work hard to support them. The pandemic initially forced all of New York City’s school buildings to close, catapulting students, families, and educators into an unfamiliar and challenging world of remote learning, with deeply inequitable impacts. And as school buildings have reopened, students, families and educators have had to weigh tough decisions about health, safety, and academics, and implement new precautions for in-person learning. It comes as little surprise then that the pandemic has left many of the city’s roughly one million public school students across over 1,800 public district and charter schools<sup>1</sup> in need of myriad direct supports to address the educational disruptions and emotional trauma they have experienced during the past year and continue to experience.

All of these challenges were layered on top of a deeply inequitable education system that long predated the pandemic, and that left Black and Latinx<sup>2</sup> students less likely to succeed, graduate college-ready, and attain a postsecondary credential that would lead to a family-sustaining career. As of 2019, only 35 percent of the city’s Black students, 36.5 percent of the city’s Latinx students, and 9 percent of the city’s multilingual learners were at grade level on the state English Language Arts (ELA) reading assessment, compared to 66.6 percent of white students and 67.9 percent of Asian students.<sup>3</sup> Likewise, just 45 percent of Black and Latinx students, and only 9.5 percent of multilingual learners, met the City University of New York’s (CUNY’s) standards for college readiness after four years in high school, compared to over 70 percent of white and Asian students.<sup>4</sup> In a December 2020 citywide poll, 88 percent of survey respondents said that improving education and the city’s public schools was a priority, and only 44 percent of New Yorkers thought that schools were doing a good job of preparing students for college and careers.<sup>5</sup>

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1. “DOE Data a Glance,” New York City Department of Education, accessed May 24, 2021, <https://www.schools.nyc.gov/about-us/reports/doe-data-at-a-glance>.

2. The sources consulted for *From Crisis to Opportunity: A Policy Agenda for an Equitable NYC* used a variety of terms in collecting data about ethnic identity, such as *Hispanic*, *Latino*, *Latinx*, or *Spanish origin*. Some of the sources collected data using only one of these terms and reported their results under one term, while others collected data using several of the terms, but reported their data using only one term. This project uses *Latinx* universally in referring to the identities expressed in these data sets.

3. “Education,” EquityNYC, accessed May 24, 2021, <https://equity.nyc.gov/outcomes/education/grades-3-to-8-proficiency-in-ela>.

4. “Education,” EquityNYC, accessed May 24, 2021, <https://equity.nyc.gov/outcomes/education/four-year-college-readiness>.

5. Previously not released Robin Hood Global Strategy Group Polling of 800 New Yorkers, December 10–15, 2020.

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The current mayoral administration has taken steps to address the disruption that the pandemic has caused, including announcing a framework for academic recovery that includes new investments in early literacy, special education services, curriculum development, college counseling, and other programs;<sup>6</sup> however, much more remains to be done. New York City students and their families deserve a recovery that recognizes the assets of all students and their families, and also addresses the substantial educational inequities that predated the pandemic and were worsened by this crisis. A just recovery must raise the bar on quality and equity in K–12 education. The next mayor must reimagine a better public school system that provides all students, beginning in 3-K, with supportive, integrated, and high-quality learning environments that reflect the racial, socioeconomic, and cultural diversity of the city, and that prepares all students for college and career pathways.

**Specifically, the next mayor should:**

- 1. Mitigate pandemic-related learning disruption and the social, emotional, and mental health toll the pandemic has taken on students and families** by providing targeted, personalized, high-impact tutoring; acceleration academies; and tiered mental health and social emotional supports.
- 2. Improve the quality and cultural responsiveness of the curricula and instructional materials all students are learning from, and provide educators with aligned, high-quality preparation, professional development and other supports**, including working with educators, families and students to develop, or identify and adapt materials, and supporting strong implementation across all schools.
- 3. Give more students access to socioeconomically and racially diverse learning environments** by implementing more equitable enrollment policies, funding and supporting community-driven integration planning processes, and opening new high-quality integrated schools.
- 4. Create a college and career readiness pipeline from elementary school through college, in district and charter schools**, that provides aligned experiences for career awareness, exploration, planning, preparation, and training, including paid internships and apprenticeships as well as opportunities to earn college credit while still in high school.

## **Goals**

Supporting each of New York City’s students to thrive academically, socially, and emotionally, and tackling the pre-existing inequities in educational opportunity, must be critical priorities for the next mayor’s first term. A new administration should set ambitious goals to close existing racial disparities in third grade reading proficiency by improving reading proficiency for students of color,<sup>7</sup> reach a 90 percent on-time high school graduation rate, and ensure that all graduates are college- and career-ready.<sup>8</sup> Working from these overarching goals, a new administration should aim, by the end of its first term, to:

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6 “Mayor de Blasio and Chancellor Porter Announce Academic Recovery Plan for Pivotal School Year Ahead,” NYC Department of Education, July 12, 2021, <https://www.schools.nyc.gov/about-us/news/announcements/contentdetails/2021/07/09/mayor-de-blasio-and-chancellor-porter-announce-academic-recovery-plan-for-pivotal-school-year-ahead>.

### **7. TK REPLACED WITH WHAT?**

8. While the city does not currently have a robust definition or measurement of college and career readiness, CUNY’s standards for college readiness and ELA and mathematics are one set of existing measures that could be used, in conjunction with other measures. See “Important Information on SAT, ACT, and CATW,” City University of New York, accessed May 27, 2021, <https://www.cuny.edu/academics/testing/testing-faqs/>.

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- provide 250,000 New York City students with personalized, high-impact accelerated learning opportunities through tutoring or acceleration academies, and develop a plan to sustain this work in a targeted way;
  - provide the 425,000 students and their families at the 829 schools in the thirty-three neighborhoods hardest hit by COVID-19 with school-based mental health services by the beginning of the 2022–23 school year, and provide training on trauma-informed healing practices for school personnel citywide;
  - ensure 100 percent of students are taught with high-quality, standards-aligned, culturally responsive curricula and instructional materials, and 100 percent of educators receive aligned professional development;
  - enroll 10,000 students across twenty newly created, integrated, high-quality schools; and
  - provide 160,000 high school students per year with a high-quality, paid work experience on a pathway to a mobility-wage career.

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**Throughout this section, we rely on the following definition of a high-quality education (or school):**

A high-quality education ensures that all students master the academic, socioemotional, and career-relevant knowledge and skills they need to be prepared for postsecondary success and lifelong learning, through providing students with:

- rigorous instruction, including coherent, culturally responsive, standards-aligned curricula, and work-based learning experiences;
- opportunities to have experiences that ignite curiosity and allow students to discover their passions and talents;
- a supportive and safe learning environment where students feel a sense of belonging and develop meaningful relationships with adults and peers;
- an inclusive school culture that celebrates diversity as well as respect for and acknowledgement of all aspects of students' identities and cultural heritages;
- access to physical health and tiered mental health services to support students' holistic well-being and development;
- a community that fosters trust and respect between teachers, students, and families, working toward the shared goals of improving student outcomes and preparing students for postsecondary success; and
- scaffolded support to identify and attain a postsecondary path of their choosing.

**A high-quality education is provided by educators who:**

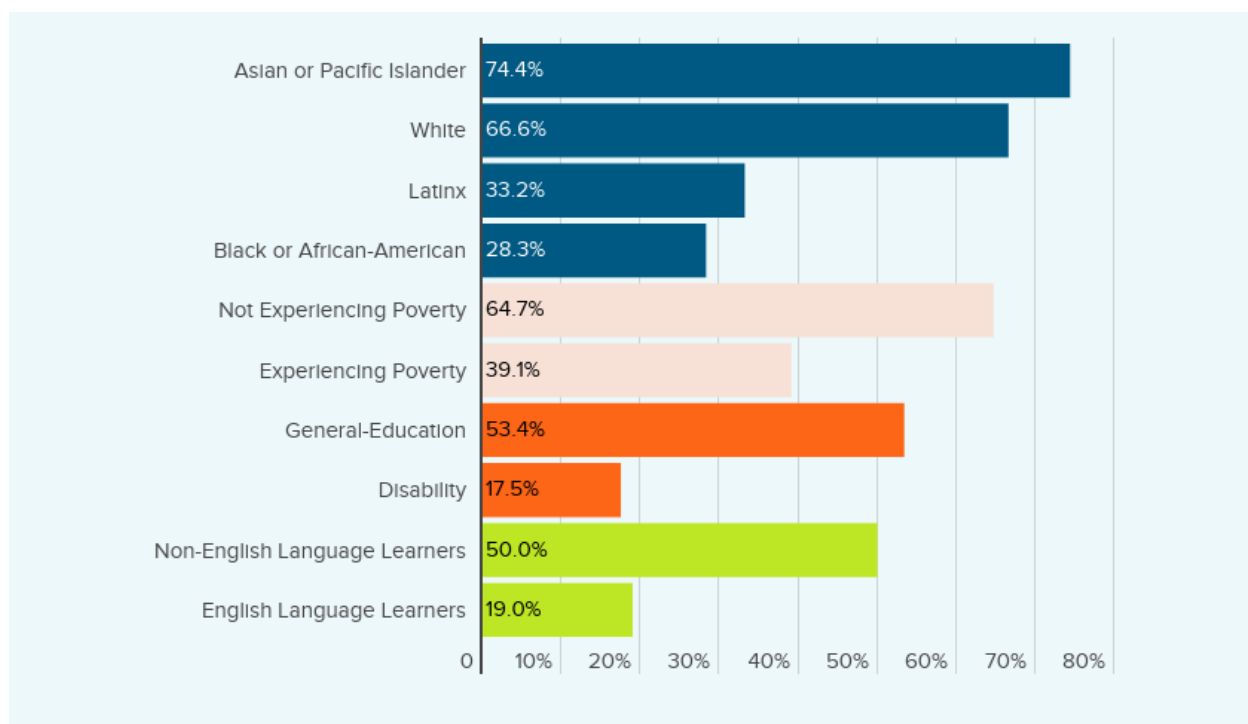
- are well-prepared, well-supported, and reflect the demographics of the student body, and are committed to the growth and success of their students; and
- receive high-quality, content-rich professional development within a culture of respect and continuous improvement.



## Background and Need

Long before the COVID-19 crisis, New York City's educational system and policies offered unequal opportunities that yielded unequal outcomes, with substantial disparities for Black and Latinx students, students from low-income backgrounds, multilingual learners, students with disabilities, and students experiencing homelessness. While New York State assessments were canceled in 2020, as of 2019, less than half of the city's third- to eighth-grade students scored proficient (that is, at grade level) on the state exams in ELA and math. Only 35 percent of the city's Black students and 36.5 percent of the city's Latinx students in district schools scored proficient in ELA, compared to 66.6 percent of white students and 67.9 percent of Asian students (see Figures 1 and 2). Similar gaps exist for students experiencing poverty. While the percentage of students experiencing poverty who scored proficient on the state exams has nearly doubled since 2013, their proficiency rates continue to be 25 percentage points below their wealthier counterparts.<sup>9</sup>

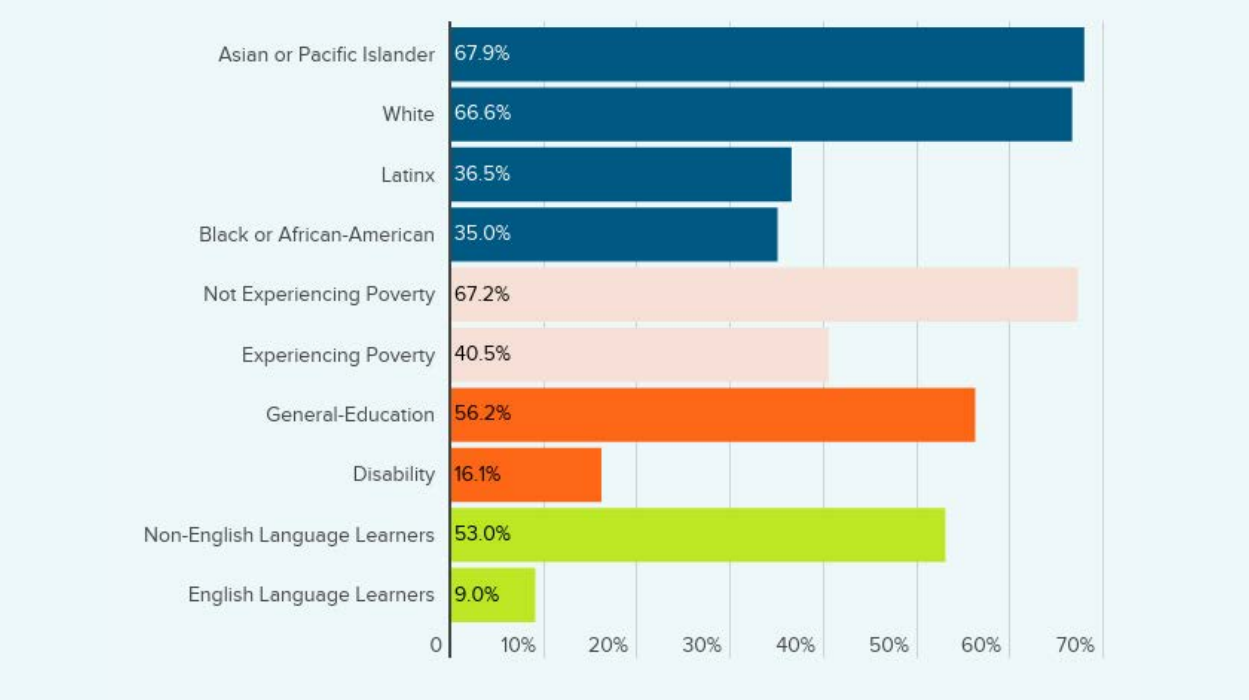
**FIGURE 1. NEW YORK CITY STUDENTS PASSING STATE MATH EXAMS, THIRD THROUGH EIGHTH GRADES, 2019, BY SUBGROUP**



Source: New York State Education Department, data retrieved from <https://data.nysed.gov>.

9. "Education," EquityNYC, accessed May 24, 2021, <https://equity.nyc.gov/outcomes/education/grades-3-to-8-proficiency-in-ela>.

**FIGURE 2. NEW YORK CITY STUDENTS PASSING STATE ENGLISH LANGUAGE ARTS EXAMS, THIRD THROUGH EIGHTH GRADES, 2019, BY SUBGROUP**



Source: New York State Education Department, data retrieved from <https://data.nysed.gov>.

The city has made impressive improvements in high school graduation rates and the transition to college in recent years; however, equity gaps persist in those areas as well. In 2019, approximately 77 percent of students graduated high school in four years, an increase from 63 percent in 2009.<sup>10</sup> However, large disparities in graduation rates by race remain: Asian and white students had graduation rates of 88 percent and 85 percent, respectively, while Black students were at 74 percent and Latinx students at 72 percent.<sup>11</sup> Multilingual learners (meaning students learning English at school) had a graduation rate of just 46 percent,<sup>12</sup> and thousands of newcomer immigrant youth in the city are not currently enrolled in school.<sup>13</sup>

College readiness and college enrollment have also increased in recent years, but not all students’ educational experiences have prepared them for the rigors of college-level academic content. In 2019, 55 percent of New York City students had met CUNY’s standards for college readiness after their fourth year in high school, a significant increase from 28 percent in 2011. Racial gaps in college readiness have narrowed slightly over that time period but are still significant, with roughly 45 percent of Black and Latinx students meeting the standards compared to over 70 percent of white and Asian students.<sup>14</sup> Well over half of the city public school

10. “New York City Graduation Rates Class of 2019 (2015 Cohort),” New York City Department of Education, accessed May 24, 2021, <https://infohub.nyced.org/docs/default-source/default-document-library/2019-graduation-rates---website---1-16-20.pdf>.  
 11. “Education,” EquityNYC, accessed May 24, 2021, <https://equity.nyc.gov/>.  
 12. New York State Education Department, data retrieved from <https://data.nysed.gov/gradrate.php?year=2020&instid=7889678368>.  
 13. “New Data Shows Drop-Out Crisis Among Newcomer Immigrants in NYC Schools,” New York Immigration Coalition, February 19, 2020, <https://www.nycic.org/2020/02/new-data-shows-drop-out-crisis-among-newcomer-immigrants-in-nyc-schools/>.  
 14. “Education,” EquityNYC, accessed May 24, 2021, <https://equity.nyc.gov/outcomes/education/four-year-college-readiness>.

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graduates who enroll at CUNY's community colleges must take a remedial course, decreasing their likelihood of completing a college degree compared to their peers.<sup>15</sup> In addition, roughly 33,000 New York City children ages 0 to 17 are undocumented immigrants, who face additional hurdles applying to, enrolling in, and paying for college.<sup>16</sup>

These unequal outcomes stem from a school system with unequal opportunity and quality, and high levels of socioeconomic and racial segregation. While New York City is one of the most diverse places in the world, its school system is one of the most socioeconomically and racially segregated in the country.<sup>17</sup> Overall public school enrollment is quite diverse: 41 percent of students are Latinx, 25 percent Black, 16 percent Asian, 15 percent white, and 3 percent identify as other racial categories.<sup>18</sup> More than 40 percent of New York City public school children speak a language other than English at home. For multilingual learners, they or their families come from over 190 different countries and communicate in over 150 different languages.<sup>19</sup> This rich diversity is an educational asset,<sup>20</sup> but comparatively few students experience this diversity in their classrooms. Four out of five elementary schools have students from a single racial or ethnic group in the majority,<sup>21</sup> and while over 70 percent of the city's students overall experience poverty, the student populations in high-poverty schools are disproportionately Black and Latinx. Seventy-one percent of Latinx students and 68 percent of Black students attend schools where at least three-quarters of students experience poverty, compared to 41 percent of Asian students and just 21 percent of white students.<sup>22</sup> In many cases, New York City's schools are even more segregated than the city's neighborhoods due to the way the city has drawn school and district attendance zones and because of the impact of admissions policies such as screens based on academics, behavior, or attendance.<sup>23</sup>

The transition to remote learning during the pandemic, coupled with periodic classroom and school closures tied to positive COVID-19 cases, created a new layer of challenges in ensuring educational excellence and equity. As part of developing the policy recommendations in this report, the authors reached out to students, parents, educators, and community members who had to adjust their lives and educational experience in

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15. "Graduation Rates Up, Preparedness Down: No Cause for CUNY Celebration," The City University of New York, accessed May 24, 2021, <https://www1.cuny.edu/sites/cunyufs/2017/02/13/graduationratesrisingpreparednessfallingnocauseforcunytocelebrate/>.

16. There are 276,000 children in mixed-status households in New York City, 12 percent of whom are undocumented. See New York City Mayor's Office for Economic Opportunity, "An Economic Profile of Immigrants in New York City 2017," New York City Mayor's Office for Economic Opportunity, February 2020, <https://www1.nyc.gov/assets/opportunity/pdf/immigrant-poverty-report-2017.pdf>.

17. Danielle Cohen, "NYC School Segregation Report Card: Still Last, Action Needed Now," UCLA Civil Rights Project, June 10, 2021, <https://www.civilrightsproject.ucla.edu/research/k-12-e>.

18. "School Diversity in NYC," New York City Council, accessed, May 24, 2021, <https://council.nyc.gov/data/school-diversity-in-nyc/>.

19. "2018–2019 English Language Learner Demographic Report," New York City Department of Education, Division of Multilingual Learners, accessed May 27, 2021, <https://infohub.nyced.org/docs/default-source/default-document-library/ell-demographic-report.pdf>.

20. Amy Stuart Wells, Lauren Fox, and Diana Cordova-Cobo, "How Racially Diverse Schools and Classrooms Can Benefit All Students," The Century Foundation, February 9, 2016, <https://tcf.org/content/report/how-racially-diverse-schools-and-classrooms-can-benefit-all-students/>.

21. New York City Independent Budget Office, "From Grades 3 to 8: Tracing Changes in Achievement Gaps by Race & Gender in New York City Public Schools," New York City Independent Budget Office, December 2017, <https://ibo.nyc.ny.us/iboreports/from-grades-3-to-8-tracing-changes-in-achievement-gaps-by-race-and-gender-in-new-york-city-public-schools-december-2017.pdf>.

22. "School Diversity in NYC," New York City Council, accessed, May 24, 2021, <https://council.nyc.gov/data/school-diversity-in-nyc/>.

23. Clara Hemphill and Nicole Mader, "Segregated Schools in Integrated Neighborhoods: The city's schools are even more divided than our housing," Center for New York City Affairs, <http://www.centernyc.org/segregatedschools>; and Clara Hemphill et al., "Screened Schools: How to Broaden Access and Diversity," Center for New York City Affairs, 2019, <http://www.centernyc.org/screened-schools>.

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response to this global pandemic and held a series of roundtable discussions with them. At these roundtables, middle and high school students from all five boroughs talked about their needs and worries, as well as their suggestions for how the city and the next mayoral administration could improve their educational experience both during and following the COVID-19 pandemic. The students shared experiences and insights influenced by a number of factors, including their socioeconomic status, race, and culture; caregiving responsibilities at home; mental health; and learning differences, among many other factors. They described dealing with anxiety and depression and navigating remote learning with spotty wifi and in shared living spaces, while simultaneously juggling caregiving responsibilities for younger siblings or grandparents. Students of all ages expressed concern about the slow pace of learning over the past year and worried they would be less prepared to succeed academically, and transition to college and/or to a career. They missed social interaction with their peers and worried about whether they or their families would contract COVID-19. As one Black eleventh grader from Manhattan, the daughter of immigrants, explained, “Corona and quarantine has been difficult for everyone, but for students, specifically.... We’re in our houses all day.... It doesn’t help my mental health. It doesn’t make me excited to do work. It just makes me want to lay in bed and not do anything all day.”

In December 2020, Robin Hood and the Global Strategy Group also conducted a survey of 800 city residents and held focus groups and online discussion boards focused on low-income New Yorkers. Only about one-third of New Yorkers across income groups said that they thought the city’s public schools overall were doing a good or excellent job handling COVID-19. Low-income New Yorkers in particular were dissatisfied with their children’s educational experiences. They described remote learning as “chaotic” and felt that it had deepened inequalities in education, as evidenced by the survey results showing that only 33 percent of low-income public school parents felt that their child’s school was doing a good job handling remote learning, compared to 80 percent of high-income public school parents.<sup>24</sup>

These individual stories of hardship and public opinion findings showing a lack of trust in the education system are reinforced by data and research on student experiences. Overall enrollment in the city’s public schools has dropped over the past year,<sup>25</sup> mirroring nationwide declines in public school enrollment,<sup>26</sup> and families of color have been much more reluctant than white families to opt in to in-person learning.<sup>27</sup> Data from January 2021 showed attendance was far below that of the previous year, with larger than normal disparities in attendance rates among student groups; multilingual learners and students with disabilities in high school, for example, missed one out of every four school days.<sup>28</sup> While the current administration has not collected or shared citywide

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22. “School Diversity in NYC,” New York City Council, accessed, May 24, 2021, <https://council.nyc.gov/data/school-diversity-in-nyc/>.

23. Clara Hemphill and Nicole Mader, “Segregated Schools in Integrated Neighborhoods: The city’s schools are even more divided than our housing,” Center for New York City Affairs, <http://www.centernyc.org/segregatedschools>; and Clara Hemphill et al., “Screened Schools: How to Broaden Access and Diversity,” Center for New York City Affairs, 2019, <http://www.centernyc.org/screened-schools>.

24. Previously not released Robin Hood Global Strategy Group Polling of 800 New Yorkers, December 10–15, 2020.

25. Michael Elsen-Rooney, “Mayor de Blasio brushes away declining enrollment in New York City public schools as only ‘one-year reality,’” New York Daily News, February 3, 2021, <https://www.nydailynews.com/new-york/education/ny-nyc-public-schools-enrollment-de-blasio-20210203-z7bdavz3pbhbfbbypc2ig56pdi-story.html>.

26. Kalya Belsha et al., “Across U.S., states see public school enrollment dip as virus disrupts education,” Chalkbeat, December 22, 2020, <https://www.chalkbeat.org/2020/12/22/22193775/states-public-school-enrollment-decline-covid>.

27. Eliza Shapiro, Erica L. Green, and Juliana Kim, “Missing in School Reopening Plans: Black Families’ Trust,” New York Times, February 1, 2021, <https://www.nytimes.com/2021/02/01/us/politics/school-reopening-black-families.html>.

28. “Disparities in Attendance during COVID-19,” Advocates for Children of New York, accessed May 24, 2021, [https://www.advocatesforchildren.org/sites/default/files/library/policy\\_brief\\_attendance\\_disparities\\_covid\\_41421.pdf?pt=1&source=email](https://www.advocatesforchildren.org/sites/default/files/library/policy_brief_attendance_disparities_covid_41421.pdf?pt=1&source=email); and “City Council January 2021 Attendance,” retrieved from <https://data.cityofnewyork.us/Education/City-Council-January-2021-Attendance/hsst-tgws>.

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data on student learning during the pandemic, numerous studies from across the country have projected or identified substantial learning disruptions for students during this time. While this research has some variations in terms of subject and grade level, it has consistently found that the impacts are greatest for Black, Latinx, and Native students; students experiencing poverty; and students at lower-achieving schools.<sup>29</sup> It is fair to assume that New York City is mirroring these trends.

Although the city plans to put in place universal mental health screenings this fall, comprehensive data on the mental health needs of students, families, and educators is not currently available. That being said, the mental health impact of the pandemic on students is likely to be severe, especially for students of color. Once again, national data indicates the profound impact on children’s mental health; from April to October of last year, the proportion of children’s pediatric emergency room visits that were mental health related jumped by almost a third for those ages 12 to 17, and 24 percent for children ages 5 to 11.<sup>30</sup> In New York City and throughout the state, the experience of losing a caregiver and the likelihood of falling into or near poverty because of the pandemic has disproportionately affected Black and Latinx children (see Table 1).

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29. For example, a study of early literacy in a set of districts in California found that students’ oral reading fluency in second and third grade is approximately 30 percent below expected performance, with students at lower achieving schools falling farther behind. See “Changing Patterns of Growth in Oral Reading Fluency During the COVID-19 Pandemic,” Policy Analysis for California Education, March 2021, <https://edpolicyinca.org/publications/changing-patterns-growth-oral-reading-fluency-during-covid-19-pandemic>. Renaissance released a national report detailing effects based on assessments in fall 2019 and fall 2020 in first through eighth grades. While student achievement in ELA was on average, only one percentile lower than typical, math achievement lagged by seven percentile points on average. Learning disruptions were more substantial among public, low-income, Black, Latinx, and Native students. See “How Kids Are Performing,” Renaissance, Fall 2020, <https://renaissance.widen.net/s/wmjttxkxhbm>. Other studies include: Megan Kuhfield et al., “Learning during COVID-19: Initial findings on students’ reading and math achievement and growth,” NWEA, November 2020, <https://www.nwea.org/content/uploads/2020/11/Collaborative-brief-Learning-during-COVID-19.NOV2020.pdf>; Emma Dorn et al., “COVID-19 and learning loss—disparities grow and students need help,” McKinsey & Company, December 8, 2020, <https://www.mckinsey.com/industries/public-and-social-sector/our-insights/covid-19-and-learning-loss-disparities-grow-and-students-need-help>.

30. Rebecca T. Leeb et al. “Mental Health–Related Emergency Department Visits among Children Aged <18 Years During the COVID-19 Pandemic—United States, January 1–October 17, 2020,” CDC Weekly 69, no. 45 (November 13, 2020):1675–80, <https://www.cdc.gov/mmwr/volumes/69/wr/mm6945a3.htm>.

**TABLE 1. INCREASED ADVERSITY FOR CHILDREN DUE TO COVID-19, BY BOROUGH**

Black and Latinx children have been disproportionately impacted citywide, with one in 600 Black children and one in 700 Latinx children losing a parent or caregiver, compared to one in 1,400 Asian children and one in 1,500 white children.

Borough	Demographic Background	Children experiencing loss of caregiver due to Covid-19 (as of July 2020)	Unemployment and children newly experiencing poverty (as of June 2020)
<b>Bronx</b> (361,000 Children)	<p>A pie chart representing the demographic background of children in the Bronx. The largest slice is Latinx at 56% (orange), followed by Black at 29% (dark blue), white at 9% (red), and Asian at 4% (light blue).</p>	<b>1 in 600 children</b> experienced the loss of a caregiver (602 children)	<b>24.7% unemployment</b> <b>26,000 children</b> newly experiencing/near experiencing poverty
<b>Brooklyn</b> (600,000 Children)	<p>A pie chart representing the demographic background of children in Brooklyn. The largest slice is white at 36% (red), followed by Black at 30% (dark blue), Latinx at 19% (orange), and Asian at 12% (light blue).</p>	<b>1 in 670 children</b> experienced the loss of a caregiver (896 children)	<b>20.5% unemployment</b> <b>50,000 children</b> newly experiencing/near experiencing poverty
<b>Manhattan</b> (236,000 Children)	<p>A pie chart representing the demographic background of children in Manhattan. The largest slice is white at 47% (red), followed by Latinx at 26% (orange), Black at 13% (dark blue), and Asian at 12% (light blue).</p>	<b>1 in 660 children</b> experienced the loss of a caregiver (358 children)	<b>16% unemployment</b> <b>28,000 children</b> newly experiencing/near experiencing poverty
<b>Queens</b> (465,000 Children)	<p>A pie chart representing the demographic background of children in Queens. The largest slice is Latinx at 28% (orange), followed by white at 25% (red), Asian at 25% (light blue), and Black at 17% (dark blue).</p>	<b>1 in 520 children</b> experienced the loss of a caregiver (895 children)	<b>21.8% unemployment</b> <b>59,000 children</b> newly experiencing/near experiencing poverty
<b>Staten Island</b> (105,000 Children)	<p>A pie chart representing the demographic background of children in Staten Island. The largest slice is white at 62% (red), followed by Latinx at 18% (orange), Black at 9% (dark blue), and Asian at 9% (light blue).</p>	<b>1 in 860 children</b> experienced the loss of a caregiver (122 children)	<b>18.1% unemployment</b> <b>9,000 children</b> newly experiencing/near experiencing poverty

Source: Suzanne C. Brundage and Kristina Ramos-Callan, "COVID-19 Ripple Effect: The Impact of COVID-19 on Children in New York State," United Hospital Fund, September 30, 2020, <https://uhfnyc.org/publications/publication/covid-19-ripple-effect-impact-covid-19-children-new-york-state/>.

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## Conditions for Success

In order for the next mayoral administration's policy efforts to succeed for New York City children and families, it is critical that certain baseline conditions for success be in place at the city and state level.

### A new administration must:

- **Rebuild trust with families, including more meaningful, ongoing engagement and more accessible communications.** The pandemic has demonstrated a deep lack of trust in the New York City school system by families of color. The city should conduct better outreach to and solicit more meaningful, ongoing feedback from families on strategy, policy, and implementation by partnering with community organizations, just as the city does through its Community Schools model. The city should also improve the accessibility of communications and use culturally relevant communication in multiple languages and modalities, since over 40 percent of families in New York City schools speak a language other than English at home.<sup>31</sup>
- **Ensure ongoing information on students' academic achievement, and improve the quality and accessibility of data on students' social emotional well-being, mental health, and postsecondary outcomes** (for example, postsecondary access and success, economic mobility, and so on) and ensure that students, families, educators, community partners, advocacy organizations, and policymakers have access to that data broken down by demographic factors. As the current administration has proposed, the city must assess students' academic performance citywide at the beginning of the 2021–22 school year, to understand needs and direct resources, and then ensure student progress is being measured citywide in an ongoing way. The city has already committed to implement universal screenings of mental health and student exposure to trauma and adversity this fall; a new administration should ensure these screenings become an ingrained practice.<sup>32</sup> Funding from the American Rescue Plan Act offers an important opportunity to both put in place these measurement tools and further enhance city data systems, partnering with external nonprofits where appropriate, in ways that will allow the city and educators to better support students.
- **Partner with charter schools.** With 10 percent of the city's public school students enrolled in charter schools, a new administration should partner with charter schools,<sup>33</sup> rather than battle them, to ensure all of New York City's students are well served. District and charter schools can collaborate to tackle shared challenges, and charter schools should be eligible to participate in key New York City Department of Education (DOE) initiatives, to ensure that all students have access to the best education possible, whether they are in district schools or charter schools. At the same time, the city should ensure charter schools, particularly those it authorizes, are serving students with disabilities and multilingual learners, consistent with state law.

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31. "2018-2019 English Language Learner Demographic Report," New York City Department of Education, Division of Multilingual Learners, accessed May 27, 2021, <https://infohub.nyced.org/docs/default-source/default-document-library/ell-demographic-report.pdf>.

32. "Mayor de Blasio, First Lady McCray, Schools Chancellor Porter, and Speaker Johnson Announce Historic Expansion of Mental Health Supports for All Schools," The Official Website of the City of New York, accessed May 25, 2021, <https://www1.nyc.gov/office-of-the-mayor/news/312-21/mayor-de-blasio-first-lady-mccray-schools-chancellor-porter-speaker-johnson-announce>.

33. DOE Data at a Glance," New York City Department of Education, accessed May 25, 2021, <https://www.schools.nyc.gov/about-us/reports/doe-data-at-a-glance>.

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## At the state level, the legislature and governor must:

- **Follow through on the commitment to fully phase in Foundation Aid.** After decades of litigation and advocacy, the 2021 New York State budget finally includes a commitment to fully phase in funding for Foundation Aid, the main formula for public school funding over the next three years.<sup>34</sup> The state must follow through to reach and sustain 100 percent funding for Foundation Aid in years to come.
- **Renew mayoral control of city schools.** Research from across the country shows increased student outcomes in cities with mayoral control.<sup>35</sup> Going forward, mayoral control must be renewed before it is set to expire in 2022—to maintain a nimble, clear, decision-making structure, with an elected leader who is held accountable to families and voters—but with clear and accessible mechanisms to include more family, student, and educator input on key implementation decisions.
- **Increase the charter school cap,** and ensure that charter schools serve students with disabilities and multilingual learners. In New York City, applicant numbers for public charter schools outnumber available seats in every borough,<sup>36</sup> and public opinion polls show strong support for opening new charter schools.<sup>37</sup> The families choosing charter schools are disproportionately Black, a population that has been historically underserved in New York City.<sup>38</sup> While quality varies, high-quality New York City charter schools show strong gains for their students.<sup>39</sup> At the same time, data show charter schools are not enrolling students with disabilities or multilingual learners on par with other schools across the city, or at the rates that state law requires.<sup>40</sup> The state should make room for additional high-quality charters to open in communities where there is meaningful demand, but should pair this with increased focus by charter school authorizers on ensuring that they are holding individual charter schools accountable for serving students with disabilities and multilingual learners.

## Policy Response

### 1. Mitigate Pandemic-Related Learning Disruption and the Social, Emotional, and Mental Health Toll the Pandemic Has Taken on Students and Families

The COVID-19 pandemic and the ensuing school closures have wreaked havoc on the social, emotional, and academic well-being of New York City students of all ages. These closures and the shift to remote learning have also challenged the social, emotional, and mental health of their families and the educators who serve

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34. Michelle Bocanegra, “Among Foundation Aid’s victors, some mellow fans,” *Politico Pro*, April 23, 2021, <https://subscriber.politicopro.com/article/2021/04/23/among-foundation-aids-victors-some-mellow-fans-1377459>; and Zach Williams, “Three questions that define school ‘Foundation Aid,’” *City & State NY*, October 22, 2019, <https://www.cityandstateny.com/articles/policy/education/three-questions-define-school-foundation-aid.html>.

35. Kenneth K. Wong and Francis X. Shen, “Mayoral Governance and Student Achievement,” Center for American Progress, March 2013, [https://cdn.americanprogress.org/wp-content/uploads/2013/03/MayoralControl-6.pdf?\\_ga=2.1769521.1645675631.1619123766-485373172.161670231](https://cdn.americanprogress.org/wp-content/uploads/2013/03/MayoralControl-6.pdf?_ga=2.1769521.1645675631.1619123766-485373172.161670231).

36. “NYC Charter Schools: 2019-20 Enrollment Lottery Estimates,” New York City Charter School Center, August 2019, <https://nyccharterschools.org/wp-content/uploads/2020/06/NYCCSC-LotteryReport-2019-20-final.pdf>.

37. James Merriman, “Lift New York’s Charter Cap,” *New York Daily News*, May 27, 2021, <https://www.nydailynews.com/opinion/ny-oped-lift-new-yorks-charter-cap-20210527-6kycvajsndngofeh7h4mzxba7ga-story.html>, citing a 2021 poll by StudentsFirstNY.

38. “NYC Charter School Facts,” New York City Charter School Center, accessed May 25, 2021, <https://nyccharterschools.org/policy-research/fact-sheets/charter-facts/> (New York City total: 40.6 percent Latinx, 25.5 percent Black; charters total: 40 percent Latinx, 50 percent Black).

39. “DOE Data at a Glance,” New York City Department of Education, accessed May 24, 2021, <https://www.schools.nyc.gov/about-us/reports/doe-data-at-a-glance>.

40. “DOE Data a Glance,” New York City Department of Education, accessed May 24, 2021, <https://nyccharterschools.org/policy-research/fact-sheets/students-with-disabilities/>. The NYS law is New York Education Law Section 2851(4)(e).



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them—layered on top of the pre-existing stress of poverty and hardship so many New York City families were already facing. The past year has also laid bare the lack of trust that families—particularly families of color and immigrant families—have in public schools to care for their children. As noted above, while New York City–specific data on the academic, social, emotional, and mental health toll of this year on children is not available, data from around the country suggests the impact is substantial. And the local data available suggests that the educational impact of the pandemic for students has been as inequitable as its health consequences: 62 percent of schools with the lowest attendance rates during the pandemic are in the thirty-three neighborhoods that the city classified as the hardest hit by the pandemic.<sup>41</sup>

The infusion of substantial federal American Rescue Plan Act and Foundation Aid funding to the city creates an opportunity to intentionally invest in dedicated, evidence-based practices and programs to address pandemic-related learning disruption and the social, emotional, and mental health toll the pandemic has taken on students and families (as well as put in place systemic reforms to address pre-existing inequities, such as better, more culturally responsive instructional materials—see below). A new mayoral administration must expand on and extend the current administration’s proposed investments in a way that ensures funds are focused on evidence-based practices with strong implementation, and on students in the hardest hit neighborhoods and those experiencing the greatest need; and that acknowledges that recovery from the pandemic will be a multi-year undertaking that requires multi-year investments. Without proper and sustained academic acceleration and mental health support, the interruptions of the past year could substantially impact students’ long-term outcomes and opportunities.<sup>42</sup>

#### A new administration must address these learning disruptions and social, emotional, and mental health needs in five key ways:

- **Build a local tutor corps—Tutor NYC—to support targeted, deep academic recovery, working with nonprofit and higher education partners.** The evidence base supporting the efficacy of high-quality,

**90% of New Yorkers and 94% of low-income New Yorkers support creating new programs to address the disruption in students' learning due to COVID-19, by investing in more tutoring options and other additional learning opportunities.**

high-impact tutoring programs is strong, and has been replicated multiple times,<sup>43</sup> although never at the scale currently needed in New York City. To bring together the strongest tutoring providers and the best supports for New York City students, the next mayor should partner with community-based organizations, institutions of higher education, and researchers to implement a citywide tutor corps—

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41. “Have School Attendance Rates This Year Varied by “Hardest-hit” Covid-19 Neighborhoods and Grade Levels?” New York City Independent Budget Office, March 15, 2021, <https://ibo.nyc.ny.us/cgi-park2/2021/03/have-school-attendance-rates-this-year-varied-by-hardest-hit-covid-19-neighborhoods-and-grade-levels/>.

42. “COVID-19: Cost of virtual schooling by race and income,” University of Pennsylvania Wharton School of Business, March 11, 2021, <https://budgetmodel.wharton.upenn.edu/issues/2021/3/11/covid-19-cost-of-virtual-schooling-by-race-and-income>; Emma Dorn, Bryan Hancock, Jimmy Sarakatsannis, and Ellen Viruleg, “COVID-19 and student learning in the United States: The hurt could last a lifetime,” McKinsey & Company, June 2020, <https://www.mckinsey.com/industries/public-and-social-sector/our-insights/covid-19-and-student-learning-in-the-united-states-the-hurt-could-last-a-lifetime>. The study also finds that white students would earn \$1,348 a year less (a 1.6 percent reduction) over a 40-year working life; Black students would earn \$2,186 a year less; (a 3.3 percent reduction); and Latinx students would earn \$1,809 less (3 percent reduction).

43. One study found that tutoring was the most common and most effective intervention to increase educational outcomes of students from low-income backgrounds; see Jens Dietrichson et al., “Academic Interventions for Elementary and Middle School Students With Low Socioeconomic Status: A Systematic Review and Meta-Analysis,” Review of Educational Research 87, no. 2 (April 2017): 243–82, <https://doi.org/10.3102/0034654316687036>. A Harvard study found that tutoring delivered three days per week is one of the best school-based interventions, with demonstrated and large positive effects in math and ELA. See Roland G. Fryer, Jr., “The Production of Human Capital in Developed Countries: Evidence from 196 Randomized Field Experiments,” in Handbook of economic field experiments, vol. 2 (Amsterdam: North-Holland, 2017), 95–322, [https://scholar.harvard.edu/fryer/files/handbook\\_fryer\\_03.25.2016.pdf](https://scholar.harvard.edu/fryer/files/handbook_fryer_03.25.2016.pdf). The most recent study of Saga, a high-impact tutoring program supported by AmeriCorps, showed math gains that nearly quadrupled the math growth of an average high schooler. See Jonathan Guryan et al., “Not Too Late: Improving Academic Outcomes Among Adolescents,” National Bureau of Economic Research report no. w28531, 2021, <https://www.nber.org/papers/w28531>.

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Tutor NYC—to recruit, select, and train tutors to help New York City students in need of support over multiple school years. This effort should focus on targeted scaling of high-quality, high-impact tutoring providers with a strong evidence base and replication of such models, with a goal of supporting one in five New York City students a year. High-impact tutoring should be targeted to the schools and students with the greatest academic needs, based on citywide assessments. Recruitment for tutors should focus on the communities prioritized for academic support, bringing in community members and pre-service educators as tutors whenever possible, to both leverage the power of the community and build a pipeline of diverse educators. Tutor NYC could support both whole school or more targeted approaches, with a preference for whole school models where practicable, as long as they are consistent with the research base and include the key design components that have been utilized in effective programming (see text box).<sup>44</sup> Based on a building evidence base, it appears that well-designed tutoring can be effective online or in-person, so the city should consider both models for different groups of students; taking into account that in-person models cost more, but are more likely to engage community residents in the work, and contribute to a diverse educator pipeline in the long-term. To understand the impact of this investment and better support students and tutors, the DOE should develop an ongoing, central performance-tracking system. If this program proves effective, tutoring could be continued in a more targeted way as a longer-term investment.

### High-Quality, High-Impact Tutoring Best Practices<sup>45</sup>

- A high-impact intervention: three to five times per week, at least thirty minutes per session.
  - Students working in an ongoing way with the same tutor, and a relatively small tutor-to-student ratio, no larger than 4:1, that allows for targeted and individualized support.
  - Tutoring is ideally implemented as part of the traditional or a longer school day, and ideally as part of a whole school intervention.
  - Tutoring should be curriculum-based and culturally responsive.
  - Tutors should receive specific, ongoing training and coaching.
  - Tutoring should supplement and not supplant classroom instruction, the arts, and physical education, and other enrichment activities.
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- **Implement Acceleration Academies to provide targeted, small-group ELA and math instruction to students who need additional support.** Extended learning time interventions such as weeklong acceleration academies (also known as “vacation academies”) show strong evidence of effectiveness and can be a

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44. Matthew A. Kraft and Grace T. Falken, “A Blueprint for Scaling Tutoring Across Public Schools,” Annenberg Institute, EdWorkingPaper No. 20-335, January 2021, [https://scholar.harvard.edu/files/mkraft/files/kraft\\_falken\\_2021\\_blueprint.pdf](https://scholar.harvard.edu/files/mkraft/files/kraft_falken_2021_blueprint.pdf).

45. Ibid.

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scalable approach to individualizing instruction.<sup>46</sup> Acceleration Academies provide up to twenty-five hours of additional small-group instruction, delivered by select teachers, to struggling students over their week-long vacation breaks. This model appears to have driven turnaround gains in Lawrence, Massachusetts in both math and ELA and the approach is now being implemented in low-performing school districts across the state.<sup>47</sup> These academies, which cost between \$500 and \$800 per student per week, led to student gains of 0.1 standard deviations in both math and ELA, the equivalent to around three months of student learning.<sup>48</sup> As with tutoring, we recommend New York City focus these efforts on students with the greatest academic need, to provide additional, targeted academic acceleration options for them, with a goal of supporting up to 50,000 students per year. These academies should be offered during school breaks, with student incentives (for example, gift cards) to encourage student participation. Class sizes should be limited to twelve students per instructor, which makes the program more engaging for students and allows teachers to tailor instruction to the needs of their students. Beyond academic benefits, schools that implemented the vacation academy model saw an improvement in disciplinary outcomes for student participants, suggesting the importance of relationship-building when students are assigned to the same instructor during the duration of the program.<sup>49</sup> These academies should be done in person or virtually with adaptations, if necessary.

- **Engage and employ community members to support students' academic acceleration, and where possible, design tutoring roles as a pathway into teaching to develop a more diverse educator workforce.** Supporting schools and students in recovery will take an ongoing and substantial investment, including numerous new roles for adults to support the system as tutors, counselors, and others. Where possible, individuals from the most impacted communities should be recruited for these roles, including City University of New York (CUNY) students, graduates, pre-service educators, and others. Research on effective tutoring programs indicates that tutors from a variety of backgrounds can succeed as long as the model includes strong on-the-job training and other design aspects noted above (for example, tutor-to-student ratio; frequency).<sup>50</sup> In order to ensure these roles are actually accessible for New Yorkers of all backgrounds, the city should ensure all tutors receive a livable and fair wage. This means that where tutors or others are supported by federal AmeriCorps funds, the DOE, the city, and philanthropy must make additional investments to increase the living allowance to reach this standard. With intentional design, these tutoring roles can and should be a pathway into teaching. Ensuring New York City residents of color are being recruited and supported to take these roles will result in a more diverse educator workforce—who can better reflect and support students—in the longer-term.<sup>51</sup>

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46. Elaine Allensworth and Nate Schwartz, "School Practices to Address Student Learning Loss," EdResearch for Recovery, June 2020, [https://annenberg.brown.edu/sites/default/files/EdResearch\\_for\\_Recovery\\_Brief\\_1.pdf](https://annenberg.brown.edu/sites/default/files/EdResearch_for_Recovery_Brief_1.pdf); and Beth E. Schueler, Joshua S. Goodman, and David J. Deming, "Can States Take Over and Turn Around School Districts? Evidence from Lawrence, Massachusetts," Educational Evaluation and Policy Analysis 20, no. 10 (2017): 1–24.

47. "The Golden Ticket: Learning from Lawrence Acceleration Academies," New Profit, accessed May 27, 2021, <http://goldenticketlawrence.newprofit.org/>.

48. Ibid.

49. Beth E. Schueler, "Making the Most of School Vacation: A Field Experiment of Small Group Math Instruction," Education Finance and Policy 15, no. 2 (2020): 310–31, <https://direct.mit.edu/edfp/article/15/2/310/65047/Making-the-Most-of-School-Vacation-A-Field>.

50. Jill Barshay, "Takeaways from research on tutoring to address coronavirus learning loss," The Hechinger Report, May 25, 2020, <https://hechingerreport.org/takeaways-from-research-on-tutoring-to-address-coronavirus-learning-loss/>; and Matthew A. Kraft and Grace T. Falken, "A Blueprint for Scaling Tutoring Across Public Schools," Annenberg Institute, EdWorkingPaper No. 20-335, January 2021, [https://scholar.harvard.edu/files/mkraft/files/kraft\\_falken\\_2021\\_blueprint.pdf](https://scholar.harvard.edu/files/mkraft/files/kraft_falken_2021_blueprint.pdf).

51. See Nicholas Zerbino, "Teacher diversity and student success: Why racial representation matters in the classroom," Brookings Institution, April 23, 2021, <https://www.brookings.edu/events/teacher-diversity-and-student-success-why-racial-representation-matters-in-the-classroom/>.

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- **Provide tiered mental health support through on-site mental health teams for the schools in the hardest hit neighborhoods, and ongoing universal mental health screens.** As of July 2020, over 2,800 children in New York City experienced the death of a caregiver, and 172,000 children were newly experiencing

or near experiencing poverty.<sup>52</sup> Every student in New York City had their day-to-day lives, learning, and relationships disrupted. These substantial experiences of adversity require additional supports. The city has already committed to implement universal screenings of social and emotional well-being and student exposure to trauma and adversity this fall;<sup>53</sup>

**92% of New Yorkers and 97% of low-income New Yorkers support increasing counselors and mental health services in our public schools to help both students and their families.**

a new administration should ensure that these screenings extend beyond the coming school year and become an ingrained practice within New York City schools. In addition, all 829 schools within the hardest-hit thirty-three neighborhoods<sup>54</sup> that do not already have an on-site mental health team with guidance counselors, social workers, clinical psychologists, and direct partnerships with mental health clinics, should receive one, building on the current administration's announced expansion of these services. These teams should explicitly be available for family as well as student care and support; and consistent with a robust, multi-tiered systems of support model that is similar to the programmatic approach of organizations such as Partnership with Children and New York-Presbyterian Morgan Stanley Children's Hospital's school-based mental health program,<sup>55</sup> teams should be leveraged to provide training and coaching around effective practices to the other adults in the school. Staffing should align with the professional standard recommendations of 250:1 student-to-counselor/social worker ratio and 750:1 student-to-psychologist ratio,<sup>56</sup> and be equipped with the competencies and experience to work with the city's student population, requiring targeted recruitment of Black, Latinx, and Asian counselors, multilingual counselors, and counselors trained in specific challenges city students are facing. (This recommendation dovetails with the call to replace police officers in public schools with a holistic, trauma-informed, public health approach to school safety and crisis intervention, including investing in social workers, behavior specialists, other trauma-informed de-escalation staff, school climate and restorative justice staff, and others contained in the section on Policing for this project.)

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52. "COVID-19 Ripple Effect: The Impact of COVID-19 on Children in New York State," United Hospital Fund, September 2020, [https://uhfnyc.org/media/filer\\_public/bc/6a/bc6a7ee6-d444-4166-a239-7f4e74246c81/covid\\_ripple\\_effect\\_county\\_appendix\\_final.pdf](https://uhfnyc.org/media/filer_public/bc/6a/bc6a7ee6-d444-4166-a239-7f4e74246c81/covid_ripple_effect_county_appendix_final.pdf).

53. "Mayor de Blasio, First Lady McCray, Schools Chancellor Porter, and Speaker Johnson Announce Historic Expansion of Mental Health Supports for All Schools," The Official Website of the City of New York, accessed May 25, 2021, <https://www1.nyc.gov/office-of-the-mayor/news/312-21/mayor-de-blasio-first-lady-mccray-schools-chancellor-porter-speaker-johnson-announce>.

54. Cindy Rodriguez, Jessica Gould, and Jake Dobkin, NYC Public Schools With The Worst Attendance Are In Areas With Higher COVID Rates, Gothamist, March 15, 2021, <https://gothamist.com/news/nyc-public-schools-worst-attendance-are-areas-higher-covid-rates>. See data download, noting which schools are in a "COVID hot zone," corresponding to the zipcodes in the thirty-three hardest-hit neighborhoods, as identified by the current administration.

55. See Partnership with Children, accessed July 13, 2021, <https://partnershipwithchildren.org/program-model/>; and "School-Based Mental Health Program," Columbia University Department of Psychiatry, accessed July 13, 2021, <https://childadolescentpsych.cumc.columbia.edu/school-based-mental-health-program>.

56. Amir Whittaker et al., "Cops and No Counselors: How the Lack of School Mental Health Staff Is Harming Students," ACLU, [https://www.aclu.org/sites/default/files/field\\_document/030419-acluschooldisciplinereport.pdf](https://www.aclu.org/sites/default/files/field_document/030419-acluschooldisciplinereport.pdf).

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- **Invest in citywide professional development for trauma-informed healing practices.** Supporting educators to understand how challenges such as poverty, adverse childhood experiences (ACEs),<sup>57</sup> toxic stress, and systemic racism<sup>58</sup> impact a child’s development, and equipping educators with research-based strategies to appropriately respond to student needs and behavior, can help create more supportive school environments. Research shows trauma-informed practices in schools are effective for identifying students in need of mental health services, decreasing student suspension and expulsion rates, and increasing attendance and academic performance.<sup>59</sup> Trauma-informed training should be expanded to reach every staff person working within a public school in the thirty-three hardest-hit neighborhoods by the end of the 2022–23 school year, and continue to grow until every New York City educator has been trained in trauma-informed practices. There is already strong work underway to build on: the city’s current Community Schools, as well as high-quality providers such as the University of Chicago’s TREP project<sup>60</sup> and Partnership with Children<sup>61</sup> have supported hundreds of schools in this way throughout the pandemic. The DOE could also look to other school districts that have implemented trauma-informed practices, such as the Highlands School District in Allegheny County, Pennsylvania or Framingham Public Schools in Massachusetts.<sup>62</sup>

Each of these recommendations can be paid for through the city’s allocation of federal American Rescue Plan Act Elementary and Secondary School Emergency Relief (ESSER) funds, which do not have to be obligated until September 30, 2022; as well as through ongoing increases in state Foundation Aid. In addition, tutors (and other similar programs for students) may be supported through federal AmeriCorps funds; the American Rescue Plan included an additional \$1 billion in funding for AmeriCorps. (As noted above, where AmeriCorps funds are used, the city must take steps to tackle the structural inequities within AmeriCorps, and ensure participants receive an adequate wage. The city should utilize additional local, state, federal and private funds to ensure the living allowance is increased to allow New Yorkers of all backgrounds to participate.)

### Expected Impact

Addressing students’ pandemic-related learning disruptions and the social, emotional, and mental health needs as proposed above would:

- provide 250,000 students with academic acceleration support, through personalized, high-impact tutoring, or acceleration academies;
- provide 425,000 students and their families at the 829 DOE schools in the thirty-three neighborhoods hardest hit by COVID-19 with access to a full mental health team at their school; and

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57. Adverse childhood experiences (ACEs) refers to stressful or traumatic events such as emotional, physical, or sexual abuse, family separation, discrimination, domestic and/or community violence, housing instability, and food insecurity (among others) experienced before turning 18 years old. Higher ACEs scores have been correlated with poorer academic, behavioral, and health outcomes. For the purposes of this report, the authors are referring to the various ACEs included in Kadiatou Koita et al., “Development and implementation of a pediatric adverse childhood experiences (ACEs) and other determinants of health questionnaire in the pediatric medical home: A pilot study,” PLoS ONE 13, no. 12 (December 12, 2018), <https://journals.plos.org/plosone/article?id=10.1371/journal.pone.0208088>.

58. Harvard University’s Center for the Developing Child has found that systemic racism also triggers a child’s stress response system, impacting life outcomes. More information on the impact of systemic racism on child development can be found at <https://developingchild.harvard.edu/resources/racism-and-ecdl/>.

59. Maura McInerney and Amy McKlindon, “Unlocking the Door to Learning: Trauma-Informed Classrooms & Transformational Schools,” Education Law Center, December 2014, <https://www.elc-pa.org/wp-content/uploads/2015/06/Trauma-Informed-in-Schools-Classrooms-FINAL-December2014-2.pdf> <https://journals.sagepub.com/doi/full/10.3102/0091732X18821123>.

60. “About The Project,” The TREP Project, accessed May 25, 2021, <https://www.trepeducator.org/about-the-project>.

61. Partnership with Children, accessed May 25, 2021, <https://partnershipwithchildren.org/>.

62. Maura McInerney and Amy McKlindon, “Unlocking the Door to Learning: Trauma-Informed Classrooms & Transformational Schools,” Education Law Center, December 2014, <https://www.elc-pa.org/wp-content/uploads/2015/06/Trauma-Informed-in-Schools-Classrooms-FINAL-December2014-2.pdf>.

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- train all New York City educators in trauma-informed practices, beginning with those in the hardest-hit neighborhoods.

## 2. Improve the Quality and Cultural Responsiveness of the Curricula and Instructional Materials All Students Are Learning From, and Provide Educators with Aligned, High-Quality Professional Development and Other Supports

As one high school student participating in a roundtable discussion with the authors of this report put it, “My biggest concern is probably not being as prepped for the next level.” This sentiment is shared by many New Yorkers, with just 44 percent of them believing the city’s public schools are preparing students “very” or “somewhat” well for college and careers; and just 12 percent believing students are being prepared “very” well.<sup>63</sup> Moreover, 59 percent of Black New Yorkers polled named “improving instructional quality” as a top priority for the next administration.<sup>64</sup>

To begin to address the systemic disparities in educational quality that existed long before the pandemic, the next mayoral administration has an opportunity to improve the quality of instruction and better support and empower educators by ensuring all students are being taught with high-quality, culturally responsive and sustaining<sup>65</sup> curricula and materials that reflect New York City’s students and families; and that all educators are provided with aligned high-quality professional learning opportunities to use these new materials. The current administration recently announced its intent to take this on, through the Universal Mosaic Curriculum.<sup>66</sup> A new administration must follow through on and strengthen these commitments, ensuring that new curricula are culturally responsive, high-quality, standards-aligned, and evidence based where such a base exists, and that adequate training and support is given to educators for implementation.

There is substantial research demonstrating that with strong supports for educators, the quality of the curriculum and instructional materials that students are taught with—including their rigor, standards alignment, and cultural responsiveness—can have a meaningful impact on students’ educational experiences and outcomes. One study found strong materials can have an impact comparable to over half a year of additional learning, and greater than the difference between having a new teacher versus having a teacher with three years of experience.<sup>67</sup> Another comparison of multiple educational interventions found the cost–benefit analysis of strong materials to indicate that they can be forty times more cost-effective than class size reduction.<sup>68</sup>

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63. Previously not released Robin Hood Global Strategy Group Polling of 800 New Yorkers, December 10–15, 2020.

64. Previously not released Robin Hood Global Strategy Group Polling of 800 New Yorkers, December 10–15, 2020.

65. There are numerous definitions of cultural responsiveness, many of which make valuable contributions to a vision of how to best support students. For the purposes of this report, the authors are referring to the New York City DOE’s definition of a culturally responsive-sustaining education (CRSE), which can be found here: “Culturally Responsive-Sustaining Education,” New York City Department of Education, accessed May 25, 2021, <https://www.schools.nyc.gov/about-us/vision-and-mission/culturally-responsive-sustaining-education>. Throughout the report, the authors use the term “culturally responsive” as a shorthand for this term.

66. Meisha Porter, New York City Schools chancellor, letter to families, New York City Department of Education, July 8, 2021, <https://www.schools.nyc.gov/docs/default-source/default-document-library/family-letter-july-8-2021>; “Mayor de Blasio and Chancellor Porter Announce Academic Recovery Plan for Pivotal School Year Ahead,” NYC Department of Education, July 12, 2021, <https://www.schools.nyc.gov/about-us/news/announcements/contentdetails/2021/07/09/mayor-de-blasio-and-chancellor-porter-announce-academic-recovery-plan-for-pivotal-school-year-ahead>.

67. Thomas Kane, “Never judge a book by its cover—use student achievement instead,” Brookings Institution, March 3, 2016, <https://www.brookings.edu/research/never-judge-a-book-by-its-cover-use-student-achievement-instead/>; David Steiner, “Curriculum Research: What We Know and Where We Need to Go,” Standards Work, March 2017, <https://standardswork.org/wp-content/uploads/2017/03/sw-curriculum-research-report-fnl.pdf>.

68. Ulrich Boser, Matthew Chingos, and Chelsea Straus, “The Hidden Value of Curriculum Reform,” Center for American Progress, October 2015, <https://cdn.americanprogress.org/wp-content/uploads/2015/10/06111518/CurriculumMatters-report.pdf>.

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Research also shows that it is critical for materials to be culturally responsive, for students to see themselves in what they are learning<sup>69</sup>; but in New York City, currently too many students do not. One recent study by the New York Coalition for Educational Justice found that the authors of books in commonly used elementary school curricula in New York City are, on average, 84 percent white, despite the fact that city students are 85 percent students of color. In nine out of ten curricula, more books feature animals as cover characters than Asian or Latinx characters.<sup>70</sup>

Beyond the impact for students, providing educators with carefully identified, strong materials can also allow the city to better empower and support teachers. In multiple studies, teachers report spending a substantial amount of time developing, selecting, and adapting curricula and other instructional materials. If more educators were provided with curated, coherent, high-quality materials and aligned supports, they could focus more time on bringing learning to life for students. Furthermore, lack of a common curriculum makes it more challenging to provide high-quality, content-rich, curriculum-specific professional development, which has been found to be comparatively more effective.<sup>71</sup>

And yet despite the importance of high-quality instructional materials, and the value of providing such materials to educators, New York City currently does not require the use of any specific curriculum, or require that curricula have a particular evidence base or be culturally responsive. An internal Robin Hood review found that across elementary schools, at least thirteen different literacy curricula and interventions were used, not all of which are backed by evidence.<sup>72</sup> For example, the most common curriculum used was Teachers College Reading and Writing Project (used by 31 percent of schools) followed by ReadyGen (used by 22 percent of schools); the former has been criticized by multiple researchers as not being aligned with the best scientific evidence on the teaching and learning of reading for all students, including multilingual learners.<sup>73</sup>

When the current administration announced its Universal Mosaic Curriculum initiative to address this gap, it stated it would use a portion of federal American Rescue Plan Act funds to work with educators to develop a citywide, culturally responsive curriculum. While this announcement is a critical first step, the real work remains. A new administration must follow through on and enhance the current administration's commitment, working with educators, families, and students to develop a strong, inclusive vision for the instructional experiences all students deserve, and putting in place the instructional materials and educator support needed to begin to make this vision a reality. A new administration should:

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69. Brittany Aronson and Judson Laughter, "The Theory and Practice of Culturally Relevant Education: A Synthesis of Research Across Content Areas," *Review of Educational Research* 86, no. 1 (March 2016): 163–206, <https://journals.sagepub.com/doi/10.3102/0034654315582066>.

70. NYC Coalition for Educational Justice, "Chronically Absent The Exclusion of People of Color from NYC Elementary School Curricula," NYC Coalition for Educational Justice, 2019, <https://www.nyccej.org/wp-content/uploads/2019/02/reportCEJ-Chronically-Absent-FINAL.pdf>.

71. Kathleen Lynch, Heather Hill, Kathryn Gonzalez, Cynthia Pollard, "Strengthening the Research Base that Informs STEM Instructional Improvement Efforts: A Meta-Analysis," *Educational Evaluation and Policy Analysis* 41, no. 3 (2019), <https://journals.sagepub.com/doi/10.3102/0162373719849044>.

72. Aankit Patel, Jaylen Hackett, Steven Azeka, "NYC DOE CEP Curriculum Data," not yet published.

73. "One of the consistent findings of the expert reviewers, however, is that following the course of Units of Study would be unlikely to lead to literacy success for all of America's public schoolchildren, given the research." See "Comparing Reading Research to Program Design," Student Achievement Partners, January 2020, [https://www.apmreports.org/episode/2020/01/27/lucy-calkins-reading-materials-review](https://achievethecore.org/content/upload/Comparing%20Reading%20Research%20to%20Program%20Design_An%20Examination%20of%20Teachers%20College%20Units%20of%20Study%20FINAL.pdf); Emily Hanford, "Hard Words: Why Aren't Our Kids Being Taught to Read?" APM Reports, September 10, 2018, <https://www.apmreports.org/episode/2018/09/10/hard-words-why-american-kids-arent-being-taught-to-read>.

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- **Follow through on and ensure adequate resources for implementation of the current administration’s Universal Mosaic Curriculum proposal, or an alternative plan to identify and adapt high-quality, culturally responsive instructional materials.** The current administration is correct to identify a high-quality, culturally responsive, common curriculum as a key lever to enhance educational opportunity and equity citywide. Unfortunately, this work will have hardly begun before a new administration takes office, and it could be tempting to reconsider the priority, given the substantial urgent needs of New York City students. This would be a mistake, given the potential opportunity. A new administration should follow through on this commitment to ensure all students are taught with high-quality materials, developing or identifying and adapting materials for all grades of ELA and math. Even as a large portion of American Rescue Plan Act funds are utilized for immediate, targeted recovery investments, this type of longer-term, systemic investment with an upfront, one-time cost is a powerful use of these one-time funds.
  - **Include the perspectives of students and families as a critical part of the process, and in an ongoing way.** As new curricula are developed or identified, it is critical that the voices of New York City students and families are involved, alongside educators. A new administration should put in place an advisory panel that includes students, families, and educators that gives input on and reviews materials to ensure both rigor and cultural responsiveness. This panel should be a standing body that will regularly review and make recommendations to update the curricular materials, with adequate resources to continually improve materials as appropriate. The city could get a broader student perspective by implementing a regular survey, modeled on those from TNTP and others,<sup>74</sup> that asks students about the rigor, relevance and cultural responsiveness of their educational experiences. Results from this survey should be analyzed and made public, with an equity lens. While it is progress that the city has moved to survey students and families on their educational experience broadly, we have little specific data on how students feel about their instructional experiences in particular, which would be helpful for the development and evaluation of new materials and other initiatives.
  - **Ensure any new or newly identified curriculum is high-quality, built from a strong evidence base, and fully prepares students for postsecondary options.** As New York City embarks on this groundbreaking new effort, ensuring materials are culturally responsive and reflects and empowers the city’s students is critical. In addition, curricula must also be based on the strongest evidence base about how students learn, where such a base exists—for example, on the growing evidence base around the science of reading, as noted above—and be fully aligned with college- and career-ready expectations. Many tools already exist to evaluate the rigor and alignment of materials (for example, Ed Reports and Achieve’s EQulP tools) as well as the cultural responsiveness of materials (for example, the Metropolitan Center for Research on Equity and the Transformation of Schools at NYU’s scorecard to evaluate the cultural responsiveness of specific materials).
  - **Provide professional development to support the transition to and implementation of new curricula and materials.** The development or identification of high-quality, evidence-based, culturally responsive materials is just the first step; it is critical that the city invest in high-quality professional development

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74. “The Opportunity Myth,” The New Teacher Project, accessed May 26, 2021. <https://tntp.org/publications/view/student-experiences/the-opportunity-myth>.



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for educators to teach these materials, and a common curriculum provides an opportunity for the city to provide stronger, aligned professional development city-wide. The DOE should provide high-quality, curriculum-aligned professional development, support additional coaches, and develop a series of subject and grade specific communities of practice as educators transition to new materials. In addition, educators could be engaged to work with the advisory panel on continuous feedback/improvement of the materials over time.

- **Work with educator preparation programs to better prepare teachers to use these materials.** As the city moves towards common curricula in ELA and math, it provides an opportunity to ensure more teachers are prepared to teach what they are expected to teach. The city should engage local educator preparation programs, especially those at CUNY, in the development or identification of new materials, and then work with them to align preparation for new educators.

### Expected Impact

Improving the quality and cultural responsiveness of the curricula and providing educators with professional development as proposed would:

- ensure that 100 percent of New York City public school students are being taught with high-quality, standards-aligned, culturally responsive materials; and
- ensure that 100 percent of educators receive professional development and support to implement those materials.

### 3. Give More Students Access to Socioeconomically and Racially Diverse Learning Environments

Students who attend integrated schools—those with a mix of students from different socioeconomic and racial backgrounds<sup>75</sup>—have higher average academic performance, are more likely to enroll in college, are less likely to drop out of college, and are more likely to exhibit a host of positive, non-academic social outcomes, including increased self-confidence and openness to diversity.<sup>76</sup> Within New York City, low-income students are 45 percent more likely to pass the ELA exam and 61 percent more likely to pass the math exam if they attend mixed-income schools (30–70 percent low-income) than if they attend high-poverty schools (over 70 percent low-income).<sup>77</sup> In a poll conducted by Robin Hood and Global Strategy Group in December 2020, 68 percent of low-income New Yorkers said that desegregated New York City public schools should be a priority.<sup>78</sup>

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75. Segregation by race and class are distinct but connected phenomena, with low-income students of color on average facing the highest levels of both racial and socioeconomic segregation. On the flip side, both racial and socioeconomic integration are beneficial to students; the benefits are not interchangeable, and both types of diversity are worth pursuing simultaneously. See Jennifer Ayscue, Erica Frankenberg, and Genevieve Siegel-Hawley, “The Complementary Benefits of Racial and Socioeconomic Diversity in Schools,” The National Coalition on School Diversity, March 2017, <https://school-diversity.org/pdf/DiversityResearchBriefNo10.pdf>. Given current law on the use of race, however, from a practical and legal perspective, policy solutions to advance integration in New York City will most likely rely on using socioeconomic factors, both to advance socioeconomic integration and as a proxy for race. See Halley Potter and Michelle Burris, “Here Is What School Integration in America Looks Like Today,” The Century Foundation, December 2, 2020, <https://tcf.org/content/report/school-integration-america-looks-like-today/>.

76. Richard Kahlenberg, Halley Potter, and Kimberly Quick. “A Bold Agenda for School Integration,” The Century Foundation, April 8, 2019, <https://tcf.org/content/report/bold-agenda-school-integration/>.

77. Valerie Strauss, “New York City should set ambitious diversity goals for public schools: New report by panel commissioned by mayor,” The Washington Post, February 12, 2019, <https://www.washingtonpost.com/education/2019/02/12/new-york-city-should-set-ambitious-diversity-goals-public-schools-new-report-by-panel-commissioned-by-mayor/>.

78. Previously not released Robin Hood Global Strategy Group Polling of 800 New Yorkers, December 10–15, 2020.

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In order to address school segregation and blaze the trail for an integrated, high-opportunity future for New York City’s students, a new administration should:

- **Implement more equitable enrollment policies.** As a result of the disruption of the pandemic, the DOE made significant changes to its admissions policies in December 2020. The DOE changed the middle and

**81% of New Yorkers and 81% of low-income New Yorkers support giving more students greater access to diverse schools by making changes to current admission policies.**

high school admissions processes such that middle schools would no longer screen candidates based on criteria such as test scores, grades, attendance, and punctuality (admissions practices that charter schools are already prohibited from using), and high schools would no longer use a district-preference to admit

students.<sup>79</sup> Based on preliminary data, these shifts resulted in more students from underrepresented groups getting into high-performing schools.<sup>80</sup> The middle school changes are a one-year change to be reevaluated for the 2022–23 admissions cycle. The district-preference elimination is permanent and immediately applicable, and it is being expanded to include all high school geographic priorities in the 2022–23 admissions cycle.

The new administration should make the middle school changes permanent and follow through on the plan to eliminate all geographic priorities in high school admissions in two years. The new administration should also eliminate the use of behavioral evaluations and attendance records—which have been shown to disadvantage students of color, students from low-income backgrounds, and students facing other hardships<sup>81</sup>—and limit the use of academic criteria in admissions, which also disproportionately screen out Black and Latinx students,<sup>82</sup> and instead switch to measures that are highly aligned to the stated academic missions of schools and are supplemented with mechanisms that promote diversity and account for unequal opportunities at the elementary level. Such mechanisms include weighted lotteries or admissions priorities for multilingual learners, students with disabilities, students in temporary housing, and students who are economically disadvantaged.

The DOE should also overhaul the “over-the-counter” process for students who enroll outside the normal admissions windows in such a way that ensures access to quality schools and actively discourages the concentration of disadvantaged students in specific schools. Moreover, the city should increase funding

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79. “Mayor de Blasio and Chancellor Carranza Announce 2021–22 School Year Admissions Process,” City of New York, accessed May 26, 2021, <https://www1.nyc.gov/office-of-the-mayor/news/874-20/mayor-de-blasio-chancellor-carranza-2021-22-school-year-admissions-process>.

80. Offers to low-income students increased from 41 percent to 48 percent, and offers to English language learners increased from 3 percent to 7 percent of all offers at the forty-six most elite middle schools in New York City, which were previously screened and selective. See Michael Elsen-Rooney, “Pandemic admission screens pause boosts diversity at NYC middle schools,” *New York Daily News*, May 11, 2021, <https://www.nydailynews.com/new-york/education/ny-middle-schools-pandemic-middle-school-screens-suspension-20210511-bvnten6fmnhibek3zlj6hyna6e-story.html>. Some of the city’s most sought after and highest performing high schools are in District 2, which until this past year had many high schools that give priorities to students who live in-district. With the DOE’s policy change, the number of low-income students receiving offers to District 2 high schools increased from 47 percent to 60 percent in just one year. See Amy Zimmer, “At some coveted Manhattan high schools, admissions changes dramatically alter incoming freshman class,” *Chalkbeat*, May 21 2021, <https://ny.chalkbeat.org/2021/5/21/22447800/at-some-coveted-manhattan-high-schools-admission-changes-dramatically-alter-incoming-freshman-class>.

81. As an example, the percentage of students from racial subgroups eligible for screened schools that employ the commonly used screen of requiring fewer than five absences and fewer than five tardies vary widely: 61 percent of Asian students, 37 percent of white students, 25 percent of Black students, and 25 percent of Latinx students meet this threshold. (DOE Data from a Public Presentation in 2020.)

82. Data show that acceptance rates are up to sixteen times greater for white students than for Black and Latinx at some selective New York City middle and high schools that use academic screens. See “Screened Out,” *Teens Take Charge*, accessed May 26, 2021, [https://docs.google.com/presentation/d/1fYREHn-XW66QIS3OPvulsmZUEli1Je6yHnOzheZJS9s/edit#slide=id.gd9c453428\\_0\\_16](https://docs.google.com/presentation/d/1fYREHn-XW66QIS3OPvulsmZUEli1Je6yHnOzheZJS9s/edit#slide=id.gd9c453428_0_16); and see Miriam Nunberg and Toni Smith-Thompson, “Especially now, public schools for all: NYC should do away with middle- and high-school admission screens,” *New York Daily News*, October 9, 2020, <https://www.nydailynews.com/opinion/ny-oped-this-virus-should-finally-kill-school-screens-20201009-itgnpuark5b3xbgzl4wgmguaxi-story.html>.

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- for the city’s nine Family Welcome Centers<sup>83</sup> and provide better training for the employees who work there to place a greater emphasis on targeted outreach to families of rising 3-K, pre-K, Kindergarten, sixth grade, and ninth grade students from communities that are least likely to apply for school in the given enrollment windows, empowering them with the information and access they need to make the best decisions for their children. Finally, the city should adopt innovative practices from other districts to reach out to families about enrollment, such as text messages that send enrollment reminders to families based on their neighborhoods and partnering with community-based organizations that work with immigrant families.
  - **Fund and support community-driven integration processes.** In 2019–20, with funding from DOE, Community School District (CSD) 15 in Brooklyn implemented a new middle school enrollment process that successfully increased the number of schools representative of the diversity of the district from three to eight of its eleven middle schools.<sup>84</sup> The plan was the result of a year-long community district diversity planning process, which involved a steering committee to shepherd the work, as well as a series of public community forums designed to provide input on the ultimate plan, centering parent engagement as the key strategy for driving change.<sup>85</sup> DOE has currently committed to funding similar processes in a total of thirteen CSDs across all five boroughs. However, not all of these efforts have been as successful as those in District 15. Some, like in District 1, have not achieved significant shifts in school composition, and others, like in District 28, have faced significant pushback from parents unhappy about the prospect of losing access to their zoned schools.<sup>86</sup> The next administration should continue to fund CSD Diversity Plans at a rate of five per year, with an investment of \$1 million per year for each CSD, consistent with current spending levels, until all CSDs complete them and strengthen the processes to require that they result in a plan in no longer than two years, and that the plan will significantly shift the composition of students in district schools to make them more representative of the broader district. These plans can include district-wide admissions mechanisms, as in District 15; district-wide rezoning proposals at the elementary or middle school levels; strategic placement of magnet schools or other themed programs; combining schools and redistributing grades across schools; or some other innovative solution. These plans must also be coupled with supports for student inclusion and equity, such as plans for ensuring diverse representation in high-level coursework; resource equity audits to measure access to school resources such as technology, arts and music programs, sports, and PTA contributions; and trainings on restorative justice practices.
  - **Expand the number of seats in high-quality, diverse schools.** New “diverse-by-design” schools that are created with racial and socioeconomic integration in mind—such as KIPP Beyond Middle School, the first intentionally diverse school in the KIPP charter network opening this fall in Harlem,<sup>87</sup> or Harvest Collegiate High School, an unscreened DOE high school in Union Square opened in 2012<sup>88</sup>—are another

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83. “Family Welcome Centers,” New York City, Department of Education, accessed May 26, 2021, <https://www.schools.nyc.gov/enrollment/enrollment-help/family-welcome-centers>.

84. Schools are considered representative of the district when they enroll 40–75 percent students who are low-income, multilingual learners, or who are living in temporary housing. Laura Meckler, “What Happened When Brooklyn Tried to Integrate Its Middle Schools,” *Washington Post*, November 15, 2019, <https://www.washingtonpost.com/education/2019/11/15/what-happened-when-brooklyn-tried-integrate-its-middle-schools/>.

85. “D15 Diversity Plan,” New York City Department of Education, accessed May 26, 2021, <https://d15diversityplan.com/>.

86. Christina Veiga, “Why integrating middle schools in Queens won’t follow Brooklyn’s footsteps,” *Chalkbeat*, January 27, 2020, <https://ny.chalkbeat.org/2020/1/27/21121839/why-integrating-middle-schools-in-queens-won-t-follow-brooklyn-s-footsteps>.

87. Kipp NYC, accessed May 26, 2021, <https://www.kippnyc.org/schools/beyond/>.

88. “Mission & Vision,” Harvest Collegiate High School, accessed May 26, 2021, <https://harvestcollegiate.org/mission.html>.

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way to give more students access to high-quality, diverse learning environments. The next administration should fund the creation of twenty new DOE schools that are modeled after the city’s current high-performing, diverse schools, with the goal of creating schools that reflect the racial diversity of their community school district, borough, or city and have economically mixed enrollment (30–70 percent low-income).<sup>89</sup> The administration should create a community of practice, encompassing charter and DOE schools, of the leaders of the current twenty highest performing, diverse schools in the city and the principals-in-training who will lead the new schools, to help drive the creation of these new schools via new leader incubation and planning, in collaboration with parents across New York City to give input on the types of school models and designs under consideration.

### Expected Impact

Providing more students with access to socioeconomically and racially diverse learning environments as proposed would:

- ensure that more equitable admissions processes and criteria are used for the 200 middle schools (enrolling approximately 48 percent of all middle school students) and 159 high schools (enrolling approximately 54 percent of all high school students attending non-specialized high schools) that currently use admissions screens,<sup>90</sup> which will in turn increase the diversity of student populations across DOE schools;
- provide better access to high-quality schools for the more than 25,000 students who enroll outside the normal admissions windows;<sup>91</sup> and
- allow 10,000 students to enroll in newly created, high-quality, integrated schools.<sup>92</sup>

## 4. Create a College and Career Readiness Pipeline from Elementary School through College, in District and Charter Schools

In order to prepare students for success after high school graduation, New York City’s public schools, district and charter, must offer students the knowledge, experience, and skills necessary to make informed decisions about postsecondary education and career paths that tie their 3-K–12 experiences to real-world employment opportunities. College preparation and career preparation are too often misunderstood as separate tracks, and students are too often pushed into one track or the other, when the reality is that they

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89. In 2019–20, New York City DOE, along with XQ Institute and Robin Hood pledged \$32 million to create twenty new schools and transform twenty existing schools through the Imagine Schools NYC initiative. This project has been halted during the pandemic. Nonetheless, it provides a roadmap for the expansion of high-quality seats and should be used as a template for increasing the number of high-quality seats in integrated settings in NYC. New York City Office of the Mayor Press Releases. See “De Blasio Administration Announces Community-Centered Public-Private Challenge to Open 20 New Schools and Transform 20 Existing Schools Across 5 Boroughs,” City of New York, accessed May 26, 2021, <https://www1.nyc.gov/office-of-the-mayor/news/458-19/de-blasio-administration-community-centered-public-private-challenge-open-20-new>.

90. New York City Office of the Mayor Press Releases. See “Mayor de Blasio and Chancellor Carranza Announce 2021–22 School Year Admissions Process,” City of New York, accessed May 26, 2021, <https://www1.nyc.gov/office-of-the-mayor/news/874-20/mayor-de-blasio-chancellor-carranza-2021-22-school-year-admissions-process>; and see Clara Hemphill et al., “Screened Schools: How to Broaden Access and Diversity” Center for New York City Affairs, 2019, <http://www.centernyc.org/screened-schools>. This total includes screened schools (academics and audition), hybrid schools (some programs that are screened), and screened language schools.

91. By some estimates, this represents 15,000 students annually in just high school alone. See “Within Our Reach: Segregation in High Schools and What We Can Do About It,” New York Appleseed, 2014, <https://nyappleseed.org/wp-content/uploads/Within-Our-Reach-3rd-Brief-April-2014-FINAL.pdf>. For example, in 2019–20, 14,400 pre-K students enrolled after the deadline and last year and in 2020–21, 10,800 students enrolled after the deadline, indicating that these families did not take part in the official enrollment process that would have given them the best chance to access their most desired placement. Sophia Chang and Jessica Gould, “City Says 43,000 Students Have Left NYC Public School System This Year,” Gothamist, January 27, 2021, <https://gothamist.com/news/city-says-43000-students-have-left-nyc-public-school-system-year>.

92. This uses 500 students per school as an average New York City school size; although sizes vary tremendously by type. Average New York City high school is 655, average specialized high school is 1,943, average academic screened high school is 566, average unscreened high school is 434. Average New York City middle school is 415, average academic screened middle school is 330, average unscreened middle school is 367. Data from Clara Hemphill et al., “Screened Schools: How to Broaden Access and Diversity,” The New School Center for New York City Affairs, 2019, <http://www.centernyc.org/screened-schools>.

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should go hand-in-hand for all students. Work-based learning—the umbrella term for structured activities that provide students with real-life exposure to different work experiences, from career exploration or mentoring through paid internships or apprenticeships—not only prepares students for the world of work, but also for success in college by helping them make intentional choices, increasing the chances that they will persist and complete their degree, and preparing them to use college as a launchpad for a successful career.<sup>93</sup> Work-based learning also benefits local employers, making it easier for them to find skilled talent from their communities and helping to create a more inclusive economy.

Only 44 percent of New Yorkers believe that the city’s public schools are doing a good job of preparing students for college and future careers, and low-income New Yorkers are less satisfied than higher-income New Yorkers.<sup>94</sup> As one high school student from the Bronx participating in a roundtable discussion with the authors of this report put it, “I just feel like [my schoolwork] doesn’t really relate to my major interest or my career interest.”

New York City should create a college and career readiness pipeline beginning in 3-K that provides aligned experiences for career awareness, exploration, planning, preparation, and training; furthermore, these experiences should be available to students of all backgrounds, across schools in all neighborhoods, not as a separate track.

**To achieve this end, a new administration should pursue the following policies:**

- **Align schools and programs with the Career Readiness Framework, and extend the framework to begin for young children.** New York City already has a blueprint for the types of activities and programs students should experience to best prepare them for successful and fulfilling careers. The Career Readiness Framework, which was developed as part of the CareerReady NYC initiative, outlines key milestones for building career awareness, preparation, and skills for students starting in middle school through young adulthood. This framework offers a powerful vision for what high-quality career learning for New York City students looks like, but there is much work left to be done to expand high-quality opportunities to all New York City students. An important part of this work is aligning the city’s current investments in programs that support academic attainment, career exploration, work readiness, and personal development (which amount to nearly \$500 million per year)<sup>95</sup> to this framework. The next administration should establish an inter-agency initiative on career readiness charged with reviewing existing programs (across the DOE, Department of Youth and Community Development, and CUNY), making targeted and achievable recommendations, and supporting programs in making changes to improve alignment with the Career Readiness Framework. Part of this review will require adopting criteria for high-quality programs such as the Key Distinguishers framework developed by HERE to HERE.<sup>96</sup> The initiative should also extend the Career Readiness Framework to include developmentally appropriate introductory career and

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93. See Lazar Treschan et al., “Work is College Prep How Work-Based Learning Prepares Students for Success,” Here to Here, 2019, [https://www.heretohere.org/wp-content/uploads/2019/10/Work-is-College-Prep\\_2019-Report\\_Single.pdf](https://www.heretohere.org/wp-content/uploads/2019/10/Work-is-College-Prep_2019-Report_Single.pdf).

94. Previously not released Robin Hood Global Strategy Group Polling of 800 New Yorkers, December 10–15, 2020.

95. “Preparing Young New Yorkers for Career Success,” New York City for Youth Employment, 2019, <https://cye.cityofnewyork.us/wp-content/uploads/2019/07/Career-Ready-NYC-Full-Report.pdf>. FY2018 totaled more than \$476 million per year; see Lucy Friedman, “Bridging the Gap Between School and Work,” The Pinkerton Papers, March 2021, <https://www.thepinkertonfoundation.org/wp-content/uploads/2021/03/Pinkerton-Papers-7-FINALWEBREV1.pdf>.

96. “A Shared Framework for a Better Youth Talent Development System,” Here to Here, accessed May 26, 2021, <https://www.heretohere.org/about-key-distinguishers/>.

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college exploration activities and access to computing education<sup>97</sup> for elementary school students and preschoolers to ensure that exposure to a wide range of career possibilities starts early.<sup>98</sup>

- **Expand work-based learning experiences in district and charter high schools.** High-quality work-based learning experiences are strong predictors of educational and employment success,<sup>99</sup> in particular for

**91% of New Yorkers and 94% of low-income New Yorkers support providing paid internships, apprenticeships, and other career education opportunities for all interested high school students.**

certain traditionally underserved student populations, including students with disabilities<sup>100</sup> and students experiencing homelessness.<sup>101</sup> Within the next mayor's first year, the administration should expand work-based learning opportunities and paid internships for all high school students that want them and work to

align these experiences with students' academic coursework by placing work-based learning coordinators at every high school, adding a course on career exploration for all ninth and tenth graders, and expanding the school-based Summer Youth Employment Program.<sup>102</sup> The administration should also work with employers and nonprofits to double the number of youth apprenticeships, with a focus on creating apprenticeships in high-demand fields such as physical and human services infrastructure (including construction, design, engineering, health care, and early childhood education), where upcoming public investments will create a demand for skilled employees. To support this work, DOE should invest in an intermediary to help curate apprenticeship opportunities and help deliver professional development to schools and CBOs. DOE should also ensure that charter schools are eligible for funding to provide these paid work-based learning opportunities, including the Learning to Work initiative,<sup>103</sup> to their students as well.

- **Work with local colleges to expand early college and dual enrollment in district and charter schools, with the goal of ensuring equity across race, language, and ability.** Early college and dual enrollment programs, which allow high school students to earn college credits by taking accredited courses at their high school campus or on a college campus, have been shown to boost high school graduation and college enrollment and completion rates.<sup>104</sup> Graduates of the CUNY Early College Initiative high schools were more likely than similar peers to meet college readiness standards, to enroll in a CUNY college after high school, and to remain enrolled after two years or transfer to a four-year college.<sup>105</sup> Participants

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97. See Eli Dvorkin et al., "Plugging In: Building NYC's Tech Education & Training Ecosystem," Center for an Urban Future, February 2020, <https://nycfuture.org/research/plugging-in>.

98. For example, see "Step by Step: College Awareness and Planning," National Association for College Admission Counseling, 2017, <https://www.nacacnet.org/globalassets/documents/advocacy-and-ethics/initiatives/steps/2017elementarystepbystep.pdf>.

99. Ross et al., "Work-based learning can Advance Equity and Opportunity for America's Young People," Brookings Institution, November 2020). [https://www.brookings.edu/wp-content/uploads/2020/11/20201120\\_BrookingsMetro\\_Work-based-learning\\_Final\\_Report.pdf](https://www.brookings.edu/wp-content/uploads/2020/11/20201120_BrookingsMetro_Work-based-learning_Final_Report.pdf).

100. J. Cease-Cook, Catherine Fowler, David W. Test, "Strategies for Creating Work-Based Learning Experiences in Schools for Secondary Students With Disabilities," TEACHING Exceptional Children 47, no. 6 (July 2015): 352–5, <https://doi.org/10.1177/0040059915580033>.

101. D.J. QuirinMa, Christy Hendricks, and Heather Denny, "Why Career and Technical Education Can Be a Perfect Fit for Students Experiencing Homelessness," Schoolhouse Connection, last modified August 10, 2018, <https://schoolhouseconnection.org/why-career-and-technical-education-can-be-a-perfect-fit-for-students-experiencing-homelessness/>.

102. See "Bridging the Gap Between School and Work," The Pinkerton Papers, March 2021, <https://www.thepinkertonfoundation.org/wp-content/uploads/2021/03/Pinkerton-Papers-7-FINALWEBREV1.pdf>.

103. "Transfer High School," New York City Department of Education, accessed May 26, 2021, <https://www.schools.nyc.gov/enrollment/other-ways-to-graduate/transfer-high-schools>.

104. John Fink, Davis Jenkins, and Takeshi Yanagiura, "What Happens to Students Who Take Community College Dual Enrollment Courses in High School?" Community College Research Center, Teachers College, Columbia University, September 2017, <https://ccrc.tc.columbia.edu/media/k2/attachments/what-happens-community-college-dual-enrollment-students.pdf>, and "The Lasting Benefits of Early College High Schools Considerations and Recommendations for Policymakers," American Institutes for Research, February 2020, <https://www.air.org/sites/default/files/downloads/report/Lasting-Benefits-Early-College-High-Schools-Brief-Feb-2020.pdf>. See also Kristina Zeiser, "Evaluating the Impact of Early College High Schools," American Institutes for Research, <https://www.air.org/project/evaluating-impact-early-college-high-schools>; "WWC Intervention Report: Dual

105. Paul Agnello et al., "CUNY Early College Initiative Outcomes: Student Achievement and Momentum," Office of Research, Evaluation and Program Support., (CUNY Office of the Senior University Dean for Academic Affairs, April 2017, <https://www.cuny.edu/wp-content/uploads/sites/4/media-assets/ECIFulReport20170421.pdf>.

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- in CUNY’s College Now program, which allows high school students to earn college credit, have a three-year associate degree graduation rate that is 50 percent higher than their peers.<sup>106</sup> Access to these types of programs, however, is unequal. Currently, just 6 percent of New York City’s high school students participate in dual enrollment programs, and white and Asian students participate at two to three times the rate of their Black and Latinx peers.<sup>107</sup> While early college high schools do not have the same racial gaps in enrollment, they do have below-average enrollment of students with disabilities and multilingual learners.<sup>108</sup> The new administration should commit to doubling the number of high school students in district and charter schools who earn college credit and closing the opportunity gaps by working with CUNY and other colleges to expand early college high schools and dual enrollment programs with particular outreach to Black and Latinx students, students with disabilities, and multilingual learners.<sup>109</sup>
  - **Provide paid work-based learning opportunities for youth who are undocumented.** Students who are undocumented immigrants are typically excluded from the paid internships and apprenticeships available to other high school students because they lack work authorization. As part of a broader effort to support undocumented New Yorkers at all life stages and integrate them into the economy, the new administration should create inclusive work-based learning programs that are accessible to all students. The city should create a fund to ensure that students can receive a stipend for participating in these learning experiences, regardless of immigration status, and recruit employers who commit to hosting students regardless of the funding stream used to compensate them.

### Expected Impact

Creating a college and career readiness pipeline as proposed would, by the end of the next mayor’s first term:

- ensure that all students, regardless of immigration status, will have access to at least one paid apprenticeship or internship by the time they graduate high school, including more than doubling the number of school students per year who can access SYEP (from 75,000 to 160,000); and
- provide 68,000 students with the opportunity to earn college credit while still in high school through enrollment in CUNY College Now or an early college high school—twice the current number—including at least 17,000 Black students, 28,000 Latinx students, 14,000 students with disabilities, and 9,000 multilingual learners.

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106. Preparing Young New Yorkers for Career Success,” New York City for Youth Employment, 2019, <https://cye.cityofnewyork.us/wp-content/uploads/2019/07/CareerReady-NYC-Full-Report.pdf>.

107. John Fink, “Acceleration for All? Mapping Racial Equity in Access to AP and Dual Enrollment,” Community College Research Center, Teachers College, Columbia University, accessed May 26, 2021, <https://ccrc.tc.columbia.edu/easyblog/mapping-racial-equity-ap-dual-enrollment.html>.

108. Data analysis by authors from “2019–2020 Demographic Snapshot,” New York City Department of Education, accessed May 26, 2021, <https://infohub.nyced.org/reports/school-quality/information-and-data-overview>.

109. Given the large differences in access to dual enrollment programs based on race, expansion of these programs in particular should focus on reaching students who would not ordinarily receive opportunities to earn college credit.

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# From Crisis to Opportunity

A POLICY AGENDA FOR AN EQUITABLE NYC

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**ROBIN HOOD**

 **THE CENTURY  
FOUNDATION**

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**100**

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DATE JULY 2021



# Promoting a Rapid, Equitable Economic Recovery from COVID-19 for New York City

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# Promoting a Rapid, Equitable Economic Recovery from COVID-19 for New York City

The COVID-19 pandemic unleashed an unprecedented jobs crisis in New York City, which will require a massive, publicly supported workforce development response not seen since soldiers re-entered the labor force immediately following World War II.

In the pandemic's opening months, New York City lost more than a million jobs, and, as the early epicenter for COVID-19, the city was hit by economic effects of the resulting shutdown that were longer and deeper than for the rest of the nation. Hardest hit were low-wage workers in restaurants, hotels, and retail shops—jobs held largely by workers of color—while those in better-paying, remote-working industries such as finance and tech were relatively unscathed. Additionally, the pandemic accelerated the use of technology and other labor market changes, which could mean many of these lost jobs won't be coming back. Black, Latinx,<sup>1</sup> and Asian-owned small businesses were devastated by the sudden loss of customers, and their limited access to business aid made it difficult for many of them to survive and adapt. Young adults, less-educated workers, and immigrants have all borne the brunt of this economic crisis—as have thousands of women, especially women of color, who were forced out of the labor force due to the burdens of caregiving during the pandemic. The pandemic hit hardest those who were already at greatest economic risk. According to Robin Hood's Poverty Tracker, 58 percent of Black New Yorkers who lost employment income during the pandemic were already low-income or experiencing poverty prior to the pandemic, as were 70 percent of Latinx New Yorkers—with heavy impacts on the children who have the highest poverty rate of any age group.<sup>2</sup> The digital divide further exacerbated the racially disparate impacts, and created additional barriers for school-age children and college students without Internet access at home.

The loss of employment income for these New Yorkers threatened the foundation of family economic security, placing them at risk for loss of housing, economic deprivation, and toxic stress, all of which have immediate and lasting consequences for their children. This impact was felt most acutely by undocumented workers who did not have access to an enhanced federal social safety net that has kept hundreds of thousands of other New Yorkers from experiencing poverty during the pandemic. As New York City transitions out of this crisis, there's an urgent need to restore employment and continue to strengthen strong social supports such as child care, health care, and family tax credits that enable low-income New Yorkers to thrive at work.

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1. The sources consulted for From Crisis to Opportunity: A Policy Agenda for an Equitable NYC used a variety of terms in collecting data about ethnic identity, such as Hispanic, Latino, Latinx, or Spanish origin. Some of the sources collected data using only one of these terms and reported their results under one term, while others collected data using several of the terms, but reported their data using only one term. This project uses Latinx universally in referring to the identities expressed in these data sets.

2. Poverty Tracker annual survey data and twenty-seven-month survey data, third panel, Robin Hood and the Center for Poverty and Social Policy, Columbia University Population Research Center, available at <https://www.robinhood.org/programs/special-initiatives/poverty-tracker/index.html>.

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With one in five New Yorkers currently out of a job or forced to work part-time, New York City’s next mayor (working closely with the City Council) needs to implement policies that match the scale of the challenge. The city cannot repeat the mistakes of past economic crises such as those in the early 1990s and the immediate aftermath of the 2008–09 financial crisis, when the prior economic gains, particularly those made by people of color, were largely wiped out, in part due to lack of bold, proactive action by local government.

This section recommends an all-systems strategy that accelerates hiring and invests public resources into getting more low-income New Yorkers and New Yorkers of color on the track to family-sustaining jobs with the dignity that all workers deserve and on a pathway to upward professional mobility. **Specifically, we recommend that the next mayor:**

- 1. Revitalize the workforce development system to empower workers displaced by the pandemic to find new, better-paying jobs** by investing substantial public funds in a sustainable workforce development plan that responds to job displacement and the pre-existing and expanded inequities in the wake of the pandemic, working with New York City’s training providers, educators, and employers.
- 2. Implement a new wage subsidy program that will incentivize hiring and boost small businesses, particularly those owned by women or people of color,** guiding aid through intermediaries across the city that can identify businesses that were left out of previous federal programs, and expanding the City Service Corps to provide employment pathways for young adults.
- 3. Invest in shovel-ready infrastructure in ways that will build a more equitable New York City,** including infrastructure investments in caregiving, broadband, transit, schools, health, and climate resilience, to create hundreds of thousands of jobs and shape a more equitable city. To ensure these investments create jobs for the New Yorkers that need them, infrastructure investments should include strong targeted and local hiring requirements, and improved bridge and apprenticeship programs.
- 4. Establish a strong floor of worker protections that prevents exploitation of the most vulnerable workers,** including minimum wage standards for more gig workers, new policies to lift restaurant workers to the \$15 minimum wage, and policies and enforcement to protect all workers from wage theft, retaliation, and arbitrary dismissal.

## Goals

Leading a strong jobs recovery will be a critical priority for the new mayor’s first term. The baseline projections by the Independent Budget Office (IBO) indicate that, on the city’s current course, it will still be in a jobs deficit until the end of 2024.<sup>3</sup> The right policy agenda and strong implementation, however, can accelerate progress and lead to a full jobs recovery by the end of 2023—turning this crisis into an opportunity for New York City to reinvent itself, and to once again have an economy that has ladders to the middle class open to all its residents. Working from this goal, a new administration should:

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2. “Double Shot: An Infusion of federal Funds Boosts City’s Bottom Line, As Vaccines Bring Optimism for Economic Recovery,” New York City Independent Budget Office, May 2021, <https://ibo.nyc.ny.us/iboreports/double-shot-an-infusion-of-federal-funds-boosts-citys-bottom-line-as-vaccines-bring-optimism-for-economic-recovery-executive-budget-report-may-2021.pdf>.

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- Aim for a full jobs recovery earlier than the IBO's current baseline projection, including 100,000 more high-quality jobs than pre-pandemic levels by the end of their first term.
  - Support 150,000 workers (including at least 120,000 New Yorkers of color) shifting into new and better-paying jobs post-pandemic, through stronger workforce development pathways.
  - Ensure 30,000 New Yorkers (including at least 24,000 New Yorkers of color) are hired back by small businesses and nonprofits through the wage subsidy program, and reduce the poverty rates of these participants and their 30,000 additional household members by more than 50 percent.
  - Raise the wages of more than 50,000 gig workers and 60,000 restaurant workers.

**Throughout this section, references to a high-quality job mean one that provides workers at a minimum:**

- a living wage that allows workers to meet their basic needs,
- access to health care,
- protection from exploitation and/or misclassification,
- stable and predictable work hours
- a safe environment in which workers are treated fairly, and with respect and dignity

**and that provides or works to create mechanisms to provide:**

- job security in a position not vulnerable to automation,
- opportunity for advancement through clearly stated and attainable pathways,
- access to benefits beyond health care that facilitate a healthy life like paid leave,
- access to a retirement plan and/or other asset-building resources, and autonomy and the space and right to innovate to improve work standards.

## **Background and Need**

In the first few weeks after the World Health Organization declared a global pandemic in early March of 2020, New York City lost a million jobs, leaving one out of every five New Yorkers suddenly unemployed. A year later, the city re-gained only 40 percent of those jobs, and the post-pandemic economy is likely to be significantly reshuffled by a variety of forces, such as the change in office usage and the accelerated use of automated technologies by businesses. And many New Yorkers who have returned to work are only able to secure part-time employment due to slack business demand. Twenty percent of New York City workers are still out of work, involuntarily working part time, or have dropped out of the workforce altogether. Fourteen

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percent of the workforce is long-term unemployed, which is associated with adverse long-term outcomes for workers and their families.<sup>4</sup> Nearly half of the city's workers lost employment income at the height of the pandemic, which is especially concerning because pre-pandemic almost half (45 percent) of New Yorkers reported that they wouldn't be able to cover an unexpected expense of \$400 with cash, making these households significantly more vulnerable to economic shocks, material hardship, and poverty.<sup>5</sup>

The pandemic's outsized impact on New York City employment is largely due to its dampening effects on tourism and the steep decline in Manhattan office-based workers frequenting local restaurants and retail stores.<sup>6</sup> Recent estimates peg the share of the 1.2 million Manhattan office workers who have returned to their offices at roughly 12 percent.<sup>7</sup> The employment drop-off in leisure and hospitality that straddles both these effects accounts for over one-third of New York City's job losses, and the 45 percent leisure and hospitality decline here has been more than three times the national decline.<sup>8</sup>

The pandemic's economic and employment impacts have been extremely lopsided, disproportionately impacting low-wage workers and workers of color. Industries characterized by face-to-face contact such as restaurants and performing arts, and jobs that cannot be carried out remotely such as construction or manufacturing, bore the brunt of these adverse effects. Many workers in such industries are paid only when they work, and in New York City these workers are largely people of color. These industries also have lower educational attainment levels and pay levels than in industries that were able to pivot to mainly remote operations such as finance, technology, or professional services. On average, 20 percent of New Yorkers who lost employment income due to the pandemic were experiencing poverty prior to the pandemic, more than twice the rate of those who transitioned to remote work (9 percent).<sup>9</sup> This disproportionate economic impact has contributed to what has been labeled a "new strain of inequality" that needs to be recognized and addressed with vigor by policymakers sensitive to New York City's long standing structurally rooted racial inequities.

Seventy percent or more of New Yorkers who lost jobs by the end of 2020 were workers of color, with Latinx workers 29 percent more likely than white workers to have lost jobs. Workers with a high school diploma or less were 55 percent more likely to have been laid off or furloughed compared to workers with a four-year college degree or better. Young adults ages 18 to 24 were 41 percent more likely to lose work than other workers, and immigrants were 14 percent more likely to lose their job than a native-born worker. Low-wage workers generally were much harder hit than those further up the income scale. Workers with jobs paying less than \$40,000 a year were 77 percent more likely to have lost their jobs than workers paid \$100,000 or more.<sup>10</sup>

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4. Donna Rothsgtein, "An analysis of long-term unemployment," Bureau of Labor Statistics, July 2016, <https://www.bls.gov/opub/mlr/2016/article/pdf/an-analysis-of-long-term-unemployment.pdf>.

5. Chloe Cargill, Matthew Maury, and Christopher Wimer, "On the Precipice: An Analysis of the Vulnerability of New Yorkers to Financial Shocks," Robin Hood and Columbia Population Research Center, [https://www.robinhood.org/wp-content/themes/robinhood/images/poverty-tracker/pdfs/POVERTY\\_TRACKER\\_REPORT16.pdf](https://www.robinhood.org/wp-content/themes/robinhood/images/poverty-tracker/pdfs/POVERTY_TRACKER_REPORT16.pdf).

6. James Parrott, "Five industries with job declines in NYC much greater than nationally," Center for New York City Affairs Economic Update, September 17, 2020, <http://www.centernyc.org/reports-briefs/2020/9/17/cnycas-covid-19-economic-update>.

7. Partnership for New York City, "Return to Office Survey Results," June 2021, <https://pnyc.org/news/return-to-office-survey-results-released-june-2021/>.

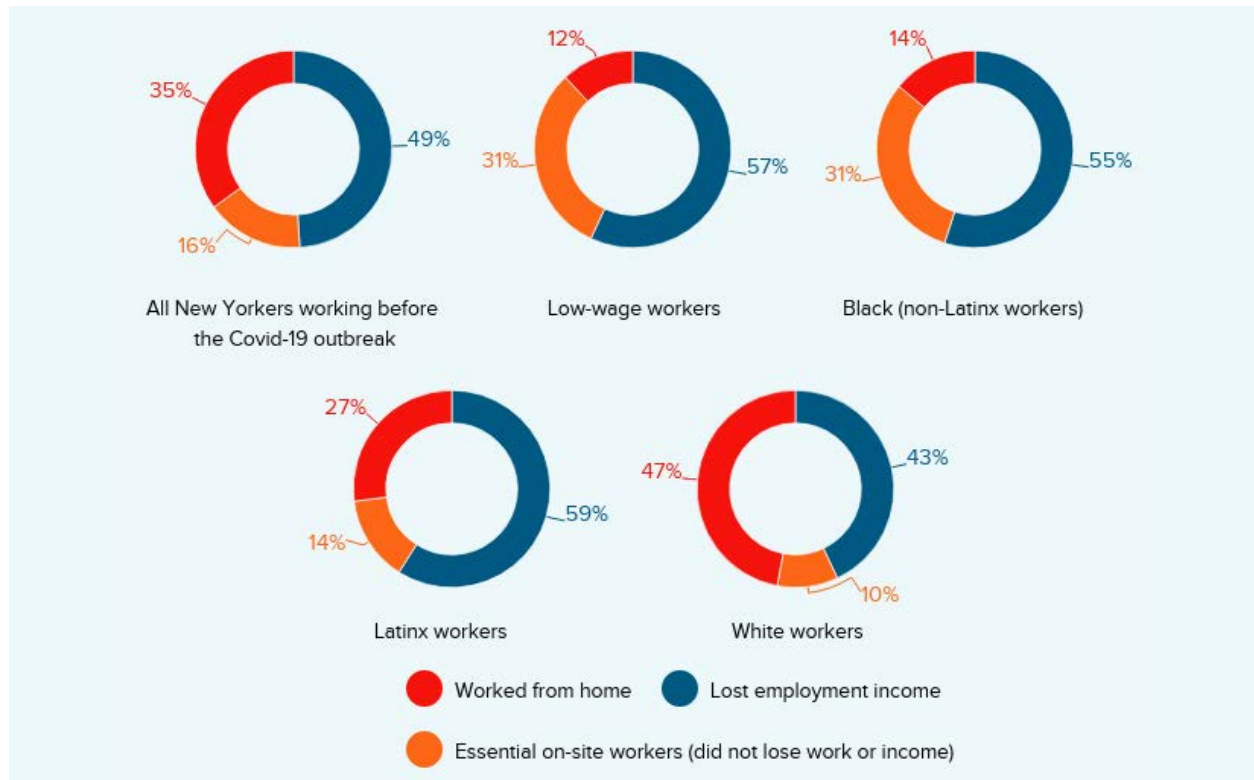
8. Center for New York City Affairs analysis of NYSDOL and BLS payroll employment data.

9. Irene Lew, "The Pandemic Economy: COVID-19 Fallout Continues to Hit Low-Income New Yorkers the Hardest," Community Services Society of New York, November 19, 2020, <https://www.cssny.org/news/entry/pandemic-economy-covid-fallout-low-income-new-yorkers>.

10. Center for New York City Affairs analysis based on March 2021 New York State Department of Labor revision of payroll employment data and American Community Survey 2019 five-year demographic profile by industry.

Similar racial and income disparities are evident when broadening the extent of the pandemic’s economic impact to include workers who had their hours reduced and workers who were laid off or furloughed. Over half of all Black and Latinx workers (55 percent and 59 percent) lost employment income (those losing jobs or hours) compared to 43 percent of white workers. As Figure 1 shows, because nearly a third (31 percent) of Black workers continued working during the worst of the pandemic in essential jobs, they faced heightened exposure to COVID-19 and consequently a greater risk of dying from it due to long-standing health care disparities. Figure 1 also shows the wide disparities by race in working from home.

**FIGURE 1. EMPLOYMENT STATUS IN INITIAL MONTHS OF THE NEW YORK CITY COVID-19 OUTBREAK**



Source: Poverty Tracker annual survey data and twenty-seven-month survey data

An estimated 600,000 New York City workers have already been unemployed for well over six months.<sup>12</sup> Research has shown that workers often experience permanently lower wages from long-term unemployment and that adverse health and family impacts also result from extended periods without work.<sup>13</sup>

Failure to act promptly to respond to the unemployment crisis could jeopardize the considerable economic gains accruing to low-income New Yorkers and workers of color particularly in recent years. The sustained economic expansion through 2019 brought tens of thousands of New York City workers of color into the labor

11. Sophie Collyer, Sonia Huq, Kahlen Washington, and Christopher Wimer, “Nearly half of all New York City workers lost employment income from the pandemic, deepening economic insecurity and racial inequity across the city,” Robin Hood and Columbia Population Research Center, 6–7, [https://www.robinhood.org/wp-content/themes/robinhood/images/poverty-tracker/pdfs/POVERTY\\_TRACKER\\_REPORT21.pdf](https://www.robinhood.org/wp-content/themes/robinhood/images/poverty-tracker/pdfs/POVERTY_TRACKER_REPORT21.pdf). Half of those losing employment income were either experiencing poverty before the pandemic (20 percent) or were low-income (30 percent), making them extremely vulnerable to falling into poverty.

12. Estimated by Center for New York City Affairs based on New York City’s share of the number of New York State workers receiving some form of extended unemployment benefits as of May 2021.

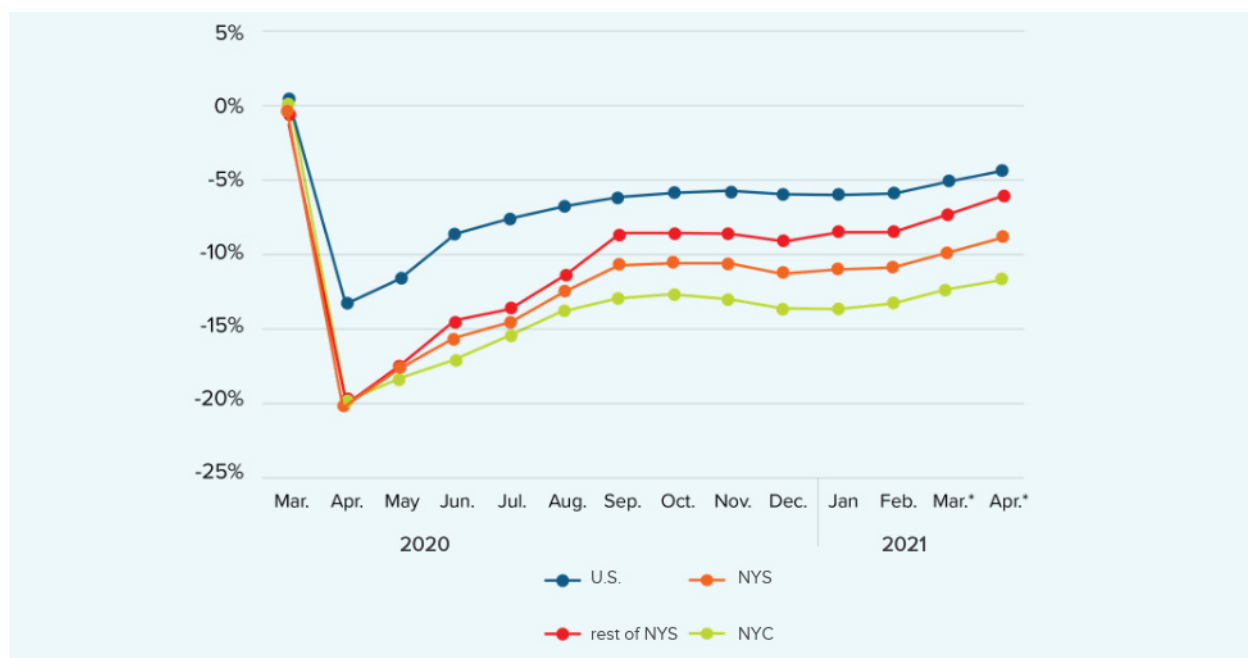
13. Donna Rothstein, “An analysis of long-term unemployment,” Monthly Labor Review, July 2016, <https://www.bls.gov/opub/mlr/2016/article/pdf/an-analysis-of-long-term-unemployment.pdf>.

market and helped raise wages more than at any time in the past fifty years. From 2013 to 2019, wages for the lowest-paid fifth of the Black workforce rose by 15 percent and by 24 percent for Latinx workers. The share of city households experiencing near poverty (150 percent of the NYCgov Poverty Measure threshold) fell by five percentage points from 2013 to 2018, and child poverty (based on the federal poverty measure) fell by a quarter from 2013 to 2019 (from 30 percent to 22 percent).<sup>14</sup>

Even with these real and substantial pre-pandemic economic gains for those in the bottom half of the wage distribution, systemic racism held back greater achievement for many workers of color. Many City University of New York (CUNY) graduates (75 percent of whom are people of color) encounter limited prospects to secure good jobs, and there is a pronounced lack of diversity in tech and other well-paying professional occupations. Wages and benefits are particularly low for nonprofit human services workers providing essential services under City contracts (as discussed in the section on Human Services for this project). This is particularly concerning because this workforce is heavily comprised of women of color and under-funded city contracts are the main culprit for the low pay.<sup>15</sup>

A massive, publicly funded effort to shift unemployed workers into new jobs is needed, along with significant efforts to retain jobs in businesses weakened by the pandemic’s economic shock, and to aid workers who have endured long unemployment spells and those who have assumed family-care responsibilities. Tens of thousands of jobs have already been permanently lost as businesses have closed. The job market is changing as a result of pandemic-induced changes in relative demand among industries and greater use of technology in several industries. The prospect of significant new federal investments in physical and social infrastructure can create new employment demand, which is much needed to make up for jobs lost due to the pandemic’s economic effects.

**FIGURE 2. EMPLOYMENT PERCENTAGE CHANGE FROM PRIOR YEAR**



Source: Author’s analysis of Bureau of Labor Statistics.

14. CNYCA analysis of Current Population Survey data, 2013–19; “New York City Government Poverty Measure 2018,” Mayor’s Office for Economic Opportunity, City of New York, 2020; CNYCA analysis of American Community Survey data 2013–19.

15. Center for New York City Affairs, forthcoming report on New York City Human Services Workforce, report for the Human Services Council, August 2021.



As shown in Figure 2, as of spring 2021, New York City’s total job level was still nearly 12 percent below pre-pandemic levels, compared to 4.4 percent for the United States and 6.2 percent for the New York suburbs and the rest of the state. New York City has suffered a much steeper job loss than the nation overall, and the city’s rate of pandemic job loss surpasses all other large U.S. cities. In April of this year, there were 550,000 less workers on payroll compared to February of 2020; when factoring in self-employed and independent contractors, the city’s overall job loss is over 600,000.<sup>16</sup>

Without a prompt response, the New York City Independent Budget Office’s (IBO) pessimistic employment outlook may come to pass. In May, the IBO projected that New York City would still be short 351,000 jobs by the end of 2021 and that it would take until 2024 for the city to return to its pre-pandemic employment level (see Figure 3).

**FIGURE 3. NYC IBO PROJECTS COVID-19 JOBS DEFICIT WILL LAST UNTIL LATE 2024**



Source: New York City Independent Budget Office, May 17, 2021.

The early 1990s recession was also much steeper in New York City than nationally, and since the city did nothing then to promote a faster rebound, it took ten years to return to pre-recession job levels. Unemployment rates for Black and Latinx workers averaged 14–15 percent for most of the decade of the 1990s.<sup>17</sup> Swift action in the post-pandemic period can avoid a similar fate.

16. CNYCA analysis of NYSDOL payroll employment data for New York City and estimates of independent contractor declines.

17. CNYCA analysis of Current Population Survey data, and Census Bureau data.

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## Conditions for Success

The policy recommendations that follow are dependent not only on their implementation, but on a set of related actions by policymakers—including those below, and those outlined in other reports in this project:

- **Preservation of American Rescue Plan Act (ARPA) dollars.** New York City received an infusion of \$5.9 billion in flexible fiscal relief from ARPA, part of a total of over \$15 billion in additional funds from federal relief and administrative actions.<sup>18</sup> The success of this plan requires critical investments by the current administration and preservation of funds for the long recovery ahead.
- **Affordable and accessible child care and dependable public schools.** Policies must support New York City parents and other caregivers' ability to work by further partnering with the necessary government entities to expand access to child care assistance for New Yorkers who need it the most, thus making high quality child care affordable, accessible, and available when and where families need it (as outlined in the section on Child Care for this project). And public schools must provide all students the opportunity for full-time, in-person learning opportunities, as Mayor de Blasio announced on May 24,<sup>19</sup> to support parents being able to return to work; and the reopening must include an intentional effort to rebuild trust with families so they are comfortable sending their children to school (as outlined in the section on Education for this project).
- **A robust P-12–workforce pipeline.** The New York City Department of Education should invest in expanding a college and career readiness pipeline from elementary school through college, in both district and charter schools, to better connect and prepare NYC students with high-opportunity pathways of their choosing.

## Policy Response

### 1. Revitalize the Workforce Development System to Empower Workers Displaced by the Pandemic to Find New, Better-Paying Jobs

An equitable and inclusive recovery means getting New Yorkers back to work in stable, high quality jobs (defined above) that provide adequate and predictable pay, stable hours, safe working conditions, benefits (e.g. health insurance, retirement), and offer opportunities for career advancement. It is also critical that the recovery address systemic problems characterized by racial and gender pay inequities and disparate access to training and higher education.<sup>20</sup>

Given the upheaval caused by the pandemic's economic and labor market effects, New York City must start planning now for an unprecedented labor market reallocation of 150,000 workers and commit to a significant investment in workforce development to ensure this reallocation is successful for workers and employers. This figure represents the share of unemployed New Yorkers who are unlikely to be able to smoothly return to work in their old occupations/worksites without government intervention.<sup>21</sup> To put this in context, the city's

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18. The City of New York Executive Budget, FY 2022, Message of the Mayor, April 26, 2021, 5, <https://www1.nyc.gov/assets/omb/downloads/pdf/mm4-21.pdf>.

19. Eliza Shapiro, "N.Y.C. will eliminate remote learning for next school year," New York Times, May 24, 2021.

20. Sophie Collyer, Sonia Huq, Kahlen Washington, and Christopher Wimer, "Nearly half of all New York City workers lost employment income from the pandemic, deepening economic insecurity and racial inequity across the city," Robin Hood and Columbia Population Research Center, October 2020, [https://www.robinhood.org/wp-content/themes/robinhood/images/poverty-tracker/pdfs/POVERTY\\_TRACKER\\_REPORT21.pdf](https://www.robinhood.org/wp-content/themes/robinhood/images/poverty-tracker/pdfs/POVERTY_TRACKER_REPORT21.pdf).

21. This represents an estimate of those from occupation and firms unlikely to return in the same form during the recovery.

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Department of Small Business and Human Resources Administration placed 67,000 New Yorkers in jobs in 2019, a task that mostly involved placement in existing entry-level positions at a time of robust economic growth.<sup>22</sup> The current situation requires a significant investment in worker skills and stronger systems for placement.

Typically, job seekers are largely on their own when it comes to finding a job, and the workforce assistance that is provided by government or nonprofits has come across as ad-hoc, rather than systematically organized. Providers decide what to offer based on short-term funding and there is very little integration between workforce development efforts and New York City public schools or CUNY, or on a large scale with employers. The city's official Workforce Development Board has never been tasked with the coordination of planning, programming, or service delivery, as it is in many other major cities, including Boston and Chicago. The current crisis requires something closer to the post-World War II demobilization effort that placed returning veterans and displaced defense industrial workers into the post-war economy. Today's labor market redeployment challenge must also address systemic racial inequities, drawing on comprehensive, up-to-date information on employment and skill needs; a citywide capacity to assess placement, career, and training needs; robust and extensive employer engagement; and a coordinating mechanism to execute the redeployment effort on a scale of tens of thousands, not hundreds.

The next mayoral administration should pursue a two-pronged workforce development approach, with one prong to respond to pandemic displacements, disruptions, and structural economic changes, and one prong that addresses systemic problems at the root of racial and gender pay inequities, including overcoming barriers to the full range of career choices needed by young New Yorkers of color. These workforce investments must occur alongside stable housing access, an equitable and appropriately career-relevant K–12 and higher education system, and a broadening of affordable, accessible, and high-quality child care to enable parents, particularly mothers, to re-engage in the labor force. (See the sections on Housing, Education, and Child Care for this project for recommendations in those areas.)

This policy shift cannot wait until the next mayor. By the end of 2021, the current administration should establish the infrastructure for coordinated and expanded workforce services to alleviate the hardships and long-term unemployment damage affecting tens of thousands of low-income New Yorkers. If the current administration fails to meet this challenge, it will squander the considerable economic gains achieved by low-income New Yorkers over the past seven years and risk having hundreds of thousands of families predominantly of color, slide back into poverty.

The city should set aside \$500 million from this year's and next year's allotment of American Rescue Plan Act state and local relief funds (two-year total of \$1 billion) to plan, better coordinate, and deliver a comprehensive suite of workforce development and upward mobility opportunity structures to serve 150,000 or more workers, as well as additional young adults who are embarking on their career during this period. While President Biden's proposed American Jobs Plan may deliver additional resources to New York if passed, existing federal funds from the American Rescue Plan Act should be set aside now to strengthen

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22. "Mayor's Management Report: Fiscal 2019," The City of New York, September 2019, [https://www1.nyc.gov/assets/operations/downloads/pdf/mmr2019/2019\\_mmr.pdf](https://www1.nyc.gov/assets/operations/downloads/pdf/mmr2019/2019_mmr.pdf).

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the existing infrastructure and make reforms that enable this infrastructure to act as a truly aligned workforce development system.

The two-pronged approach should be carried out through a comprehensive systems approach. Activities taken as part of this approach should be coordinated by the Mayor's Office in partnership with key field building organizations, such as the New York City Employment and Training Coalition (NYCETC) and the Consortium for Worker Education. **Components of this two-pronged approach should:**

- **Strengthen oversight and coordination of the workforce development system** by elevating the importance of workforce priorities within the portfolio of **a new deputy mayor for workforce and economic development**, empowered to oversee all allocated funds and programming; and to ensure workforce development is fully integrated into the city's growth and development strategy. As part of this work, the deputy mayor should direct the NYC Department of Education to collaborate with the workforce development system, CUNY, employers, and existing nonprofits such as Career Wise to scale career opportunities, especially for juniors and seniors in high school.<sup>23</sup> (More on this recommendation can be found in the section on Education for this project.)
- **Map the workforce development system** to provide a worker-, training provider-, and employer-facing tool that improves understanding of, increases the effectiveness of, and enhances access to all parts of the system.
- **Develop comprehensive labor market analysis of the changing job market**, including insights on which jobs won't come back, and how industries are adjusting, deploying more technology, and changing the demand and skill requirements for jobs, and use this analysis to align the real-time hiring and skill needs of employers across industries to investments in training programs throughout the city by philanthropic organizations and government agencies.
- **Seize opportunities to bolster job development and training through new state and federally funded workforce development initiatives**, including funding an appropriate scale of employment retention (such as through wage subsidies that accomplish the dual purpose of putting people back to work and preserving small businesses, consistent with the recommendation below), citywide assessment and placement services (not just through Workforce One Centers), and a range of training and upskilling programs developed closely with and leveraging investment from employers and employer organizations.
- **Strengthen and expand the capacity of existing union and nonprofit training programs to deliver quality training.** While a new overall coordinating function is needed, this should support and expand, not supplant, existing providers.
- **Build employer support for training initiatives** and intergrate employer input into the development of credentials, curriculum, and program delivery; to ensure participants are receiving relevant training that effectively prepares them for jobs.
- **Implement new workforce support services designed to respond to the challenges of working through and after the pandemic**, such as more extensive career counseling and wraparound services. Supportive

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22. "2021 Policy Priorities," New York City Employment Training Coalition, accessed May 27, 2021, <https://nycetc.org/what-we-do/>.

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services including coaching should become a standard part of a trauma-informed approach to engaging New Yorkers recovering from the pandemic.

- **Ensure that every income-eligible New Yorker participating in job training or workforce development programs receives child care assistance** by automatically screening and enrolling eligible workers in child care subsidies or connecting workers to available child care slots at care settings of the parent's choice. (More on this recommendation can be found in the section on Child Care for this project).
- **Address barriers that prevent system success**, including city contracts that do not provide flexibility and funding for innovation by provider, design, professional development, capacity building, and other resources. This includes revamping the current structure of city contracts, which have stringent requirements for participant enrollment, program spending restrictions, and strict outcome expectations that hinder nonprofit organizations from effectively serving their community.

Additionally, NYCETC and its members and partners have made a more comprehensive set of recommendations based on the needs of the workforce development field.<sup>24</sup>

Program funds could support innovative initiatives that place hard-to-employ workers in growth sectors and sectors needed for an equitable recovery, channeling young people and out-of-work adults into mid-level tech careers; new national models for the child care and elder care sectors; investments to support urban manufacturing of electric vehicles deployed by public agencies; and technical assistance support to expand worker cooperatives, among others.

On a long-term basis, going forward, once the current labor market emergency has passed, the new mayor should ensure that workforce development and economic development priorities are integrated, and commit at least 10 percent of all city economic development spending (including economic development-related tax breaks) to fund workforce development programming.

### Expected Impact

Coordinating the city's workforce development system as proposed above would:

- serve 150,000 workers needing workforce development and allocation services coming out of the COVID19- pandemic, placing them in new and better-paying jobs and over the long haul, promoting their financial independence and reducing the city's expenditures on public benefits.

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24. "2021 Policy Priorities," New York City Employment Training Coalition, accessed May 27, 2021, <https://nycetc.org/what-we-do/>.

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## 2. Implement a New Wage Subsidy Program That Will Incentivize Hiring and Boost Small Businesses, Particularly Those Owned by Women or People of Color

A new administration should quickly implement a two-year, short-term wage subsidy program that helps unemployed workers get back to work and speeds the process of the reopening of small businesses and nonprofits. Research from Robin Hood's Poverty Tracker has found that losing a job propels nearly one in four

**90 of New Yorkers and 92% of low-income New Yorkers support creating a new fund to help small businesses reopen by giving them money to cover the wages of newly-hired or re-hired workers for their first three months back on the job.**

high school educated New Yorkers into poverty, and all efforts should be made to quickly get front line workers back on the job.<sup>25</sup> The program would be targeted at businesses owned by women and people of color, especially those in low-income neighborhoods, that have had the hardest time accessing other businesses aid programs, such as the federal Paycheck Protection Program; the program would

also take proactive steps to include both immigrant-owned small businesses and immigrant workers. The city should also expand the New York City Civic Corps to give young adults focused pathways to work to and to strengthen neighborhood nonprofits.

New York City is a city of small businesses. Before the pandemic, 98 percent of businesses were small (fewer than 100 employees) and 89 percent were very small (fewer than 20 employees).<sup>26</sup> These companies, including restaurants, small retail shops, and light manufacturers, employed nearly half of the New York City workforce.<sup>27</sup> During the lead-up to the pandemic, the number of Black-owned and Asian-owned small businesses was increasing faster than that of white-owned ones, so that now more than 60,000 small businesses in New York City are owned by people of color.<sup>28</sup> But as many as one-third of small businesses could close permanently due to the pandemic, and<sup>29</sup> Black-owned businesses were more likely to be forced to close than white-owned ones during the pandemic.<sup>30</sup> The New York Times documented how the nation's \$734 billion in forgivable Paycheck Protection Program loans failed to reach Black and Latinx businesses, especially in the Bronx and Queens, and it also failed to reach micro-businesses such as street vendors.<sup>31</sup> Nonprofits face additional strains, and a recent survey found that human service organizations face a 15 to 50 percent financial deficit.<sup>32</sup> Nonprofits make up 15 percent of all employment in New York City, 1.5 times the national average, and multiple methods will be needed to boost nonprofit work including wage subsidies.<sup>33</sup> Because of the importance of small businesses

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25. Annual Poverty Tracker data, Robin Hood and the Center for Poverty and Social Policy, Columbia University Population Research Center, 2012–18, <https://www.robinhood.org/programs/special-initiatives/poverty-tracker/index.html>.

26. "Better Government. Stronger Businesses," NYC Department of Small Business Services, February 2015, <https://www1.nyc.gov/assets/smallbizfirst/downloads/pdf/small-business-first-report.pdf>.

27. Ibid.

28. Eli Dvorkin, Lulu Davis, and Laird Gallagher, "NYC Minority Businesses in Flux: Black- and Asian-Owned Businesses Grow While Hispanic-Owned Decline," Center for an Urban Future, September 2021, <https://nycfuture.org/research/nyc-minority-business>.

29. "A Call for Action and Collaboration," New York City Partnership, July 2020, <https://pnyc.org/research/a-call-for-action-and-collaboration/>.

30. Claire Kramer Mills and Jessica Battisto, "Double Jeopardy: COVID-19's Concentrated Health and Wealth Effects in Black Communities," Federal Reserve Bank of New York, August, 2020, [https://www.newyorkfed.org/medialibrary/media/smallbusiness/DoubleJeopardy\\_COVID19andBlackOwnedBusinesses](https://www.newyorkfed.org/medialibrary/media/smallbusiness/DoubleJeopardy_COVID19andBlackOwnedBusinesses).

31. Stacey Cowley, "Minority Entrepreneurs Struggled to Get Small-Business Relief Loans," New York Times, April 4, 2021, <https://www.nytimes.com/2021/04/04/business/ppp-loans-minority-businesses.html?referringSource=articleShare>.

32. Sarah Amandolare, "New York's Safety Net in Jeopardy," Center for an Urban Future, April 2021, <https://nycfuture.org/research/new-yorks-safety-net-in-jeopardy>.

33. "Who Is New York City's Nonprofit Sector?" Nonprofit New York, February 12, 2020, <https://www.nonprofitnewyork.org/2020/02/who-is-new-york-citys-nonprofit-sector/>.

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and nonprofits as sources of employment, and the continued vulnerability of this vital sector, a new administration should develop a major city aid program focused on these jobs.

New York City has experience using wage subsidy programs in previous crises to help sustain small businesses while meeting the city's goal of reducing unemployment, and a new administration should learn from those experiences. The 9/11 wage subsidy program provided 50 percent of salary for ninety days, and was administered by the Consortium for Worker Education (CWE).<sup>34</sup> CWE contracted with over 150 businesses, for jobs that paid up to \$25 per hour, with a maximum subsidy of \$100,000 per company, and 69 percent of employers reported keeping workers on after the subsidy ended.

New York City should authorize a wage subsidy to support small businesses and small nonprofits, designed according to these guidelines:

- The New York City wage subsidy program should support 20,000 jobs by 2022 and 10,000 jobs by 2023.<sup>35</sup> The subsidy itself should be short term (initially ninety days but with additional payments linked to retention) but robust, along the lines of a 75 percent subsidy for up to \$25 per hour.
- To incentivize stable employment, 33 percent of the subsidy for the first 90 days should be withheld until the employee has been on the job for 180 days. Moreover, the program should provide firms an additional bonus of 10 percent of the subsidy, if the individual remains employed one year after the subsidy is paid out. The subsidy could also be a platform to provide additional benefits to workers, and incentivize workplaces to offer better benefits. For example, participating workers could receive an educational benefit, get free training to advance their career, or a cash retention bonus if they stay on the job for a certain period of time.
- This aid should be limited to businesses with fewer than 100 employees, and include both nonprofits and for-profits. Eligible businesses would have to show at least a 25 percent revenue loss between 2019 and 2020, and priority should be given to small businesses owned by women and people of color. Aid for this program should be limited to the hiring of workers who were unemployed for at least three months in 2020, and can only be used to pay for workers who are newly hired or re-hired.
- The program should have specific goals for the number of businesses owned by people of color that receive the benefit, and goals for subsidies delivered by borough. The program would fund and be driven by intermediary organizations to recruit and guide businesses into the program. The program should partner with existing workforce organizations to identify and prepare workers for new opportunities with a special attention to workers of color who have been disproportionately impacted by pandemic unemployment.
- The program should be under a new deputy mayor for workforce and economic development (as described above), but should also have a visible role for the Mayor's Office of Immigrant Affairs, to help with reaching out to small immigrant owned businesses that are difficult to reach with government aid.
- City funds should supplement federal dollars for this program, and the program must be structured in

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34. Bruce G. Herman, "Working Assets," Center for an Urban Future, June, 2003, <https://nycfuture.org/research/working-assets>.

35. With small businesses representing half of all employment in the city, this would represent roughly 10 percent of small business jobs lost during the pandemic.

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a way that does not require citizenship or employment verification among those supported with wage subsidies to ensure it is open to all otherwise eligible New Yorkers.

Such a program would cost roughly \$250 million over the life of the program; the per-worker subsidy in this program would amount to \$6,825 per worker for 30,000 individuals. The funds for this program could come from the American Rescue Plan Act, specifically the Local Fiscal Relief provisions, which specifically name support for small businesses as one of the allowed uses.<sup>36</sup> This funding should be supplemented by city funds to ensure that undocumented immigrant workers can be served.

**The next mayor should also expand the NYC Civic Corps program<sup>37</sup> in the City's NYC Service Office<sup>38</sup> to help youth to find employment quickly and support nonprofit staff capacity.**

- NYC Service already places AmeriCorps members—supported in part by funding from the federal government to do a year of service—at nonprofits around the city through its NYC Civic Corps program.<sup>39</sup> Participation in Civic Corps helps host organizations avoid much of the normally required AmeriCorps paperwork, and an independent evaluation of Civic Corps sites said that, compared to others sites, those with Civic Corps members “were significantly more likely to have implemented a plan that identifies community partnerships.”<sup>40</sup>
- The Civic Corps program, which currently only serves a few hundred members, should be significantly expanded to support an additional 2,000 young people and focused on hiring residents of the communities the host nonprofits serve, with a designated focus on youth and communities who have the greatest needs. AmeriCorps is a proven model that helps connect youth to jobs<sup>41</sup> that has already received a \$1 billion boost under the American Rescue Plan Act, and may receive even more.<sup>42</sup>
- As a part of this expansion, NYC Service must take steps to tackle the structural inequities within AmeriCorps, and ensure participants receive an adequate wage. NYC Civic Corps should utilize additional local, state, federal and private funds to ensure their living allowance allows New Yorkers of all backgrounds to participate.

**Expected Impact**

Implementing a targeted wage subsidy program and an expansion of NYC Civic Corps as proposed above should:

- support the hiring of 30,000 New Yorkers in jobs over the course of 2022 and 2023, with at least 20,000 remaining in those positions at the end of 2023, supplying them with income that could impact more than 30,000 additional family members in these households, including at least 20,000 workers of color and their families; and

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36. This use was not allowed in the original CARES Act Coronavirus Relief Fund.

37. “NYC Civics Corps,” NYC Service, <https://www.nycservice.org/initiatives/3>.

38. NYC Service, <https://www.nycservice.org/>.

39. “NYC Civics Corps,” NYC Service, <https://www.nycservice.org/initiatives/3>.

40. Nathan Dietz, Daniel Teles, and Deondre' Jones, “NYC Civic Corps Program Evaluation,” Urban Institute, March 14, 2019, <https://www.urban.org/research/publication/nyc-civic-corps-program-evaluation>.

41. Eric Friedman, et al., “AmeriCorps Alumni Outcomes: Final Survey Technical Report,” Corporation for National and Community Service, August 2016, [https://www.nationalservice.gov/sites/default/files/evidenceexchange/FR\\_AmeriCorpsAlumniOutcomesFinalTechReport.pdf](https://www.nationalservice.gov/sites/default/files/evidenceexchange/FR_AmeriCorpsAlumniOutcomesFinalTechReport.pdf).

42. “AmeriCorps Invests \$1 Billion in Pandemic Recovery through National Service,” news release, AmeriCorps, <https://americorps.gov/newsroom/news/american-rescue-plan>.



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- expand NYC Civic Corps so that it reaches an additional 2,000 young people.

Because this program would target individuals who are unemployed, the wage subsidy program would have a significant anti-poverty impact. According to estimates prepared for this project by Columbia University's Center for the Study of Social Policy, the wage subsidy program would:

- reduce poverty rates among participants and their families by more than one half, from 37 percent to between 11.8 percent and 15.7 percent, depending on how many workers would enter into full-time jobs

### 3. Invest in Shovel-Ready Infrastructure in Ways That Will Build a More Equitable New York City

Infrastructure investment will create jobs for New Yorkers who need them, including those transitioning from other sectors. It will also help address the numerous needs and disparities exposed and exacerbated by the pandemic, and will make New York City more resilient during not only public health crises but also rising sea levels, stronger storms, heat waves, and other effects of our changing climate. President Biden's American Jobs Plan proposes \$1.7 trillion for infrastructure investments, enough to fill the gap for New York City's current capital plans and address additional needs. The next mayor should be guided by the principles that follow in making any new infrastructure investments, including but not limited to those funded by additional federal funds.

Significant investment in correcting the deficits and disparities in our infrastructure will create jobs and make the city more equitable and climate resilient. For example, lower-income neighborhoods suffer worse air quality, correspondingly higher asthma rates,<sup>43</sup> and inadequate access to public transit,<sup>44</sup> all in part a legacy of racist and classist highway placement.<sup>45</sup> With the right policies, the jobs created from these investments will flow to those communities most impacted historically by environmental racism. **The next administration should pursue this policy initiative, guided by the following principles:**

- **Prioritize projects to create a more equitable and climate-resilient city.** The mayor must prioritize project placement in immigrant communities, low-income communities, and communities of color. Transit infrastructure can help people quickly access better jobs than they could before. Resiliency projects can reduce air pollution as well as the impact of storms, heatwaves, and rising sea levels on vulnerable communities. These projects must include sizable investments in child care and broadband access (see section on Human Services for this project) that have exacerbated inequity during the pandemic. At least 50 percent of new infrastructure investments should benefit lower-income communities and communities of color, with special care taken not to repeat the environmental injustice created by locating highways, sanitation facilities, and other heavy infrastructure in the most vulnerable neighborhoods.

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43. Jeremy Hinsdale, "By the Numbers: Air Quality and Pollution in New York City," Columbia State of the Planet Blog, June 16, 2016 <https://blogs.ei.columbia.edu/2016/06/06/air-quality-pollution-new-york-city/>

44. Michael Meyers and Adam Friedman, "Mobility and Equity for New York's Transit Starved Communities," Pratt Center and the Rockefeller Foundation, December 2013 [https://prattcenter.net/our\\_work/mobility\\_and\\_equity\\_for\\_new\\_yorks\\_transit\\_starved\\_communities](https://prattcenter.net/our_work/mobility_and_equity_for_new_yorks_transit_starved_communities)

46. Ashish Valentine, 'The Wrong Complexion For Protection.' How Race Shaped America's Roadways And Cities," National Public Radio, July 5, 2020 <https://www.npr.org/2020/07/05/887386869/how-transportation-racism-shaped-america>

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- **Create quality, unionized, careers for people who most need them.** A new mayor must also ensure that the people from these same communities are hired into the jobs that infrastructure investments create. Thanks to union and community efforts, currently 55 percent of workers in unionized construction in New York City are people of color, and the next mayor can build on that success, providing bona fide apprenticeships while avoiding the lower wages and higher safety risks in nonunion construction.<sup>46</sup> Regardless of whether state-level community hire legislation passes, the next mayor can aggressively leverage development opportunities to create project labor agreements (PLAs) that include, among other measures, set-asides for programs that train and place women and other underrepresented populations in trades careers, strict local and targeted hire goals for construction jobs that target those same populations, and training and other supports future employees need to meet those goals.<sup>47</sup> For example, since 2010, San Francisco has had a mandatory local hire requirement for publicly funded construction projects, which began at 20 percent and increased by 5 percent each year until it reached 50 percent in 2017.<sup>48</sup>
  - **Create strong community benefits agreements.** Linked to new infrastructure projects, the next mayor must also promote community benefits agreements (CBAs) that create permanent, good jobs for community members that outlast construction projects, and the PLAs that govern them. For an example of a successful CBA, a 2013 deal in the Bronx with the Kingsbridge National Ice Center secured commitments on community space, local procurement, local hiring, Leadership in Energy and Environmental Design (LEED) construction standards, and free after-school programs for local youth.<sup>49</sup>
  - **Create a pipeline for a new generation of infrastructure workers to ensure they benefit from investments.** More robust city funding for programs focused on entry of women, people of color, immigrants, justice-involved, and other historically underrepresented populations into infrastructure jobs must accompany these investments. In particular, the city should devote \$70 million per year to bridge programs that teach not just literacy, numeracy and contextualized the basic literacy and skills,<sup>50</sup> but critical credentials such as high school equivalencies and driver licenses needed to enter into a pre-apprenticeship or skills training program.<sup>51</sup> As more construction is conducted with union labor, that labor should reflect the diversity of New York City. This can be accomplished through apprenticeship set-asides by the building and construction trades to recruit from target communities. Set-asides for women should be increased from 15 percent to 20 percent, while a goal of 60 percent people of color should be targeted. Periodic reporting and measuring

**87% of New Yorkers and 91% of low-income New Yorkers support making sure that a certain percentage of new infrastructure jobs go to people hardest hit by COVID-19, including low-income New Yorkers and New Yorkers of color.**

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46. Lawrence Mishel, "Diversity in the New York City: Union and Nonunion Construction Sectors," Economic Policy Institute, March 2, 2017, <https://www.epi.org/publication/diversity-in-the-nyc-construction-union-and-nonunion-sectors/>.

47. Julian Gross, "Local and Targeted Hiring," PolicyLink, <https://www.policylink.org/sites/default/files/Local-and-Targeted-Hiring.pdf>.

48. Ibid.

49. "Community Benefits in New York City Bring Wall-to-Wall Living Wage Jobs to the Bronx," Partnership for Working Families, June 24, 2013, <https://www.forworkingfamilies.org/article/community-benefits-new-york-city-bring-wall-wall-living-wage-jobs-bronx>.

50. This funding is just one aspect of the type of comprehensive investment in literacy infrastructure needed in the city, as described by the Literacy Assistance Center. See "Investing in Quality: A Blueprint for Adult Literacy Programs and Funders," Literacy Assistance Center, December 2017, <https://www.lacnyc.org/investing-in-quality.html>.

51. While Mayor DeBlasio proposed \$60 million for these programs in 2014, they are currently only funded at approximately \$1 million per year. See "Career Pathways: One City Working Together," The City of New York, <https://www1.nyc.gov/assets/careerpathways/downloads/pdf/career-pathways-full-report.pdf>.

- of work hours will ensure these goals do not result in workers being hired only for the short term.<sup>52</sup>
- **Support strong community enforcement.** PLAs, CBAs, and related apprenticeship programs must be strong enough to secure the support of labor and community representatives, who remain at the table for the duration of projects in order to review regularly shared data and ensure that agreement targets are met. Fines or clawbacks of funds must be enforced when goals are not met. City funding should go to programs to train community and labor organizations to ensure goals are actually met.
- **Focus on shovel-ready projects.** The Regional Plan Association (RPA) has made the argument for funding shovel-ready projects that are in the city government's and city and state agencies' capital plans.<sup>53</sup> These projects have already been the subject of extensive planning, public scrutiny, and both legislative and regulatory review and approvals, and are just awaiting funding. Examples of these ready-to-go projects from already-released capital plans include: modernizing the MTA's subway signal system;<sup>54</sup> expanding the number of electric buses in the system; and replacing aged roofs of NYCHA developments.<sup>55</sup> Beyond the existing capital plans, the Mayor should drive climate infrastructure investments like making our waterfronts more resilient<sup>56</sup> to closing peaker plants<sup>57</sup> in heavily polluted communities and significantly broadening the scope of energy retrofits for NYCHA and other low-income housing.<sup>58</sup>

While passage of the American Jobs Plan would provide a substantial downpayment to address NYC's aging infrastructure needs, these principles can and should be adhered to whether infrastructure upgrades are being supported by new federal infrastructure dollars or other funding sources (e.g., dedicated use fees or issuance of new bonds).

### Expected Impact

As stated above, the scale and scope of federal infrastructure funding is still being determined, but it may well be large enough to allow New York City and key agencies such as the MTA and NYCHA to implement most of their capital plans, which the Regional Plan Association estimates would:

- support approximately 200,000 jobs per year over the next four years (at a cost of \$137 billion).<sup>59</sup>

As noted above, there are numerous other infrastructure needs to build a more equitable, resilient city, such as schools, health care facilities, and child care facilities.

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52. While Mayor DeBlasio proposed \$60 million for these programs in 2014, they are currently only funded at approximately \$1 million per year. See "Career Pathways: One City Working Together," The City of New York, <https://www1.nyc.gov/assets/careerpathways/downloads/pdf/career-pathways-full-report.pdf>.

53. "Infrastructure for Recovery and Renewal," Regional Plan Association, January 2021, <https://rpa.org/work/reports/immediate-infrastructure-priorities>.

54. Ibid.

55. "Capital Plan Calendar Years 2019–2023," New York City Housing Authority, December 19, 2018, <https://www1.nyc.gov/assets/nycha/downloads/pdf/capital-plan-narrative-2019.pdf>.

56. "The Waterfront and Resilience Platform for the Next Mayor of New York City," Waterfront Alliance, [https://waterfrontalliance.org/wp-content/uploads/2021/01/Waterfront\\_Alliance\\_Mayoral\\_Platform-1.pdf](https://waterfrontalliance.org/wp-content/uploads/2021/01/Waterfront_Alliance_Mayoral_Platform-1.pdf).

57. "The Waterfront and Resilience Platform for the Next Mayor of New York City," Waterfront Alliance, [https://waterfrontalliance.org/wp-content/uploads/2021/01/Waterfront\\_Alliance\\_Mayoral\\_Platform-1.pdf](https://waterfrontalliance.org/wp-content/uploads/2021/01/Waterfront_Alliance_Mayoral_Platform-1.pdf).

58. "An Equitable Recovery for NYC: Creating 100,000 Climate Jobs for Frontline Communities of Color," Climate Works for All, October 2020, <https://alignny.org/wp-content/uploads/2020/10/CW4A-Equitable-Recovery-Report-v3-1.pdf>.

59. "Infrastructure for Recovery and Renewal," Regional Plan Association, January 2021, <https://rpa.org/work/reports/immediate-infrastructure-priorities>.

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#### 4. Establish a Strong Floor of Worker Protections That Prevents Exploitation of the Most Vulnerable Workers

The low-wage economy is riddled with higher risks for injury, unemployment, and instability. As a new administration looks to build a more equitable economy city-wide, the city can play a critical role in upholding fundamental employment rights and filling in the gaps left by federal and state laws, especially for undocumented immigrants, freelance and gig workers, and restaurant workers. Enforcement is particularly important to the approximately half-million undocumented immigrant New Yorkers whose work has kept the city running before and during the pandemic despite being written out of many key labor laws, such as unemployment insurance. They are at a heightened risk of retaliation by employers because of the terrifying consequences of having their immigration status exposed to authorities. The state's recently enacted Excluded Worker Fund (heroically advocated for by Make the Road NY and a broad coalition) took one important step by addressing undocumented immigrants' exclusion from unemployment benefits but action can't stop there. Freelance and gig workers are also left out of federal and state protections—and the city must act boldly to fill those gaps.

New York City's Office of Labor Policy Standards (OLPS) already enforces an array of local labor laws, including paid sick days and the Freelance Isn't Free Act, which protects freelancers from nonpayment on contracts.<sup>60</sup> Further action is needed, especially, to address endemic wage theft among low-wage and immigrant workers. A seminal study of frontline workers found that 26 percent of low-wage workers were paid less than the legally required minimum wage.<sup>61</sup> A focus group of immigrant workers conducted as a part of this project expressed the pain of job loss from restaurants and other service jobs during the pandemic without access to the formal safety net. This trauma came on top of years of laboring in an economy rife with labor theft. As one participant in a roundtable discussion held by The Century Foundation and Robin Hood—a worker from Queens—said:

*It doesn't just happen in restaurants with tips and wages, but also happens for construction workers. They pay them for the first week of work and they won't pay them anymore. They declare themselves in bankruptcy [to avoid paying]. . . . Whether at a federal or state level, there should be plenty of offices that handle wage theft regardless of immigration status. Penalties for wage theft are too minor and not enforced consistently enough.*

**The next administration can extend protections for workers by taking the following actions, that would build on the progress already made to establish new city level labor protection and stronger city human rights laws:**

- **Bolster community and public enforcement.** To support enforcement, the city should increase funding to the successful Office of Labor Policy and Standards by \$2 million, increasing headcount by twenty-five staff.<sup>62</sup> The city should increase the amount given to community-based organizations to promote worker rights, including know-your-rights training, helping workers file complaints with government agencies, and provide legal representation—spanning issues such as wage theft, worker safety, and collective action rights. This requires delivering \$7.5 million to Low-Wage Worker Support for outreach and Low-Wage Worker Initiative for legal services, which were cut back last spring amidst pandemic-related budget cuts

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60. "NYC's Resource for Workers: The Office of Labor Policy and Standards," New York City Department of Consumer Affairs, <https://www1.nyc.gov/assets/dca/downloads/pdf/workers/OfficeofLaborPolicyandStandards-WhatWeDo.pdf>.

61. Annette Bernhardt, Ruth Milkman, Nik Theodor, "Broken Laws, Unprotected Workers: Violations Of Employment And Labor Laws In America's Cities," National Employment Law Project, September 2009, <https://www.nelp.org/publication/broken-laws-unprotected-workers-violations-of-employment-and-labor-laws-in-americas-cities/>.

62. This would elevate OLPS into 10 percent of the total DCA enforcement staff. See "Report of the Finance Division on the Fiscal 2021 Preliminary Plan and the Fiscal 2020 Preliminary Mayor's Management Report for the Department of Consumer Affairs," Council of the City of New York, March 6, 2020, <https://council.nyc.gov/budget/wp-content/uploads/sites/54/2020/03/866-DCA.pdf>.

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and only partially restored—as well as consistent general public education efforts.<sup>63</sup> The mayor should strive to make this work more effective by brokering a stronger role for the city and nonprofits in sparking state and federal Department of Labor enforcement.

- **Anti-retaliation provisions.** The mayor should support workers’ calls for safe, fair, and harassment-free workplaces by working with the City Council to adopt a city whistleblower protection law to protect workers who speak up about workplace conditions from retaliation. Such a whistleblower law should include: (1) a private right of action; (2) significant penalties; (3) protection for not just when workers file a formal complaint, but also when they notify fellow employees or the public about workplace dangers or issues; and (4) guarantee a right to refuse to work under dangerous conditions without being fired.
- **Enact just cause legislation.** Under labor law, the three out of four New Yorkers who are not in a union can be fired without reason, because of the doctrine of “at will” employment.<sup>64</sup> The City Council has passed a law establishing rules that individuals cannot be fired from their job without cause in fast food establishments.<sup>65</sup> The new law requires fast food companies to set up progressive discipline policies. The next step is to

**79% of New Yorkers and 85% of low-income New Yorkers support requiring all companies to go through a disciplinary process before firing an employee without justification.**

extend these protections to larger establishments in other major sectors, such as warehousing, national retail, health care, hotels, and restaurants. The State of Illinois is currently considering this type of proposal,<sup>66</sup> and at will employment has been restricted in Montana since 1987.<sup>67</sup>

- **Extend minimum wages across the gig economy.** The city should establish a minimum wage for app-based delivery services such as DoorDash, Instacart, GrubHub, and UberEats. The mayor should order the Department of Consumer and Worker Protection and the Department of Transportation to mandate data collection from these services on wait times, expenses of delivery workers, and pay per delivery, and use this information to establish minimum pay for delivery jobs that can translate into a minimum wage that pays \$15 per hour for the entire job. These efforts to establish a gig wage floor should not supplant or undermine efforts around worker misclassification.

**84% of New Yorkers and 92% of low-income New Yorkers support expanding the City’s \$15 minimum wage requirements to apply to gig workers such as food delivery and restaurant workers.**

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63. Shant Shahrigian, “Faced with NYC funding cut, over 100 low-wage workers poised to lose legal help,” *New York Daily News*, July 26, 2020, <https://www.nydailynews.com/news/politics/ny-essential-workers-lawsuits-bill-de-blasio-make-the-road-20200726-kubrbauph5dlhibcof76dbfwwe-story.html>.

64. Barry Hirsch and David Macpherson, “Union Membership and Coverage Database,” accessed April 1, 2021, <http://www.unionstats.com/>.

65. Introduction 1415-2019, New York City Council, January 5, 2021.

66. Jeff Schuhrke, “The Movement to End At-Will Employment Is Getting Serious,” *In These Times*, April 6, 2021, <https://inthesetimes.com/article/at-will-just-cause-employment-union-labor-illinois>.

67. “Wage and Hour FAQs,” Montana Department of Labor and Industry, <https://erd.dli.mt.gov/labor-standards/wage-and-hour-payment-act/wage-and-hour-faq>.

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- **Use the city’s power to establish one fair wage for all New York City workers.** Local Law 100 allowed the city’s restaurants to tack on a 10 percent surcharge to patron’s bills to boost their businesses during the recovery.<sup>68</sup> Not surprisingly, a majority of restaurant workers surveyed reported that their tips declined after the surcharge was enacted, as surcharges (unlike tips) are the property of the restaurant.<sup>69</sup> Following recommendations by Councilmember Antonio Reynoso, permanent city law should allow restaurants to add a surcharge on to a customer’s bill, but only if they pay workers the \$15 minimum wage available to all workers, with tips on top.<sup>70</sup> This is a concrete step the city can take to move New York to having “one fair wage” for restaurant workers, as the state has a discriminatory low wage of \$10 per hour for tipped food service workers in New York City. This policy for raising compensation will make the entire industry more competitive at a time when it is struggling to recruit workers.

### Expected Impact

Implementing worker protections as proposed above would:

- position the Low-Wage Worker Initiative to directly serve 5,000 workers per year, with impacts that would reverberate into their communities;
- benefit tens of thousands of nonunion workers through anti-retaliation and just-cause laws;
- raise the wages of more than 50,000 food delivery workers in the city through the higher minimum wage for gig workers; and
- raise the wages of more than 60,000 tipped restaurant workers to the city minimum of \$15 per hour, if even half of city restaurants chose the surcharge option.<sup>71</sup>

### Acknowledgments

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68. Introduction 0823-2018, New York City Council, October 17, 2020.

69. Doing More for Less: New York Restaurant Workers’ Experiences of Tips, Surcharges, Racial Inequity, and Why They’re Leaving the Industry During COVID-19,” One Fair Wage, February 2021, [https://onefairwage.site/wp-content/uploads/2021/02/OFW\\_DoingMoreForLess\\_NY.pdf](https://onefairwage.site/wp-content/uploads/2021/02/OFW_DoingMoreForLess_NY.pdf).

70. Introduction 2163-2020.

71. The American Community Survey indicates that in January 2020 there were approximately 113,000 workers in tipped restaurant occupations (Bartenders, Waiters and Waitresses, Host and Hostesses, Food Servers-Non-restaurant.)



# From Crisis to Opportunity

A POLICY AGENDA FOR AN EQUITABLE NYC

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**ROBIN HOOD**

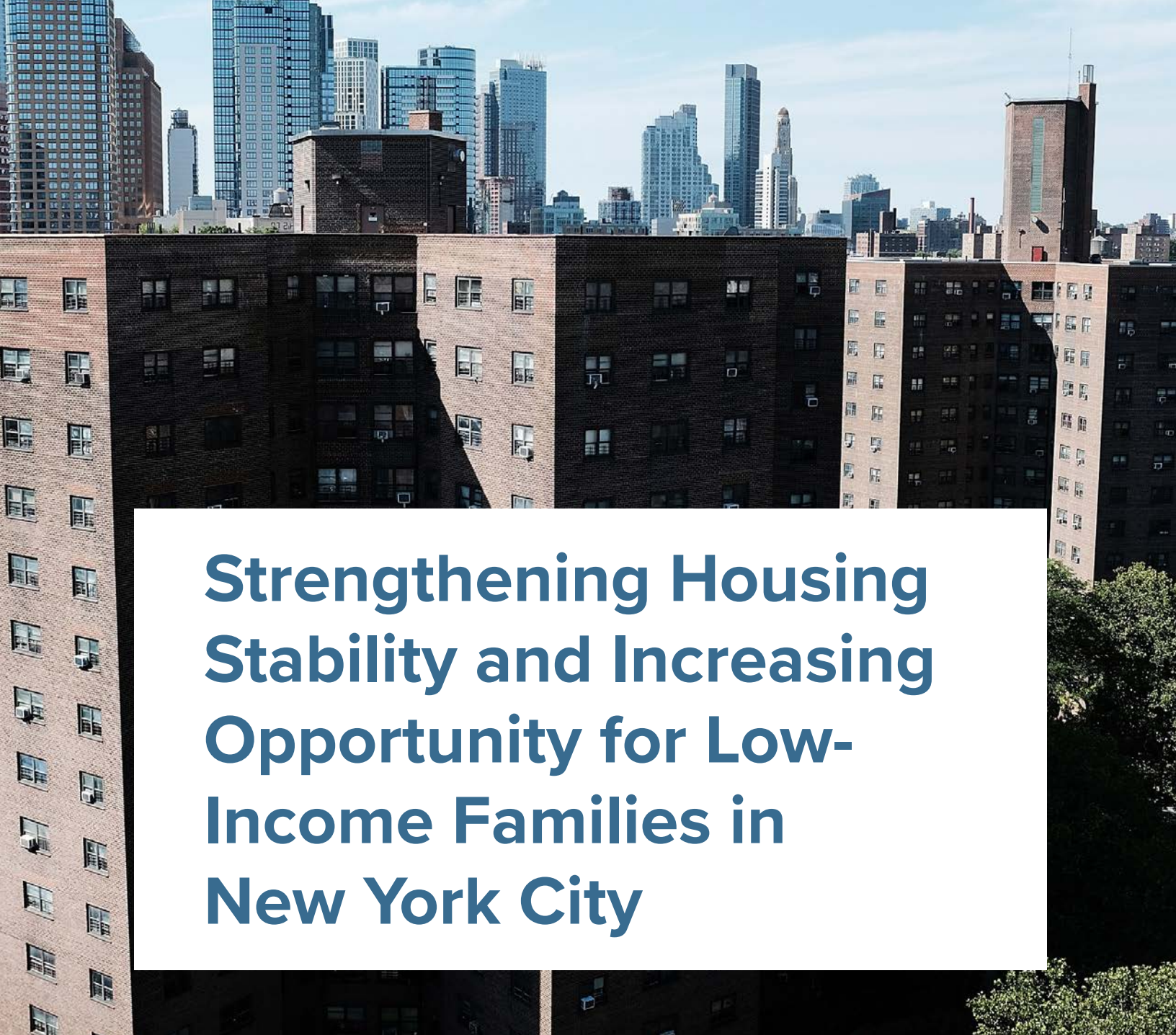
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DATE JULY 2021



# Strengthening Housing Stability and Increasing Opportunity for Low-Income Families in New York City



From Crisis to Opportunity

A POLICY AGENDA FOR AN EQUITABLE NYC

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# Strengthening Housing Stability and Increasing Opportunity for Low-Income Families in New York City

New York City’s decades-long housing crises have only intensified in the wake of the pandemic and subsequent economic fallout. More than a quarter of all New Yorkers missed at least one rent payment since the onset of COVID-19,<sup>1</sup> and while the federal and state eviction moratoria and other relief policies have, thus far, helped prevent a massive rise in evictions and homelessness, these protections are temporary and will not affect the structural barriers to affordable, quality housing<sup>2</sup> that have impacted New Yorkers for generations.

Housing instability is a spectrum, affecting New Yorkers across income levels but disproportionately impacting and harming low-income, Black, Latinx,<sup>3</sup> Asian, and immigrant households. Those experiencing housing instability may be severely rent burdened, paying more than half of their monthly income on rent and leaving little money for other expenses, such as food, child care, transportation, and other basic needs.<sup>4</sup> Others may live in unsafe or overcrowded units, or they may experience periods of homelessness, living months or even years in shelter or on the street before finding permanent housing. For households with children, this instability—particularly periods of homelessness—can create lifelong consequences, impacting health, physical and mental development, stress, and education, producing a cycle of generational housing instability and poverty.<sup>5</sup>

The next mayoral administration, working with the City Council, must act decisively to address the housing challenges New Yorkers currently face. To do so will require a comprehensive, ambitious, and integrated housing and homelessness plan that centers racial equity and economic justice for all New Yorkers and includes massive investments in New York City’s public housing infrastructure and the preservation and expansion of housing that is truly affordable and accessible for the city’s lowest-income residents.

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1. Michael Williams, “Spotlight on: Life in New York City during COVID-19,” Robin Hood, February 2021, [https://www.robinhood.org/wp-content/themes/robinhood/images/poverty-tracker/pdfs/POVERTY\\_TRACKER\\_REPORT24.pdf](https://www.robinhood.org/wp-content/themes/robinhood/images/poverty-tracker/pdfs/POVERTY_TRACKER_REPORT24.pdf).

2. The authors of this section define “affordability” to mean housing that costs less than 30 percent of a household’s monthly income. By “quality housing,” the authors mean housing that poses no threats to occupants safety or health, with adequate air quality and space per individual, without the presence of mold, asbestos, or lead.

3. The sources consulted for From Crisis to Opportunity: A Policy Agenda for an Equitable NYC used a variety of terms in collecting data about ethnic identity, such as Hispanic, Latino, Latinx, or Spanish origin. Some of the sources collected data using only one of these terms and reported their results under one term, while others collected data using several of the terms, but reported their data using only one term. This project uses Latinx universally in referring to the identities expressed in these data sets.

4. “The Rent Eats First: Using Residual Income to Measure Rental Affordability,” virtual forum, Harvard Joint Center for Housing Studies, October 16, 2020, <https://www.jchs.harvard.edu/calendar/rent-eats-first-using-residual-income-measure-rental-affordability>.

5. McLean, Diane, Shawn Bowen, Karen Drezner, et al, “Asthma Among Homeless Children: Undercounting and Undertreating the Underserved,” Arch Pediatr Adolesc Med, March 2004, <https://jamanetwork.com/journals/jamapediatrics/fullarticle/485640>. Brown, Scott R., Marybeth Shinn, and Jill Khaddur, “Well-being of Young Children after Experiencing Homelessness,” Homeless Families Research Brief, January 2017, [https://www.acf.hhs.gov/sites/default/files/documents/opre/opre\\_homefam\\_brief3\\_hhs\\_children\\_02\\_24\\_2017\\_b508.pdf](https://www.acf.hhs.gov/sites/default/files/documents/opre/opre_homefam_brief3_hhs_children_02_24_2017_b508.pdf). Sandel, Megan, Richard Sheward, and Lisa Sturtevant, “Compounding Stress: The Timing and Duration Effects of Homelessness on Children’s Health,” Insights from Housing Policy Research, June 2015, [https://childrenshealthwatch.org/wp-content/uploads/Compounding-Stress\\_2015.pdf](https://childrenshealthwatch.org/wp-content/uploads/Compounding-Stress_2015.pdf). “Not Reaching the Door: Homeless Students Face Many Hurdles on the Way to School,” New York City Independent Budget Office, October 2016, <https://ibo.nyc.ny.us/iboreports/not-reaching-the-door-homeless-students-face-many-hurdles-on-the-way-to-school.pdf>.

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In this section, we focus on specific elements of New York City’s housing crises and solutions that relate to the city’s lowest-income households with children, for whom the consequences of housing instability can last a lifetime and where investments today will have not only immediate impact but also reduce trauma and instability later in life. Robin Hood’s Poverty Tracker data show that more than a fifth of New Yorkers fall into poverty after having a child—but among New Yorkers without a college degree, that number doubles to 47 percent.<sup>6</sup> In fact, people are more likely to experience homelessness as an infant than at any other point in life.<sup>7</sup> Children and adults in families represent over 60 percent of New York’s homeless population, and during the pandemic, the destabilizing nature of homelessness was reflected in the fact that children in shelter had by far the lowest school attendance rate of any student group.<sup>8</sup> Even before the COVID-19 crisis, 62 percent of homeless students were chronically absent from school.<sup>9</sup> Research shows that parents who experienced childhood homelessness are more likely to experience persistent homelessness as adults.<sup>10</sup> By putting households with children at the center of a holistic housing and homelessness strategy, New York City can break this cycle by providing housing stability for New Yorkers in need today, while also laying the groundwork for economic mobility and opportunity for years to come.

In the remainder of this section, we present recommendations that would increase housing stability and affordability for low-income households with children by preventing and mitigating the consequences of both formal and informal evictions<sup>11</sup> and expanding the power of housing vouchers, the most immediate way to reduce rent burdens<sup>12</sup> for low-income New Yorkers and prevent family homelessness. **Specifically, the next mayor should:**

- 1. Reform the One-Shot Deal program to expand takeup and avert evictions**, utilizing an existing New York City program to bridge the gap between outstanding rental arrears from pandemic-related economic distress and prior hardships and New York State’s emergency rental assistance program.
- 2. Expand and fully implement New York City’s Right to Counsel program**, expanding it up to 400 percent of the Federal Poverty Line (FPL) in order to avert evictions moving forward.
- 3. Expand the power of CityFHEPS (New York City’s Family Homelessness and Eviction Prevention Supplement) voucher program to promote housing stability** by injecting significant new funding into the program, reforming eligibility requirements, improving bureaucratic processes, and changing renewal requirements to avoid a benefits cliff.

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6. Sophie Collyer et al., “The State of Poverty and Disadvantage in New York City,” Robin Hood Foundation and the Center for Poverty and Social Policy, Columbia University Population Research Center, February 2020, [https://www.robinhood.org/wp-content/themes/robinhood/images/poverty-tracker/pdfs/POVERTY\\_TRACKER\\_REPORT19.pdf](https://www.robinhood.org/wp-content/themes/robinhood/images/poverty-tracker/pdfs/POVERTY_TRACKER_REPORT19.pdf).

7 “Family Options Study: 3-Year Impacts of Housing and Services Interventions for Homeless Families,” U.S. Department of Housing and Urban Development Office of Policy Development and Research, <https://www.huduser.gov/portal/sites/default/files/pdf/family-options-study-full-report.pdf>.

8. “Disparities in Attendance During COVID-19,” Advocates for Children, [https://www.advocatesforchildren.org/sites/default/files/library/policy\\_brief\\_attendance\\_disparities\\_covid\\_41421.pdf?pt=1](https://www.advocatesforchildren.org/sites/default/files/library/policy_brief_attendance_disparities_covid_41421.pdf?pt=1).

9. Family Homelessness Coalition, “The Facts,” <https://fhcnyc.org/the-facts/>.

10. Glendening, Zachary, and Marybeth Shinn, “Predicting Repeated and Persistent Family Homelessness: Do Families’ Characteristics and Experiences Matter?” OPRE Report No. 2018-104, September 2018, [https://www.acf.hhs.gov/sites/default/files/opre/opre\\_persistent\\_homeless\\_brief\\_10\\_9\\_18\\_508\\_compliant.pdf](https://www.acf.hhs.gov/sites/default/files/opre/opre_persistent_homeless_brief_10_9_18_508_compliant.pdf).

11. Informal evictions can be the result of fear of future eviction, threats or intimidation from landlords, experiences of interpersonal or domestic violence, or family/household tension. Informal evictions are a leading catalyst of shelter entries.

12. A household is rent burdened if it pays more than 30 percent of monthly income on rent or housing costs.

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**4. Maximize the impact of housing vouchers on economic mobility and well-being** by creating a housing navigator program and stamping out source-of-income discrimination.

These recommendations, targeted specifically at addressing the needs of low-income renting households with children, are only one piece of a much larger poverty-solving puzzle. They build on the work and recommendations of the United For Housing coalition, which is supported by Robin Hood and has assembled a wider-ranging set of policy priorities across new construction, stabilization, public housing, supportive housing, homelessness, and homeownership for the next mayor.<sup>13</sup> In addition, Robin Hood supports the efforts of its community partners and other housing advocates, who are working tirelessly to ensure that the New York City Housing Authority (NYCHA) gets the \$40 billion needed to repair its buildings, which are home to more than 400,000 New Yorkers, and that NYCHA residents' perspectives and concerns are included and valued during all decision-making processes that provide greater funding or reforms NYCHA's operations.

Beyond the immediate steps that the next mayoral administration must take, outlined in this section and in United For Housing's agenda, the next mayor should seize this moment of crisis as an opportunity to explore housing policy solutions outside of New York's and the United States' traditional policy landscape. While this section and United For Housing's recommendations provide a "floor" of the necessary investments to provide housing stability, affordability, and opportunity, they should not be taken as a "ceiling" of what's possible. Implementing ambitious citywide policies, such as an affordable housing overlay, cooperative ownership and social housing models, legalizing basement apartments and other accessory dwelling units, and ending apartment bans and parking minimums—among many other new proposals—should all be under consideration as the next administration assesses how to create an equitable housing system.

### Goals

By immediately implementing the policies recommended in this section, the next administration can position New York City to dramatically increase the number of New Yorkers in affordable, quality housing—especially for households with children. **Working from this goal, the next mayoral administration should aim to, by the end of its first term:**

- bring family homelessness to Functional Zero, meaning homelessness for families is rare, and when it does occur, emergency accommodation and housing placement needs are met swiftly;
- eliminate both formal and informal eviction-driven homelessness;
- cut the average length of a shelter stay in at least half (from more than 440 days to 220 days); and
- expand CityFHEPS voucher eligibility to thousands more households to promote housing stability and reduce rent burdens to a maximum of 30 percent of income.

### Background and Need

New York City's compounding housing crises have reached a breaking point, resulting from stagnating wages and a legacy of housing discrimination, redlining, and the systemic destruction of, and disinvestment in, communities where New Yorkers of color have lived for decades.

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13. "From the Ground Up: Affordable housing recommendations for New York City's next Mayor," United For Housing, December 10, 2020, <https://u4housing.thenyhca.org/report/>.

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New York City consistently ranks at the top of the most expensive cities in the country, and the affordability crisis is even more severe for low-income New Yorkers and Black, Latinx, Asian, and immigrant households.<sup>14</sup> Even the city's \$15 minimum wage has not been enough to curb housing hardship, as housing costs have outpaced wages.<sup>15</sup> For many New Yorkers, this lack of affordable housing leads to inability to pay, eviction, overcrowding, and often homelessness.

Even before the pandemic, the consequences of housing instability were dire, threatening individuals' and families' safety, security, economic mobility prospects, and health.<sup>16</sup> Many studies have linked eviction to an increased incidence of adverse birth outcomes, including low birth weight, prematurity, and infant mortality, in addition to mental and physical health issues later in life.<sup>17</sup> Robin Hood's Poverty Tracker data show that following an eviction, New Yorkers who are able to find housing elsewhere end up in neighborhoods with higher rates of poverty and less economic opportunity than those they lived in prior to moving. Twenty-six percent of households that are evicted relocate to high-poverty neighborhoods (that is, with a poverty rate above 30 percent), but before the move, only 10 percent of these households lived in high-poverty neighborhoods. This shows that evictions play a key role in concentrating poverty in New York City.<sup>18</sup>

For many New Yorkers, the lack of affordable housing and subsequent formal and informal evictions pushes them on a path to homelessness—one that is incredibly difficult to escape. While domestic violence, eviction, and overcrowding are the leading drivers of homelessness, the reality for many New Yorkers, especially families experiencing homelessness, is that housing instability usually involves several compounding factors, exacerbated by public policy failures.<sup>19</sup> Although not the main focus of this section, the next mayor must also take immediate and specific steps to ensure that people experiencing interpersonal and domestic violence have access to the health, counseling, community, and legal resources that can help them retain or gain safe and stable housing, including by maintaining and expanding the city's Family Justice Centers, which connect victims and survivors of domestic and gender-based violence to confidential assistance and supports.

Over the past decade, the number of adults, families, and children in shelter reached all-time highs.<sup>20</sup> In 2020, even amid the expanded eviction protections and financial assistance provided by the government throughout the pandemic, more than 55,000 New Yorkers slept in shelter on any given night, including an average of more than 20,000 children.<sup>21</sup> Last year, more than 129,000 different people spent at least one night in shelter,

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14. "10 Most Expensive Cities in the U.S.," Bungalow,

15. "Out of Reach 2021," National Low Income Housing Coalition, [https://nlihc.org/sites/default/files/oor/2021/Out-of-Reach\\_2021](https://nlihc.org/sites/default/files/oor/2021/Out-of-Reach_2021)

16. Himmelstein, Gracie and Matthew Desmond, "Eviction And Health: A Vicious Cycle Exacerbated by a Pandemic," Health Affairs, April 1, 2021, <https://www.healthaffairs.org/doi/10.1377/hpb20210315.747908/full/>; Sophie Collyer and Lily Bushman-Copp, "Spotlight on Forced Moves and Eviction in New York City," Robin Hood, May 2019, [https://www.robinhood.org/uploads/2019/08/HOUSING-REPORT\\_8.5.pdf](https://www.robinhood.org/uploads/2019/08/HOUSING-REPORT_8.5.pdf).

17. Khadka, Aayush, Günther Fink, Ashley Gromis, and Margaret McConnell, "In utero exposure to threat of evictions and preterm birth: Evidence from the United States," Health Services Research, September 25, 2020, <https://onlinelibrary.wiley.com/doi/full/10.1111/1475-6773.13551>.

18. Sophie Collyer and Lily Bushman-Copp, "Spotlight on Forced Moves and Eviction in New York City," Robin Hood, May 2019, [https://www.robinhood.org/uploads/2019/08/HOUSING-REPORT\\_8.5.pdf](https://www.robinhood.org/uploads/2019/08/HOUSING-REPORT_8.5.pdf).

19. Routhier, Giselle, "Family Homelessness in NYC," Coalition for the Homeless, January 2017, [https://www.coalitionforthehomeless.org/wp-content/uploads/2017/01/Family-Homelessness-1-2017\\_FINAL.pdf](https://www.coalitionforthehomeless.org/wp-content/uploads/2017/01/Family-Homelessness-1-2017_FINAL.pdf).

20. A series of court cases, beginning with Callahan v. Carey in 1979, paved the way for the "right to shelter" in New York, which is in part why New York has such a large shelter population and corresponding City infrastructure. See "The Callahan Legacy: Callahan v. Carey and the Legal Right to Shelter," Coalition for the Homeless, <https://www.coalitionforthehomeless.org/our-programs/advocacy/legal-victories/the-callahan-legacy-callahan-v-carey-and-the-legal-right-to-shelter/>.

21. Data via the New York City Department of Homeless Services's daily shelter census.

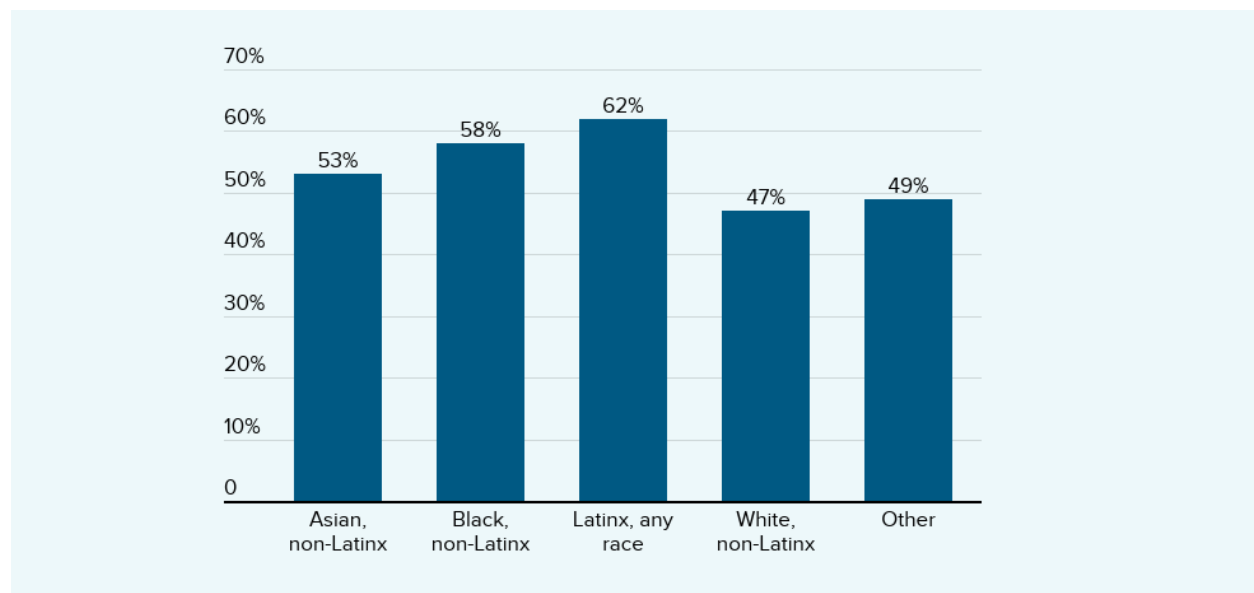
22. "Mayor's Management Report: Fiscal 2020," City of New York, September 2020; see "Department of Homeless Services; Service 2: Coordinate and/or provide support services to help individuals and families who are homeless exit shelter as quickly as possible," 199, [https://www1.nyc.gov/assets/operations/downloads/pdf/mmr2020/2020\\_mmr.pdf](https://www1.nyc.gov/assets/operations/downloads/pdf/mmr2020/2020_mmr.pdf).

including nearly 40,000 children, and the average stay in shelter was 443 days.<sup>22</sup> Thousands more slept on city streets or doubled up in overcrowded units. Although family homelessness fell in 2020, experts strongly caution that this drop is temporary, due mostly to the eviction moratoria in place throughout the pandemic.<sup>23</sup>

Before the pandemic, Advocates for Children reported that more than 110,000 public school children experienced homelessness each year, defined as “living in homeless shelters; sharing the housing of others due to loss of housing or economic hardship; or lacking a fixed, regular and adequate nighttime residence.”<sup>24</sup> Research shows that before the pandemic, two-thirds of children who lived in the New York City shelter system were chronically absent from school.<sup>25</sup> These hardships have only intensified since COVID-19, as those in shelter were put at a greater risk of contracting the virus and students in shelter faced enormous barriers to virtual learning, including lack of Internet access and low attendance rates.<sup>26</sup> These and other hardships have long-term effects.<sup>27</sup>

But eviction, homelessness, and housing instability do not affect all New Yorkers equally. Nearly 90 percent of those living in the shelter system are Black or Latinx,<sup>28</sup> and low-income Black and Latinx New Yorkers are

**FIGURE 1. PERCENTAGE OF NEW YORK CITY FAMILIES RENT-BURDENED, BY RACE**



*Source:* NYU Furman Center analysis of New York City Housing and Vacancy Survey (NYCHVS) data.

23. Tyler Kendall, “Why New York City’s homeless rates skyrocketed for single adults but dropped for families during the pandemic,” CBS News, April 29, 2021, <https://www.cbsnews.com/news/homeless-new-york-city-adults-families-covid-pandemic/>.

24. Tyler Kendall, “Why New York City’s homeless rates skyrocketed for single adults but dropped for families during the pandemic,” CBS News, April 29, 2021, <https://www.cbsnews.com/news/homeless-new-york-city-adults-families-covid-pandemic/>.

25. “Not Reaching the Door: Homeless Students Face Many Hurdles on the Way to School,” New York City Independent Budget Office, October 2016, <https://ibo.nyc.ny.us/iboreports/not-reaching-the-door-homeless-students-face-many-hurdles-on-the-way-to-school.pdf>.

26. Barbara Golderbg, “New York sued over homeless shelters’ Internet gap for remote school,” Reuters, November 24, 2020, <https://www.reuters.com/article/health-coronavirus-new-york-education/new-york-sued-over-homeless-shelters-internet-gap-for-remote-school-idUSKBN2842LY>; “Disparities in Attendance During COVID-19,” Advocates for Children, April 2021, [https://www.advocatesforchildren.org/sites/default/files/library/policy\\_brief\\_attendance\\_disparities\\_covid\\_41421.pdf?pt=1](https://www.advocatesforchildren.org/sites/default/files/library/policy_brief_attendance_disparities_covid_41421.pdf?pt=1).

27. Travis P. Baggett and Jessie M Gaeta, “COVID-19 and homelessness: when crises intersect,” The Lancet Public Health, February 5, 2021, [https://www.thelancet.com/journals/lanpub/article/PIIS2468-2667\(21\)00022-0/fulltext#articleInformation](https://www.thelancet.com/journals/lanpub/article/PIIS2468-2667(21)00022-0/fulltext#articleInformation).

28. Fiscal Year 2020 Department of Homeless Services Data Dashboard Tables, accessed June 10, 2021, <https://www1.nyc.gov/assets/dhs/downloads/pdf/dashboard/tables/FY20-DHS-Data-Dashboard-Data.pdf>.

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disproportionately more likely to be rent-burdened (defined as paying at least 30 percent of their income towards rent)—58 percent and 62 percent, respectively; see Figure 1.<sup>29</sup> The racial disparities in which New Yorkers experience severe rent burden (over 50 percent of income) are even worse. New York City is also among the most racially segregated cities in the United States, with both Black–white and Latinx–white segregation ranking second amongst the nation’s fifty-one most populous metropolitan areas.<sup>30</sup> Among the city’s nearly 400,000 public housing residents, more than 90 percent are Black or Latinx, and while federal Housing Choice Vouchers prevent voucher holders from paying more than 30 percent of their income on rent, the thousands of housing units these families occupy are in desperate need of repairs, and there are not nearly enough vouchers to meet the need for affordable housing.<sup>31</sup>

New York City’s housing issues have only intensified in the past year, as New Yorkers lost income and faced even greater difficulty paying rent. According to Robin Hood’s Poverty Tracker,<sup>32</sup> 26 percent of all renters in New York City have been unable to pay at least one rent bill since the pandemic broke out, and nearly a third of those experiencing or near experiencing poverty<sup>33</sup> have been unable to make at least one payment. This hardship is exacerbated along lines of race and immigration: 33 percent of Latinx renters, 30 percent of Black renters, and 33 percent of renters born in another country missed at least one payment.

Although New York State enacted an eviction moratorium in March 2020, strengthened most recently in the Housing Stability and Tenant Protection Act,<sup>34</sup> some New Yorkers have already gone through traumatic evictions, and a wave of eviction filings is likely to hit the city’s housing courts when the moratorium is lifted, even with the state’s recently-passed COVID-19 Emergency Rental Assistance Program.<sup>35</sup> This new program, funded in large part by federal dollars, is currently being implemented by the Office of Temporary and Disability Assistance. The program, which opened for applications on June 1, is the primary vehicle to help New Yorkers pay rent arrears and stay in their homes by providing arrear payments directly to landlords. However, applicants immediately had trouble submitting the required information, and the payments, which cover up to twelve months of back rent and three months moving forward, will do little to affect future rent burdens and ability to meet monthly housing costs, problems which existed long before the pandemic. Though the funding and structure of the program are out of the city’s direct control, city-level policymakers and advocates will be key to the program’s success as it accepts applications and disburses aid, including conducting robust outreach to households and communities in need, regardless of language spoken, immigration status, or digital literacy. In this vein, Mayor de Blasio’s proposed Fiscal Year 2022 budget includes \$22 million for community-based organizations to conduct outreach and application assistance for relief; more will surely be needed from the next mayor once initial rounds of relief

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29. NYU Furman Center analysis of New York City Housing and Vacancy Survey (NYCHVS) data.

30. William H. Frey, “Neighborhood segregation persists for Black, Latino or Hispanic, and Asian Americans,” Brookings Institution, April 6, 2021, <https://www.brookings.edu/research/neighborhood-segregation-persists-for-black-latino-or-hispanic-and-asian-americans/>.

31. “Housing Choice Voucher Program Demographics Report,” New York City Housing Authority, July 5, 2016, <https://www1.nyc.gov/assets/nycha/downloads/pdf/demographics-report.pdf>.

32. Michael Williams, “Spotlight on: Life in New York City during COVID-19,” Robin Hood Foundation and the Center for Poverty and Social Policy, Columbia University Population Research Center, February 2021, [https://www.robinhood.org/wp-content/themes/robinhood/images/poverty-tracker/pdfs/POVERTY\\_TRACKER\\_REPORT24.pdf](https://www.robinhood.org/wp-content/themes/robinhood/images/poverty-tracker/pdfs/POVERTY_TRACKER_REPORT24.pdf).

33. Defined as at or below 200 percent of the Federal Poverty Level.

34. Senate Bill S6362A, “Extends the ‘COVID-19 Emergency Eviction and Foreclosure Prevention Act of 2020’ and the ‘COVID-19 Emergency Protect Our Small Businesses Act of 2021’ until August 31, 2021,” New York State Senate, <https://www.nysenate.gov/legislation/bills/2021/s6362>

35. “Governor Cuomo Signs The ‘New York State on Pause’ Executive Order,” Governor’s Press Office, March 20, 2020, <https://www.governor.ny.gov/news/video-audio-photos-rush-transcript-governor-cuomo-signs-new-york-state-pause-executive-order>. Chung, Christine, “Eviction Moratorium Exception: Nearly 100 Basement Apartments Hit With Vacate Orders During Pandemic,” The City, November 29, 2020, <https://www.thecity.nyc.gov/housing/2020/11/29/21725755/eviction-moratorium-exception-basement-apartments>.

36. New York City June 2021 Adopted Budget, Fiscal Year 2022, Budget Function Analysis, <https://www1.nyc.gov/assets/omb/downloads/pdf/adopt21-bfa.pdf>.

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and application assistance for relief; more will surely be needed from the next mayor once initial rounds of relief have been disbursed.<sup>36</sup>

Even with the emergency rent relief currently available, hundreds of thousands of New Yorkers will struggle to afford rent for years to come—as many did for decades before the pandemic. Fortunately, policymakers already know how to help families afford housing: provide them with long-term housing vouchers.

Vouchers reduce homelessness, housing instability, and overcrowding.<sup>37</sup> Research shows that Housing Choice Vouchers (also known as Section 8), the country’s largest mechanism for providing long-term rental assistance, reduce the poverty rate for those housed through the program by 43 percent and provide long-term benefits to households that were previously homeless.<sup>38</sup> In New York City, vouchers also have a stabilizing effect: only 1 percent of families that exit shelter with rental assistance return to shelter, compared to 20 percent without rental assistance.<sup>39</sup> However, despite their effectiveness, only one in four households that are eligible for Housing Choice Vouchers nationally are able to use them.

In New York City, roughly 128,000 households receive Section 8 vouchers, managed by NYCHA and the New York City Department of Housing Preservation and Development (in addition to residents of public housing), but hundreds of thousands of New Yorkers remain on voucher waiting lists (176,646 families are on the waiting list for public housing; 138,253 families are on the waiting list for Section 8; and 6,968 applicants are on both waiting lists).<sup>40</sup> That number will only grow since the application to join the voucher waitlist was reopened in May 2021 for the first time since 2006.

In addition to Housing Choice Vouchers, New York City has created local voucher and emergency assistance programs to meet the enormous demand for rental assistance, prevent evictions, and reduce homelessness, namely CityFHEPS, the city’s main rental assistance program for New Yorkers experiencing homelessness; Special One-Time Assistance (SOTA), which provides eligible Department of Homeless Shelter residents with one year of rental assistance; and the One-Shot Deal program, which provides emergency assistance to meet an urgent need of low-income New Yorkers, most commonly rental assistance to prevent evictions. New York State also provides a rent supplement through FHEPS (Family Homelessness and Eviction Prevention Supplement), for families who receive Cash Assistance and have been evicted or are facing eviction, who lost their housing due to a domestic violence situation, or who have lost their housing because of health or safety issues.

But across CityFHEPS, SOTA, placements into NYCHA, and a few other smaller programs that help New Yorkers move out of homelessness and into housing, the city only placed 11,000 households into permanent housing in 2020. Of the people who were granted CityFHEPS vouchers in 2019, only roughly 20 percent were able to find apartments within twelve months of receiving their voucher, because of overcomplicated bureaucracy,

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37. Will Fischer, “Research Shows Housing Vouchers Reduce Hardship and Provide Platform for Long-Term Gains Among Children,” Center on Budget and Policy Priorities, October 7, 2015, <https://www.cbpp.org/research/housing/research-shows-housing-vouchers-reduce-hardship-and-provide-platform-for-long-term>.

38. Collyer et al, “Housing Vouchers and Tax Credits: Pairing the Proposal to Transform Section 8 with Expansions to the EITC and the Child Tax Credit Could Cut the National Poverty Rate by Half,” Center on Poverty and Social Policy, October 7, 2020, <https://static1.squarespace.com/static/5743308460b5e922a25a6dc7/1/5f7dd00e12dfe51e169a7e83/1602080783936/Housing-Vouchers-Proposal-Poverty-Impacts-CPSP-2020.pdf>; Family Options Study, U.S. Department of Housing and Urban Development’s Office of Policy Development and Research, [https://www.huduser.gov/portal/family\\_options\\_study.html](https://www.huduser.gov/portal/family_options_study.html).

39. Letter to Speaker Corey Johnson and Members of the City Council, Win, <https://winnyc.org/wp-content/uploads/2021/03/Int.-146-Support-Ltr-to-Speaker-1.2021.pdf>.

40. “2020 Fact Sheet,” New York City Housing Authority, March 2020, [https://www1.nyc.gov/assets/nycha/downloads/pdf/NYCHA-Fact-Sheet\\_2020\\_Final.pdf](https://www1.nyc.gov/assets/nycha/downloads/pdf/NYCHA-Fact-Sheet_2020_Final.pdf).

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illegal discrimination from landlords, and inadequate housing supply, especially at the deepest affordability levels.<sup>41</sup> Before people can even be eligible for CityFHEPS, they must remain in shelter for at least three months. In addition, because CityFHEPS is currently limited to households receiving Public Assistance, many New Yorkers—namely households and families with undocumented members—are ineligible for the program. This low conversion rate is a major driver of why the average stay in New York City shelters is so long.<sup>42</sup>

The limited coverage of assistance provided through the SOTA program forces many families back into homelessness. New Yorkers who moved into housing with SOTA, which is only a temporary assistance program, are left to pay the entire amount of their rent following the first year. According to Win, the city’s largest provider of shelter and supportive housing for homeless families, the implicit assumption of SOTA is that a homeless family will improve their financial situation within twelve months so as to be able to afford rent when assistance ends.<sup>43</sup> In reality, this termination of assistance and lack of comprehensive income-building services such as child care subsidies push families back into homelessness, and data show that families who left Win shelters using SOTA in 2019 were six times more likely to return to shelter than families who left with other long-term subsidies, and that families who leave shelter for unsubsidized housing return to shelter in less than a year at a rate nearly twenty times higher than families who leave with a subsidy.<sup>44</sup>

The lack of flexible, long-term rental assistance results in thousands of people living months, if not years, in shelter and on the street before finding housing; thousands of New Yorkers cycle in and out of homelessness because they are only provided short-term assistance to move out of shelter in the first place; and hundreds of thousands of New Yorkers stay on waiting lists for federal vouchers for years, paying more than they can afford to pay in the meantime. Gaps in rental assistance coverage and structural design flaws alone lead approximately 700 families to enter shelter each month in order to qualify for rental assistance through CityFHEPS, since households are not eligible for FHEPS, the state’s eviction and homeless program, unless they have been served with a formal eviction or are previously homeless.<sup>45</sup>

Data from the NYU Furman Center show that there are more than 400,000 low-income households,<sup>46</sup> which are home to more than 250,000 children, who pay more than 50 percent of their income on rent each month. These are the very households for whom any economic or personal shock, from domestic violence to unexpected expenses, health issues, or even having another child, can lead to eviction or homelessness, pushing adults and children deeper into poverty and hardship for years to come, often with lifelong consequences.

Unfortunately, even families that get adequate rental assistance can still have difficulty finding housing. Source-of-income discrimination is currently so prevalent that the number of New Yorkers who are affected by it is difficult to reliably measure. The Commission on Human Rights files hundreds of source-of-income complaints

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41. Kinniburgh, Colin, “Will Rental Vouchers to Prevent Homelessness Make the State Budget?” *New York Focus*, March 29, 2021, <https://www.nysfocus.com/2021/03/29/housing-access-voucher-program-budget/>.

42. Jacquelyn Simone, “Homeless New Yorkers Are Spending More Time in Shelters Than Ever Before,” *Coalition for the Homeless*, March 21, 2019, <https://www.coalitionforthehomeless.org/todays-read-homeless-new-yorkers-are-spending-more-time-in-shelters-than-ever-before/>.

43. “Every Family Housed: A Blueprint to End Family Homelessness for the Next Mayor,” *Win*, May 2021, [https://winnyc.org/wp-content/uploads/2021/05/Every\\_Family\\_Housed\\_Final.pdf](https://winnyc.org/wp-content/uploads/2021/05/Every_Family_Housed_Final.pdf).

44. *Ibid.*

45. Local Law 37—DHS Report, NYC Open Data, updated May 27, 2021, <https://data.cityofnewyork.us/Social-Services/Local-Law-37-DHS-Report/2mqz-v5im>.

46. Earning less than 50 percent of Area Median Income (\$53,700 for a family of three).



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each year, but that figure is a fraction of the people who are harmed by this discrimination. A matched-pair test by advocacy groups VOCAL–NY and TakeRoot Justice found that only 21 percent of people with housing subsidies heard back at all regarding apartment listings, compared to 61 percent of people with employment income; discrimination continued at each step of the application process, including invitations to view apartments, response time, and unit availability.<sup>47</sup> A recent lawsuit filed by Housing Rights Initiative found at least eighty-eight brokerage firms and landlords discriminated against fair housing testers posing as voucher holders.<sup>48</sup> Furthermore, in addition to source of income discrimination, discrimination against tenants with criminal records abounds, although exact estimates are difficult to make. In 2017, more than half (54 percent) of individuals in New York State released on parole immediately entered New York City shelters, and one matched-pair study of New York state showed that less than half of people with a criminal conviction received agreement from a landlord to view a potential unit (43 percent of those with a conviction, compared to 96 percent without).<sup>49</sup>

Massive housing instability threatens New York City’s economic recovery from the pandemic and jeopardizes the future of the city. The remainder of this section includes recommendations that would increase housing stability and affordability for low-income households with children by:

- preventing formal and informal evictions, thereby reducing homelessness, and
- expanding the power and availability of housing vouchers, the most immediate way to rapidly re-house and reduce housing cost burdens for low-income New Yorkers.

## Conditions for Success

New York City cannot craft and implement successful housing policy exclusively on its own. The city has been, and will continue to be, reliant on funding from the federal and state governments to build and preserve affordable, public, and supportive housing, in addition to its own programs and funding. The housing investments being proposed by President Biden, in Congress, and by national advocates—including increased allocations for the Housing Trust Fund, retrofitting public housing, and vastly increasing funding for Housing Choice Vouchers—would have a massive impact for New Yorkers; state investments in affordable and supportive housing and voucher programs would have a commensurate impact if increased.<sup>50</sup> However, New York City’s next mayor must take bold steps to prioritize immediate housing policy reform regardless of the policies and dollars that flow from other levels of government.

## Policy Response

### 1. Reform the One-Shot Deal Program to Expand Takeup and Avert Evictions

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47. “Vouchers to Nowhere: How Source of Income Discrimination Happens and the Policies That Can Fix It,” VOCAL–NY and TakeRoot Justice, accessed May 28, 2021, <https://static1.squarespace.com/static/5edbd1827536f464a00c32de/t/5f5ebbbd52f87c233c995070/1600043968206/Vouchers-To-Nowhere.pdf>.

48. Matthew Haag, “She Wants Well-Qualified People’: 88 Landlords Accused of Housing Bias,” New York Times, March 15, 2021, <https://www.nytimes.com/2021/03/15/nyregion/real-estate-lawsuit-section-8-discrimination.html>.

49. Ishita Gaur, Melissa Minnich and Heli Pinillos, “Breaking Free: Preventing the Prison-to-Shelter Pipeline,” Urban Design Forum, July 24, 2020, <https://urbandesignforum.org/proposals/breaking-free-preventing-the-prison-to-shelter-pipeline/>; Douglas N. Evans and Jeremy R. Porter, “Criminal history and landlord rental decisions: A New York quasi-experimental study,” *Journal of Experimental Criminology* 11, no. 1 (March 2014): 21–42, [https://www.researchgate.net/publication/276838489\\_Criminal\\_history\\_and\\_landlord\\_rental\\_decisions\\_a\\_New\\_York\\_quasi-experimental\\_study](https://www.researchgate.net/publication/276838489_Criminal_history_and_landlord_rental_decisions_a_New_York_quasi-experimental_study).

50. For examples of proposals that would increase the federal government’s investment in housing programs, see “Key Legislation,” National Low Income Housing Coalition, May 2021, [https://nlihc.org/sites/default/files/housed\\_Key-Legislation.pdf](https://nlihc.org/sites/default/files/housed_Key-Legislation.pdf).

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New York renters accrued millions of dollars in rent arrears due to the economic crisis triggered by the pandemic. As many as 185,000 households in rent-stabilized units currently owe arrears, per an estimate from the Community Housing Improvement Program.<sup>51</sup> Separately, the NYU Furman Center estimates that the share of tenant households in New York City owing more than \$3,000—the typical amount owed before a landlord files for eviction—rose to 15.8 percent during the pandemic (over 300,000 households if extrapolated citywide, though the sample is predominantly affordable housing), up more than six percentage points from February 2020.<sup>52</sup> The State’s COVID-19 Emergency Rental Assistance Program, funded largely by the American Rescue Plan, will help many households pay back rent accrued since the start of the pandemic, but it will not meet the full need, will do little to alleviate future rent burdens (covering only up to three months), and will not be available to all city residents.

At the city level, the One-Shot Deal (OSD) program is one of the only mechanisms under the mayor’s direct control to help New Yorkers who were unable to pay rent during the pandemic recovery. The program, administered by the Human Resources Administration (HRA) through Public Assistance, provides a one-time loan (though sometimes forgiven) available to New Yorkers who face an unexpected expense, often rental assistance to prevent eviction. The OSD program typically serves between 3,500 and 4,000 households each month, though requests have dropped significantly since March 2020, likely due to the temporary moratorium on evictions.<sup>53</sup> Unfortunately, HRA currently prioritizes OSDs based on nebulous criteria, which allows case-by-case customization, but also causes significant inefficiencies, creates confusion for applicants, leaves room for bias, and has led to a de facto requirement that a tenant must be facing an eviction to be eligible, as those cases are prioritized. **To increase the power of this program, the mayor should:**

- **Make eligibility and prioritization criteria more explicit to improve efficiency and reduce bias in awarding OSDs.** Eligibility should be determined using an affidavit of need, rather than extensive financial paperwork, to reduce barriers to access, and living expenses should be considered holistically so that accepting an OSD does not push tenants even further into poverty, especially given the exceptional nature of the economic crisis related to the pandemic.
- **Invest in public education about OSDs to ensure tenants know they are eligible without an eviction filing and that they can apply for the benefit online and through the ACCESS HRA application.** Along with training and awareness for property owners and HRA staff about this expanded eligibility, the next mayor should allow landlords to initiate the process for tenants to receive OSDs and work with them to ensure they understand the process. Property owners, especially small landlords, may also face financial viability challenges due to the economic crisis, and already have many of the required materials and information to verify eligibility.

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51. Will Parker, “New York City Renters Owe More Than \$1 Billion in Unpaid Rent, Survey Finds,” Wall Street Journal, January 14, 2021, <https://www.wsj.com/articles/new-york-city-renters-owe-more-than-1-billion-in-unpaid-rent-survey-finds-11610622000>.

52. “State of New York City’s Housing and Neighborhoods in 2020: Renters and Recovery,” NYU Furman Center, May 26, 2021, <https://furmancenter.org/stateofthecity/view/renters-and-recovery>.

53. Brand, David, “Emergency Grants Can Help Stop Homelessness — if You Have a Lawyer,” City Limits, March 11, 2020, <https://citylimits.org/2020/03/11/emergency-grants-can-help-stop-homelessness-if-you-have-a-lawyer/>. Samar Khurshid, “Requests for Emergency Rent Grants Fell During Pandemic, But Expected to Skyrocket When Evictions Resume,” Gotham Gazette, July 24, 2020, <https://www.gothamgazette.com/city/9622-requests-for-emergency-rent-grants-fell-during-pandemic-but-expected-to-skyrocket-when-evictions-resume>.

- **Advocate for policy changes at the state level to waive the requirement to repay OSDs and fully eliminate the requirement that applicants demonstrate future ability to pay.** The economic shock has left many households unable to afford both future and past rent, and current documentation requirements can be an obstacle for New Yorkers in need of assistance.
- **Ensure adequate funding is available for OSDs for any household still owing arrears through their first budget, adopted by June 2022.** This funding can come from a variety of sources. In an average year, the OSD program costs about \$200 million, demonstrating the sheer amount of financial need even during more stable economic periods. Calculating the total current need is difficult, as people who would ordinarily apply for assistance are less likely to while the eviction moratorium is in place, in addition to the uncertainty regarding the amount of arrears owed citywide and how successful the state emergency rental assistance program will be in addressing those arrears. The number of requests for emergency assistance in the near future will depend significantly on the success of the state rental relief program, and the next mayor should immediately assess the remaining rent arrears in New York City when they take office.

### Expected Impact

In reforming and expanding the OSD program as proposed above, a new mayoral administration should aim to:

- ensure that OSDs are available to all New York City households with such a need.

## 2. Expand and Fully Implement New York City's Right to Counsel Program

New York City's landmark Right to Counsel law, which provides representation to tenants facing eviction in the city's housing court, has been a critical tool to prevent evictions since it was passed in 2017. Led by the Right

**86% of New Yorkers and 92% of low-income New Yorkers support expanding access to free legal services so that low-income New Yorkers from all zip codes have representation in housing court when facing evictions.**

to Counsel NYC Coalition, this poverty-fighting program has helped thousands of New Yorkers remain stably housed. In 2013, only 1 percent of tenants had a lawyer in housing court, a clear power imbalance fueling evictions and pushing low-income New Yorkers into homelessness. Though it has been limited to certain neighborhoods as part of a gradual phase-in, by June 2019, 62 percent of

tenants in eligible zip codes had a lawyer.<sup>54</sup> Evictions in the early phase zip codes have declined by 29 percent since the law was implemented compared to a 16 percent decline in zip codes with similar eviction, poverty, and rental rates. In the first three years that the program has been available in New York City, 86 percent of tenants who had a Right to Counsel lawyer won their case and stayed in their homes.<sup>55</sup> The power of this policy cannot be overstated. By providing tenants with access to an attorney, thousands of households have likely avoided eviction and homelessness.

54. "Right to Counsel Works: Fact Sheet," Right to Counsel Coalition, accessed May 27, 2021, [https://d3n8a8pro7vhm.cloudfront.net/righttocounselnyc/pages/23/attachments/original/1585168175/RTC\\_WORKS\\_FACT\\_SHEET.pdf?1585168175](https://d3n8a8pro7vhm.cloudfront.net/righttocounselnyc/pages/23/attachments/original/1585168175/RTC_WORKS_FACT_SHEET.pdf?1585168175).

55. "Expand Right to Counsel," Right to Counsel Coalition, accessed May 27, 2021, [https://www.righttocounselnyc.org/expand\\_rtc](https://www.righttocounselnyc.org/expand_rtc).

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Recognizing its impact, the City Council passed Intro 2050 in 2021, which amends Local Law 136 and requires immediate implementation of Right to Counsel, making it a right for all income-eligible tenants across New York City to have an attorney, rather than a phased-in zip-code roll-out.<sup>56</sup> The City Council also passed Intro 1529, which requires the city to support organizers who are working to ensure that tenants know about their Right to Counsel and receive guidance for using it.<sup>57</sup>

**To ensure proper implementation, and bolster the power of this poverty-fighting policy, the next mayor must work with City Council to:**

- Allocate \$5 million in the city budget toward Intro 1529 to ensure organizers have the resources they need to educate the public about their rights.
- Ensure legal service providers can accommodate expanded eligibility and provide them with funding for capacity building.
- Ensure that implementation of Intro 2050 means that no case moves forward without a Right to Counsel lawyer and that judges adjourn cases until these lawyers have capacity.
- Pass Intro 1104,<sup>58</sup> which would permanently expand Right to Counsel's income eligibility from 200 percent of the Federal Poverty Level to 400 percent (which is a yearly income of \$51,040 for a single adult and \$104,800 for a family of four). The current 200 percent cutoff restricts eligibility to those with yearly income of less than \$25,520 for a single adult or less than \$52,400 for a family of four. This means a single New Yorker working full-time and making the \$15 minimum wage would not qualify for Right to Counsel. Working-class tenants facing an eviction will not be able to afford a lawyer without the expansion of Right to Counsel in Intro 1104, and without representation, are more likely to be evicted. Data show that tenants with incomes between 200 and 400 percent of the Federal Poverty Line make up an estimated 31 percent of tenants in housing court.<sup>59</sup>

Before the COVID-19 pandemic largely paused housing court proceedings in New York, funding for the program was set to increase gradually up to \$166 million each year. With the above tweaks and expansions, that cost would grow to roughly \$321 million per year: roughly \$150 million to expand eligibility up to 400 percent of the Federal Poverty Line, and \$5 million to fund organizing, outreach, and education.<sup>60</sup> This cost should be judged in comparison to the cost of emergency shelter each year—\$82,000 for a family or \$47,000 for a single adult—making full expansion of Right to Counsel not only a valuable service for New Yorkers at risk of eviction, but a cost saver for the city, as research shows families impacted by evictions experience longer shelter stays and more frequent emergency room visits, increasing the overall public cost by \$8,000 per eviction, compared to baseline shelter and emergency room costs.<sup>61</sup>

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56. Intro 2050-2020, "Providing legal services for tenants who are subject to eviction proceedings," <https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=4624861&GUID=FEF6E3D8-8BFA-4281-AABF-F36EF7A2BC40>.

57. Intro 1529-2019, "Requiring the office of the civil justice coordinator to work with community groups in educating tenants about their rights in housing court," <https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=3923900&GUID=93564381-0704-43F3-9599-244BA2545155>.

58. Intro 1104-2018, "Expanding the right to counsel for tenants," <https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=3673428&GUID=4205F42E-82F7-4976-8BF7-035AE2B5B16D>.

59. "Expand Right to Counsel," Right to Counsel Coalition, accessed June 10, 2021, [https://www.righttocounselnyc.org/expand\\_rtc](https://www.righttocounselnyc.org/expand_rtc).

60. "Right to Counsel, Power to Organize Campaign FAQ," Right to Counsel Coalition, accessed June 10, 2021, <https://d3n8a8pro7vhmx.cloudfront.net/righttocounselnyc/pages/47/attachments/original/1576857798/FAQ-final.pdf?1576857798>.

61. Robert Collinson and Davin Reed, "The Effects of Evictions on Low-Income Households," October 2018, [https://economics.nd.edu/assets/303258/jmp\\_rcollinson\\_1\\_.pdf](https://economics.nd.edu/assets/303258/jmp_rcollinson_1_.pdf).

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## Expected Impact

Fully implementing Right to Counsel citywide for households up to 200 percent of the Federal Poverty Line would:

- provide legal services to 400,000 New Yorkers each year.<sup>61</sup>

Passing Intro 1104, to expand the income eligibility up to 400 percent of the Federal Poverty Line, would:

- provide legal services to an additional 56,000 to 71,000 households facing eviction each year.<sup>62</sup>

### 3. Expand the Power of CityFHEPS (New York City's Family Homelessness and Eviction Prevention Supplement) Voucher Program to Promote Housing Stability

As discussed above, hundreds of thousands of New Yorkers experience housing instability but cannot access rental assistance because of voucher shortages and low vacancy, eligibility requirements, and overcomplicated bureaucracy. In recognition of the growing housing crisis, in both New York City and beyond, President Biden recently announced plans to expand the availability and delivery of Housing Choice Vouchers.<sup>63</sup> However, the future of that proposal is uncertain, and New York City cannot afford to wait for federal action.

New York City already runs one of the largest local voucher programs in the country, CityFHEPS, which provides rental assistance to certain homeless and formerly homeless households, as well as certain households at risk of homelessness. But data show that only 5 percent of CityFHEPS voucher holders are able to find an apartment each month, contributing to the unacceptably high average family length of stay in shelter: 443 days.<sup>64</sup> Many households see their CityFHEPS voucher expire before they can use it for permanent housing, an issue for 80 percent of voucher holders, according to New York City Council Member Stephen Levin.<sup>65</sup> Furthermore, voucher values currently are too low: in the approximately 100 neighborhoods for which StreetEasy collects data, there was not a single neighborhood where the median asking rent matched the CityFHEPS maximum rent.<sup>66</sup>

In May 2021, City Council speaker Corey Johnson reached an agreement with the City Council and advocates to pass Intro 146, which will peg CityFHEPS vouchers to Fair Market Rent (FMR), the same standard as Section 8 federal Housing Choice Vouchers, with regular adjustment along with federal payment standards moving forward to ensure that the voucher continues to allow families to move out of shelter and into permanent housing. The bill will also allow voucher holders to utilize vouchers beyond five years. The bill will increase voucher values for a mother with two children from \$1,580 per month to \$2,217 per month, as an example.

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61. Oksana Mironova, "Right to Counsel and Stronger Rent Laws Helped Reduce Evictions in 2019," Community Service Society of New York, February 24, 2020, <https://www.cssny.org/news/entry/right-to-counsel-and-stronger-rent-laws-helped-reduce-evictions-in-2019>.

62. "Expand Right to Counsel," Right to Counsel Coalition, accessed June 10, 2021, [https://www.righttocounselnyc.org/expand\\_rtc](https://www.righttocounselnyc.org/expand_rtc).

63. "FACT SHEET: President Biden's FY22 Discretionary Funding Request for HUD," U.S. Department of Housing and Urban Development, April 9, 2021, [https://www.hud.gov/sites/dfiles/Main/documents/discretionary\\_request\\_fact\\_sheet.pdf](https://www.hud.gov/sites/dfiles/Main/documents/discretionary_request_fact_sheet.pdf).

64. Jeanmarie Evely, "Shafted in State Budget, Homeless Advocates Push City to Increase Value of Rental Vouchers," City Limits, April 26, 2021, <https://citylimits.org/2021/04/26/shafted-in-state-budget-homeless-advocates-push-city-to-increase-value-of-rental-vouchers/>.

65. David Brand, "Council Will Hold Long-Awaited Vote to Raise Value of NYC Housing Vouchers," City Limits, May 25, 2021, <https://citylimits.org/2021/05/25/council-will-hold-long-awaited-vote-to-raise-value-of-nyc-housing-vouchers/>.

66. "Every Family Housed: A Blueprint to End Family Homelessness for the Next Mayor," Win, May 2021, [https://winnyc.org/wp-content/uploads/2021/05/Every\\_Family\\_Housed\\_Final.pdf](https://winnyc.org/wp-content/uploads/2021/05/Every_Family_Housed_Final.pdf).

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The impact of this legislation could be dramatic for CityFHEPS holders. Research by StreetEasy released in April 2021 found that record-high drops in rent and high inventory levels from COVID-19 have more than doubled the number of homes on the market that are deemed affordable for Section 8 voucher participants, but had little impact on CityFHEPS holders.<sup>67</sup> Of all apartments listed from July through December 2020, only 564 units would meet current CityFHEPS standards, whereas 71,934 would meet Section 8 standards.<sup>68</sup>

Shelter provider and advocacy group Win estimates this change could help up to 2,700 additional families exit shelter in each of the first five years and save the city money in reduced shelter costs.<sup>69</sup> According to Win, if a typical homeless family finds an apartment even one month sooner because of the expanded options resulting from a higher paying voucher, the city would save \$6,114 in shelter costs.<sup>70</sup> That savings could pay for over sixteen months of the increase in the voucher amount for that family. Matching the value of CityFHEPS vouchers to federal vouchers also simplifies the experience for many voucher holders and landlords.

Some worried that raising the rent ceiling on CityFHEPS without equivalently raising FHEPS, the state program, to Fair Market Rent levels would make it harder for state FHEPS holders to find landlords who will accept their voucher—forcing households who hold FHEPS to enter shelter and become eligible for CityFHEPS before they can use a voucher on permanent housing. Fortunately, in June 2021, the New York State Senate and Assembly voted to raise the rent cap on FHEPS from 85 percent to 100 percent of HUD’s FMR; it now heads to the governor’s desk for signature.<sup>71</sup>

Passage of Intro 146 is a major win for low-income New Yorkers and housing advocates who have been pushing to adjust CityFHEPS to FMR for years. However, data from the NYU Furman Center shows that there are nearly 130,000 low-income households with children that are severely rent-burdened (pay more than 50 percent of income on rent) that are not currently served by voucher programs. For these households, which are home to more than 250,000 children, a common life event like an unexpected expense or medical need, or losing work hours or getting laid off, can put them on a path towards eviction and subsequent homelessness. Until an expansion of the federal program means that federal Housing Choice Vouchers are available to all New Yorkers who need them, the city must step in and transform CityFHEPS into a vehicle that fights housing instability and poverty for these families.

**To do so, the next mayor should work closely with the City Council to:**

- **Reform CityFHEPS requirements to better *prevent* homelessness.** CityFHEPS is currently available to households with gross income at or below 200 percent of the Federal Poverty Line who meet at least one of five highly specific criteria.<sup>72</sup> The vast majority of voucher holders are currently in shelter or were

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67. Nancy Wu, "Pandemic Rent Drops Double NYC's Voucher-Accessible Housing," StreetEasy, April 20, 2021, <https://streeteasy.com/blog/voucher-apartments-nyc-double-during-pandemic/>.

68. "Committee Report of the Human Services Division Regarding Proposed Introduction No. 146-C," Council of the City of New York, May 26, 2021, <https://legistar.council.nyc.gov/View.ashx?M=F&ID=9432250&GUID=82295E3F-5310-49ED-A411-B849ABB697FC>.

69. David Brand, "Council Will Hold Long-Awaited Vote to Raise Value of NYC Housing Vouchers," City Limits, May 25, 2021, <https://citylimits.org/2021/05/25/council-will-hold-long-awaited-vote-to-raise-value-of-nyc-housing-vouchers/>.

70. Letter to Speaker Corey Johnson, Win, January 6, 2020, <https://winnyc.org/wp-content/uploads/2021/03/Int-146-Support-Ltr-to-Speaker-1.2021.pdf>.

71. Senate Bill S. 6573, Assembly Bill A. 8009, "An act to amend the social services law, in relation to making vouchers available under the family homelessness and eviction prevention supplement program in social services districts with a population of five million or more," <https://www.nysenate.gov/legislation/bills/2021/s6573>.

72. "CityFHEPS Frequently Asked Questions For Clients in the Community," NYC Department of Social Services, September 18, 2019, <https://www1.nyc.gov/assets/hra/downloads/pdf/cityfheps-documents/dss-7r-e.pdf>.

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previously living in shelter. Existing requirements mean that households who are at risk of eviction by virtue of their severe rent burden, but who have not received eviction filings or have not formerly been in shelter, are ineligible. The consequences of these restrictions are that New Yorkers must first become homeless—and wait three months to become eligible—before they can receive a CityFHEPS voucher. The next mayor and City Council should reform CityFHEPS requirements to extend eligibility to households who can demonstrate, through self-attestation or other measures, their risk of future formal or informal evictions, rather than requiring that households first experience homelessness or be in the midst of a formal eviction proceeding. As with Section 8 and current CityFHEPS requirements, households with income would be required to pay 30 percent of gross household income. The city should also create a working group of stakeholders, from households experiencing housing instability and homelessness to local nonprofits who are embedded in communities and other relevant partners, to develop eligibility documentation requirements that are feasible and that encourage, rather than discourage, households to seek support.

- **Dedicate significant additional funding for CityFHEPS, in addition to the increased budget passed through Intro 146, to serve at least 12,000 newly eligible households and prevent homelessness.** Simulations by the NYU Furman Center, in Table 1 below, project that this investment should be at least \$250 million each year to prevent thousands of rent-burdened, low-income households from becoming homeless. Table 1 shows that a \$250 million additional investment for newly eligible households at risk of eviction and homelessness would serve more than 35,623 additional New Yorkers, including 14,635 children, across 11,214 households.<sup>73</sup>
- **Remove the requirement that voucher holders receive Public Assistance and improve bureaucratic processes.** By requiring households to be in receipt of Public Assistance to receive CityFHEPS, the city excludes undocumented and other immigrant New Yorkers and their family members from accessing the voucher.<sup>41</sup> The city should encourage all people eligible for Public Assistance to apply for that aid, which helps households meet their costs, but the city should not tie CityFHEPS eligibility to Public Assistance eligibility. Decoupling these programs will allow more New Yorkers, regardless of immigration status, to find stable housing. In addition, the city should focus on simplifying the steps required to put a voucher to use by shortening the amount of time a person is required to be in contact with a case worker before they are eligible; streamlining paperwork across agencies for applicants; collecting only the necessary information; modernizing the application process by making all materials available online and at key outreach points; and making permanent the shift away from required in-person meetings to phone calls and recorded briefings.

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73. Simulations by NYU Furman Center provide a guide for scope and scale of impact at different investment levels (see Table 1). Given this report's focus on households with children, the projections reserve two-thirds of funding for vouchers for households with children. While this section is not recommending that the expanded eligibility exclusively serve households with children, there is a compelling data case for their prioritization. Children and adults in families make up roughly two-thirds of the city's shelter population, and NYU Furman Center data show that nearly 60 percent of people living in severely rent-burdened, low-income households live in households with children. By prioritizing these New Yorkers—along with other voucher program improvements, discussed above—the city could significantly advance racial equity and opportunity for the next generation, as more than 80 percent of children living in low-income, rent burdened households (not currently living in Section 8 housing or NYCHA) are Black, Latinx, or Asian. See “Facts about Homelessness,” Coalition for the Homeless, accessed June 10, 2021, <https://www.coalitionforthehomeless.org/facts-about-homelessness/>.

74. Public Assistance is defined as “public assistance benefits, including monthly grants and shelter allowances, issued under the Family Assistance program, pursuant to New York Social Services Law § 349 and/or the Safety Net Assistance program, pursuant to New York Social Services Law § 159, and regulations promulgated thereunder.” See The Rules of the City of New York, Chapter 10: City Fighting Homelessness and Eviction Prevention Supplement (CityFHEPS), § 10-01 (aa), <https://codelibrary.amlegal.com/codes/newyorkcity/latest/NYCrules/0-0-0-110021>.

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- **Avoid a benefits cliffs for voucher holders by including a phase out for households earning above 250 percent of FPL.** Currently, CityFHEPS voucher holders must recertify every year that they are initially eligible. At the point of renewal, household incomes must not exceed 250 percent of the Federal Poverty Line. However, Poverty Tracker data show that material hardships—such as not being able to afford food, housing, medical bills, utilities, or other expenses—persist even for households with incomes above 250 percent of FPL.<sup>75</sup> By conditioning recurring eligibility on remaining at or below 250 of FPL, households may be forced to choose between taking on a promotion, raise, or more work, or keeping their CityFHEPS benefits. This creates a cliff for households that cross the 250 percent line, because small income increases are often not enough to offset the loss of benefits such as CityFHEPS, leaving households net worse off than they were before their income increase, when they still had their benefits. Instead, CityFHEPS should adjust rent subsidies to phase out as households earn additional income above 250 percent of FPL.

The above reforms, coupled with Intro 146, will create the most powerful and comprehensive local rental assistance program in the country. CityFHEPS can become an engine of housing stability and economic mobility for tens of thousands of New Yorkers.

### Expected Impact

Full implementation of Intro 146, according to Win, will:

- enable an additional 2,700 households to find housing each year.<sup>76</sup>

But with an additional investment and the expansion and eligibility changes described above, the program could have a far greater impact: data show that only 1.3 percent of households who move into housing with rental subsidies return to shelter, compared to 21.6 percent of households who move without them.<sup>77</sup>

Simulations by the NYU Furman Center provide a guide for the scope and scale of impact at different investment levels (see Table 1). An additional \$250 million invested in CityFHEPS vouchers for households in the community (those currently housed but at risk of eviction and homelessness in the future by virtue of their severe rent burden or other factors), would:

- improve housing security for more than 35,623 additional New Yorkers, including 14,635 children, across 11,214 households, with even more households served by greater investment in CityFHEPS vouchers.<sup>78</sup>

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74. Sophie Collyer et al., “The State of Poverty and Disadvantage in New York City,” Robin Hood Foundation and the Center for Poverty and Social Policy, Columbia University Population Research Center, February 2020, [https://www.robinhood.org/wp-content/themes/robinhood/images/poverty-tracker/pdfs/POVERTY\\_TRACKER\\_REPORT19.pdf](https://www.robinhood.org/wp-content/themes/robinhood/images/poverty-tracker/pdfs/POVERTY_TRACKER_REPORT19.pdf).

75. David Brand, “Council Will Hold Long-Awaited Vote to Raise Value of NYC Housing Vouchers,” City Limits, May 25, 2021, <https://citylimits.org/2021/05/25/council-will-hold-long-awaited-vote-to-raise-value-of-nyc-housing-vouchers/>.

76. Jessica Yager, “Testimony to the General Welfare Committee Preliminary Budget Hearing,” Win, March 17, 2021, <https://winnyc.org/wp-content/uploads/2021/03/Win-Testimony-for-3.17.21-GWC-Hrg1.pdf>.

77. Simulations by NYU Furman Center provide a guide for scope and scale of impact at different investment levels (see Table 1). Given this section’s focus on households with children, the projections reserve two-thirds of funding for vouchers for households with children. While this section is not recommending that the expanded eligibility exclusively serve households with children, there is a compelling data case for their prioritization. Children and adults in families make up roughly two-thirds of the city’s shelter population, and NYU Furman Center data show that nearly 60 percent of people living in severely rent-burdened, low-income households live in households with children. By prioritizing these New Yorkers—along with other voucher program improvements, discussed above—the city could significantly advance racial equity and opportunity for the next generation, as more than 80 percent of children living in low-income, rent burdened households (not currently living in Section 8 housing or NYCHA) are Black, Latinx, or Asian. See “Facts about Homelessness,” Coalition for the Homeless, accessed June 10, 2021, <https://www.coalitionforthehomeless.org/facts-about-homelessness/>.

78. The simulations define eligible households as renter households that have incomes less than 50 percent Area Median Income (AMI), are currently rent burdened (>30 percent), and are not already living in NYCHA or receiving Section 8 Vouchers. Fifty percent AMI corresponds approximately to 200 percent FPL (CityFHEPS’ current income limit for new voucher recipients). AMI levels adjust for the number of people in the household. Average “voucher amount” is calculated as the monthly cost to cover a gap between 30 percent of the households income and 100 percent FMR. This simulation assumes 100 percent of funding is dispersed to voucher holders and does not factor in program administration costs.



**TABLE 1. IMPACT OF INCREASED INVESTMENTS IN CITYFHEPS<sup>76</sup>**

Funding for Vouchers for Households in Community	Number of Households Served	Number of People Served	Number of Children Served
\$250 million	11,214	35,623	14,635
\$300 million	13,457	42,747	17,562
\$350 million	15,700	49,872	20,490

*Note:* The simulations define eligible households as renter households that have incomes less than 50 percent Area Median Income (AMI), are currently rent burdened (>30 percent), and are not already living in NYCHA or receiving Section 8 Vouchers. Fifty percent AMI corresponds approximately to 200 percent FPL (CityFHEPS’ current income limit for new voucher recipients). AMI levels adjust for the number of people in the household. Average “voucher amount” is calculated as the monthly cost to cover a gap between 30 percent of the households income and 100 percent FMR. This simulation assumes 100 percent of funding is dispersed to voucher holders and does not factor in program administration costs.

*Source:* NYU Furman Center analysis of New York City Housing and Vacancy Survey (NYCHVS) data. See Footnote 74.

**4. Maximize the Impact of Housing Vouchers on Economic Mobility and Well-Being**

The voucher reforms and policies discussed above will help thousands of low-income households in New York City secure permanent and affordable housing. However, on their own, vouchers will not necessarily enable housing to enhance opportunity for these families—unless the next mayor works to expand the ability of voucher holders to move across New York City, if they wish. The next mayor can ensure housing vouchers are an engine of economic mobility for thousands of New Yorkers by stamping out housing discrimination, most prominently “source of income” discrimination (refusing to rent to someone because some or all of their rent will be paid by a voucher program), and creating a housing navigator program housed in an expanded HomeBase program. In addition to these steps, the city should also follow a long-term strategy of investing in the largely low-income neighborhoods where vouchers are currently most commonly used, in order to foster economic, education, health, and infrastructure development there and improve opportunity.

- **Step up enforcement of source of income discrimination and pass fair chance for housing legislation.**

Sadly, far too many voucher holders are unable to find apartments—not only because of the administrative difficulties or low payment levels detailed above, but also because of prejudice against voucher holders and voucher programs. Though this “source of income” discrimination is illegal, it is still widespread and largely unpenalized: there are currently only nine staff members in the Human Resource Administration’s

**73% of New Yorkers and 75% of low-income New Yorkers support better enforcing penalties for landlords who refuse to accept tenants because they receive rental assistance from the City.**

(HRA) Fair Housing Litigation Unit and only three in the New York City Commission on Human Rights’s (CCHR) Source of Income and Early Intervention units.<sup>79</sup> In a city of millions of renters, even the hundreds of complaints that these units receive and respond to are just scratching the surface of discrimination that

79. David Brand, “NYC’s ‘Hollowed Out’ Enforcement Units Struggle to Keep Pace on Housing Discrimination Cases,” City Limits, June 1, 2021, <https://citylimits.org/2021/06/01/nycs-hollowed-out-enforcement-units-struggle-to-keep-pace-on-housing-discrimination-cases/>.

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voucher holders face. The next mayor should increase funding to the CCHR and Fair Housing Litigation Unit, charged with enforcing New York’s law against such discrimination, to increase education about tenants’ fair housing rights, step up testing to identify landlords who discriminate against voucher holders, and increase penalties for those who do discriminate. (Proactive testing, not just reacting to complaints, is critical, as tenants should not be expected to have the knowledge to know if they have been discriminated against.) The adopted FY22 budget includes funding for ten new lawyers to work on source-of-income discrimination cases; the next administration should go further.<sup>80</sup> Furthermore, the mayor should work with the City Council to amend loopholes in the Human Rights Law that allow landlords to de facto discriminate against voucher holders by requiring landlords to consider rental subsidies as part of minimum income requirements and to bar landlords from rejecting tenants based on credit scores when a voucher covers 100 percent of the rent.

The next mayor should also work with the City Council to pass Intro 2047, which would prohibit housing discrimination in rentals, leases, subleases, or occupancy agreements in New York City, on the basis of arrest or conviction record, thereby enabling more New Yorkers to find permanent housing, with or without vouchers. Studies show that in New York, 53 percent of landlords won’t allow applicants with a conviction to even view a property.<sup>81</sup> Until passage of legislation such as that proposed by the Clean Slate Initiative,<sup>82</sup> this discrimination will persist unabated and perpetuate the prison-to-shelter pipeline, destabilizing entire families.

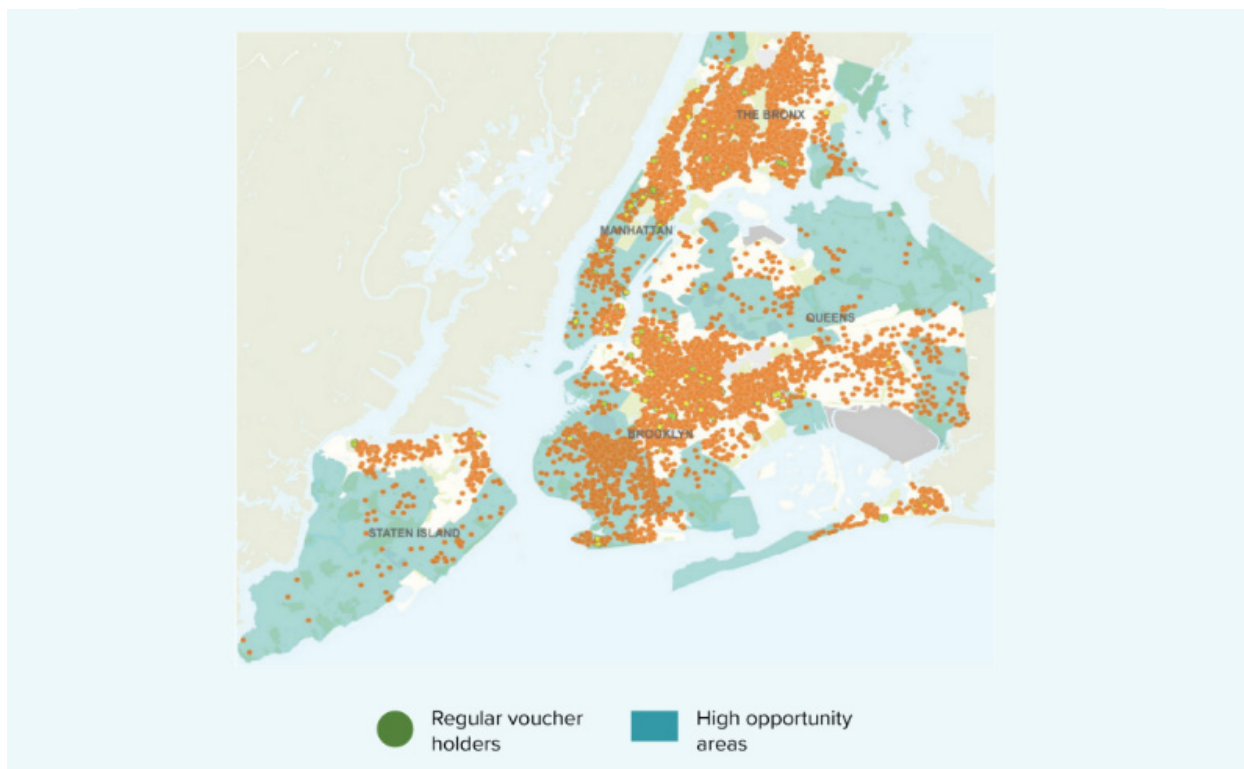
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80. Suzannah Cavanaugh, “Recovery budget throws homeowners a bone, skimps on tenant legal services,” *The Real Deal*, July 1, 2021, <https://therealdeal.com/2021/07/01/recovery-budget-throws-homeowners-a-bone-skimps-on-tenant-legal-services/>.

81. Shereemer Chevannes, “Fair Chance for Housing: Ending discrimination in housing for people with conviction records,” *The Fortune Society*, June 2020, <https://static1.squarespace.com/static/585adef937c5817d231b7de1/t/5ee90279e350db6a515efbe7/1592328831060/FC4H+Issue+Brief%5B1%5D.pdf>.

82. Michael “Zaki” Smith, “Testimony: New York State Must Pass Automatic Expungement ‘Clean Slate’ Legislation,” *Next100*, May 6, 2021, <https://thenext100.org/testimony/20-new-york-state-must-pass-automatic-expungement-clean-slate-legislation/>

**FIGURE 2. WHERE VOUCHER HOLDERS LIVE IN NEW YORK**



*Source:* NYC Dept. of Housing Preservation and Development (HPD) presentation at National Conference on Housing Mobility, Washington D.C., October 17, 2018, <https://prrac.org/mobility2018/day2panel2.pdf>.

- **Expand HomeBase to provide navigator services to help low-income households access high-opportunity neighborhoods and provide existing services to more New Yorkers.** Research shows that “high-opportunity neighborhoods” create greater economic mobility potential for children later in life. These areas correlate—often down to the level of census tract—with broader indicators of social mobility, including improved health and lower incarceration rates.<sup>81</sup> In New York City, and across the country, households receiving Housing Choice Vouchers are currently disproportionately concentrated in neighborhoods with higher rates of poverty and lower opportunity potential, as defined by the Opportunity Insights research team at Harvard University.

**86% of New Yorkers and 93% of low-income New Yorkers** support creating a new City program that helps New Yorkers move to neighborhoods of their choice, with access to good schools, jobs, and transportation.

The next mayor can expand housing as an engine of opportunity by expanding the HomeBase program—which already provides help relocating, financial assistance, counseling, and education and job placement assistance—to also provide navigator services, making it more likely that users can move to high-opportunity neighborhoods, if they choose to do so.

83. “Neighborhoods Matter,” Opportunity Insights, <https://opportunityinsights.org/neighborhoods/>.

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While the New York City Department of Housing Preservation and Development has provided navigation assistance through its Mobility Counseling Program, a better model for an expanded HomeBase navigator program would be the successful pilot program managed by King County Housing Authority, Seattle Housing Authority, and Opportunity Insights in 2018 and 2019. (The Housing Choice program, launched as an eighteen-month pilot in July 2018, served only forty-five families for about fifteen moves and was limited to participants in the Family Self-Sufficiency program.<sup>84</sup>) The Seattle pilot program, which was built on three key program elements—search assistance for families, landlord engagement, and short-term financial assistance—increased the number of families who moved to high-opportunity neighborhoods by 38 percentage points (53 percent in the treatment group, compared to 15.1 percent in the control). The search assistance, which was provided through local nonprofit groups, included tailored information beyond the standard Seattle and King County Housing Authorities’ materials about high-opportunity neighborhoods; help preparing application documents, addressing potential issues with credit history; and help identifying and connecting with available units and landlords in opportunity areas.<sup>85</sup>

On the landlord side, the Seattle pilot program maintained relationships with landlords in high-opportunity neighborhoods, expedited the leasing process for voucher holders, and maintained an insurance fund for property owners above what standard security deposits would cover. Lastly, the program provided financial assistance to tenants to cover one-time expenses such as application fees and move-in costs. (Note that, in New York City, even for households outside of the navigator program, the next administration should work to provide services such as application and move-in expenses and aftercare to all voucher holders.) Sociological research also shows that providing these extra services to landlords can also help improve their amenability to voucher tenants and decrease the likelihood of source-of-income discrimination.<sup>86</sup>

Separate “moving to opportunity” studies estimate that, on average, a child in a low-income family moving from a below-average to an above-average neighborhood in terms of upward mobility increases their lifetime earnings by \$200,000, and decreases their likelihood of being incarcerated or having a teen birth.<sup>87</sup>

This navigator program should be closely monitored to ensure holistic success for its participants. The Seattle pilot program did not require families to move to new neighborhoods in order to receive their voucher, and in setting up the New York program, the next administration must be careful to ensure that moving to a high-opportunity neighborhood is a choice and not a product of coercion. In tracking the success of the program, the city should track voucher holders’ choice of neighborhoods to move to and their satisfaction with their new neighborhood after a year if they do move. The navigator program should also bear in mind that landlords may require more significant incentives to participate in the program, that the program must be paired with “process” reforms—similar to those proposed in the prior section on voucher deliverability—to reduce friction for willing landlords, and that increasing housing supply in high-

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84. HPD presentation to the 7th National Conference on Housing Mobility, October 17, 2018, <https://pracc.org/mobility2018/day2panel2.pdf>.

85. Peter Bergman, Raj Chetty, Stefanie DeLuca, Nathaniel Hendren, Lawrence Katz, and Christopher Palmer, “Creating Moves to Opportunity: Experimental Evidence on Barriers to Neighborhood Choice,” National Bureau of Economic Research, August 2019, <https://opportunityinsights.org/paper/cmto/>.

86. Philip Garboden, Eva Rosen, Meredith Greif, Stefanie DeLuca, and Kathryn Edin, “Urban Landlords and the Housing Choice Voucher Program,” Prepared for U.S. Department of Housing and Urban Development, May 2018, <https://www.huduser.gov/portal/sites/default/files/pdf/Urban-Landlords-HCV-Program.pdf>.

87. Raj Chetty, John Friedman, Nathaniel Hendren, Maggie R. Jones, and Sonya R. Porter, “The Opportunity Atlas: Mapping the Childhood Roots of Social Mobility,” National Bureau of Economic Research, October 2018, <https://opportunityinsights.org/paper/the-opportunity-atlas/>.

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opportunity neighborhoods is a critical condition for success.

Given the disproportionate share of New Yorkers who are homeless due to domestic violence, HomeBase's new navigators should also be trained to offer support for survivors of domestic violence and information about where New Yorkers exiting shelter can access trauma-focused counseling, job training, and other services.<sup>88</sup>

A key component of a HomeBase expansion to include a navigator program should also include the expansion of in-community access points for housing assistance (this makes sense not just for those in a navigator program, but also for all voucher holders and New Yorkers in need of rental assistance). To prevent homelessness, the city must more effectively provide assistance to people before they become homeless. Thankfully, HomeBase is already a proven mechanism for such outreach points. Through the HomeBase program, the city partners with community-based organizations to provide homelessness prevention services and resources; the next mayor should expand funding and HomeBase sites so that these services can be paired with mobility counseling without detracting from HomeBase's existing mission. The next mayor should consider including new nonprofit service providers in this expansion, including organizations that focus on immigrant communities.

In addition, as President Biden works to expand access to Housing Choice Vouchers during his first term, the city's investment in its own navigator program would benefit those voucher recipients as well.

### Expected Impact

Combating housing discrimination and expanding housing navigator programs as proposed above would:

- uncover discrimination proportionate to increased investigatory capacity;<sup>89</sup>  
prevent thousands of New Yorkers with criminal records from becoming homeless.
- help thousands of newly voucher-holding households move to high-opportunity neighborhoods.<sup>90</sup>

### Acknowledgments

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88. "Beyond Shelter: What Do Domestic Violence Survivors Need?," Safe Horizon, [https://www.safehorizon.org/wp-content/uploads/2018/10/5-Recommendations-Better-Support-Domestic-Violence-Survivors\\_Safe-Horizon-Lang-Report-2018\\_FULL.pdf](https://www.safehorizon.org/wp-content/uploads/2018/10/5-Recommendations-Better-Support-Domestic-Violence-Survivors_Safe-Horizon-Lang-Report-2018_FULL.pdf).

89. Matthew Haag, "'She Wants Well-Qualified People': 88 Landlords Accused of Housing Bias," New York Times, March 15, 2021, <https://www.nytimes.com/2021/03/15/nyregion/real-estate-lawsuit-section-8-discrimination.html>.

90. If the success rate of the Seattle pilot were applied to the projected 11,214 households that would be served by a \$250 million investment in CityFHEPS, as described above, the number of households benefiting would be 5,943.



# From Crisis to Opportunity

A POLICY AGENDA FOR AN EQUITABLE NYC

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DATE: JULY 2021



# Reimagining a More Equitable Policing and Public Safety System in New York City

 From Crisis to Opportunity  
A POLICY AGENDA FOR AN EQUITABLE NYC

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# Reimagining a More Equitable Policing and Public Safety System in New York City

For decades, poverty and its correlates have been criminalized in New York City. Policing and public safety structures may actually make it more difficult to escape poverty by ensnaring individuals facing particular challenges in the criminal justice system, without ever addressing the underlying problems, and then activating an array of ongoing collateral consequences, like prohibitions from voting, driving, employment, or housing. For example, in New York City, community districts with the highest poverty rates are also among those with the highest jail incarceration rates, with a significant correlation between high jail incarceration rates and rates of school absences, unemployment, and psychiatric hospitalizations found in these same communities.<sup>1</sup> The following recommendations for the incoming administration target the structures that leave the many New Yorkers who are experiencing poverty over-policed yet underserved in the areas of education, health care, housing, and economic supports.

Between October 2020 and March 2021, more than eighty-five meetings—including public listening sessions, town halls, and roundtable discussions—were conducted by the NYPD Police Reform and Reinvention Collaborative that was formed in response to Executive Order 203. The collaborative, led by the First Deputy Mayor’s Office and including personnel from City Hall, the Police Department, and community leaders, was tasked with generating proposals to reimagine policing in New York City. This work focused largely on collecting and applying the input of individuals and organizations from communities most impacted by racialized policing and poverty.<sup>2</sup> Through this process, and in consultation with City Hall, the City Council, and three community co-sponsors, including then-Robin Hood CEO Wes Moore, a robust set of policy recommendations was drafted and then approved by City Council.

The approved plan was an important first step in the reform process, with its wide-ranging scope and responsiveness to many of the problems New Yorkers currently face. However, a financial or legislative commitment to execute the full plan has not yet been made, and more must be done, beyond that plan’s recommendations, to make New York City a more equitable place to live for all New Yorkers. The role of the next administration will involve not only funding and pursuing the commitments laid out in City Council

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1. “Ending the Poverty to Prison Pipeline,” FPWA, April 2019, <https://www.fpwa.org/wp-content/uploads/2019/04/FPWAs-Ending-the-Poverty-to-Prison-Pipeline-Report-2019-FINAL.pdf>.

2. A full description of the Police Reform and Reinvention Collaborative’s process, and the community engagement process and participants is available at <https://www1.nyc.gov/site/policerreform/community-engagement/community-engagement.page>.



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Resolution 1584-2021, which would make certain that the plan built from the input of the community is seen through, but also supplementing it with policies that will further ensure that all New Yorkers experience public safety and equitable policing.<sup>3</sup>

The recommendations that follow build upon the work of the Police Reform and Reinvention Collaborative by centering the need to establish and fund just policies that address the structural challenges currently reinforcing the criminalization of poverty and racialized policing in New York City. These recommendations include:

1. **Address the criminalization of poverty through budget justice**, allocating the necessary funds to provide trauma-informed, streamlined services in low-income communities that have been disproportionately affected by over-policing.
2. **End racial disparities in police stops** through routine, independent audits of stop data and corresponding footage and an overall reduction in unnecessary police encounters.
3. **Remove police from New York City schools** and invest in students' social, emotional, and behavioral needs through a supportive, holistic, and trauma-informed public health approach to school safety and crisis intervention.
4. **Ensure accountability for racialized and biased policing** through the administration of fair and independent oversight that is centered on addressing the harm caused to the community.
5. **Address violence through community-centered initiatives** that focus on interrupting cycles of violence and supporting those most at risk for involvement with gun violence through a combination of short- and long-term strategies.

## Goals

The incoming administration will face dueling opportunities and crises in the policing and public safety space including a public reimagining of what it means to be policed and the role of police in society, and a sizable resurgence of gun violence following many years of decline. The mayor will be provided with a foundational structure from the initiatives outlined in Resolution 1584-2021, but this is just a starting point. Prioritizing and centering investments in New York City's most vulnerable and underserved communities will be critical to addressing the challenges of not only police legitimacy but also violent crime. In doing so, the current crises in policing and public safety can be addressed, and communities will be provided tools and resources to break relentless cycles of poverty and criminalization. To work toward this goal, the next mayor should seek:

- full implementation of all initiatives outlined in New York City Council Resolution 1584-2021;
- replacement of the 5,000 public safety agents in New York City public schools with staff trained and coached in providing direct services, such as social workers, behavior specialists, trauma-informed de-escalation staff, conflict resolution specialists, peacemakers, and school climate and restorative justice staff;

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3. "Resolution 1584-2021: Adopting a plan pursuant to State Executive Order Number 203," New York City Council, March 25, 2021, <https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=4890502&GUID=2CB9D744-6371-434F-8331-4A923FF529AB&Options=ID|Text|Search=police>.

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- sufficient, sustained funding and resources to support the NYC Opportunity Agency Navigator program to assist individuals needing access and referrals to resources;
  - elimination of any racial or ethnic disparity in who is stopped or searched by police; and
  - a decrease in gun violence to pre-pandemic rates, with a resumption of the sustained downward trend seen from the late 1990s to 2020 (777 total shootings with 923 victims in 2019, compared to 1,531 shootings with 1,868 victims in 2020).<sup>4</sup>

## Background and Need

The challenges of poverty, low economic mobility, and racial inequality are all too often exacerbated by the criminal justice system. In New York City, like so many other cities in the United States, poverty is criminalized, and the communities most impacted by poverty are also the most affected by over-policing. The phrase “criminalization of poverty” refers to the practice of funneling low-income individuals into the criminal justice system by utilizing legal responses to conditions that are often correlates of poverty, such as homelessness, mental illness, and addiction. The problems created by this practice are then further compounded through the broad use of fines and fees for civil, misdemeanor criminal, and traffic offenses and the jailing of people who fail to pay. The damage that this criminalization has done to the social fabric of communities across New York City has only increased as the responsibilities and power of law enforcement have grown, and problems related to homelessness, citizenship, mental illness, substance abuse, and access to transportation continue to be met with criminal justice responses. Additionally, policies and practices that enable racialized policing to persist, such as the continued disparate use of stop-and-frisk and police activity in certain public schools, have intensified these challenges.

## Current Sentiment among New Yorkers

According to a December 2020 public opinion poll from Robin Hood and Global Strategy Group (GSG), crime and public safety ranked second behind COVID-19 among New Yorkers’ top concerns.<sup>5</sup> Most New Yorkers, across racial and ethnic lines, reported that they “usually feel safe” in their neighborhood (81 percent), though some (17 percent) said they “often do not feel safe.” Additionally, most New Yorkers reported feeling that the NYPD keeps them safe (60 percent), although more than a quarter (26 percent) said the NYPD often makes them feel unsafe. The majority of low-income New Yorkers polled said the police keep them safe (66 percent), as did Latinx<sup>6</sup> New Yorkers (69 percent). Black New Yorkers were more likely than other groups to respond that the police make them feel unsafe but were still more likely to believe the police keep them safe than not (53 percent keep me safe; 32 percent make me feel unsafe).

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4. B. Chapman, “New York City Homicides and Shootings Rose Dramatically in 2020,” Wall Street Journal, January 7, 2021, [www.wsj.com/articles/new-york-city-homicides-and-shootings-rose-dramatically-in-2020-11610055243](https://www.wsj.com/articles/new-york-city-homicides-and-shootings-rose-dramatically-in-2020-11610055243); J. Chaffin, “New Yorkers Fear Return of ‘Bad Old Days’ after Shootings Surge,” Financial Times, July 17, 2020, [www.ft.com/content/a444b43e-ba40-48b5-a064-fa51c591cc32](https://www.ft.com/content/a444b43e-ba40-48b5-a064-fa51c591cc32).

5. Robin Hood commissioned Global Strategy Group (GSG) to conduct a public opinion poll on priorities for New Yorkers. GSG oversampled low-income New Yorkers to ensure the needs of the highest-impacted community were well represented. See “New York City Issues Research Finding,” Global Strategy Group, January 26, 2021, <https://globalstrategygroup.app.box.com/s/wmpmhza15pr3gom7c20qlpx65dom55eq>.

6. The sources consulted for From Crisis to Opportunity: A Policy Agenda for an Equitable NYC used a variety of terms in collecting data about ethnic identity, such as Hispanic, Latino, Latinx, or Spanish origin. Some of the sources collected data using only one of these terms and reported their results under one term, while others collected data using several of the terms, but reported their data using only one term. This project uses Latinx universally in referring to the identities expressed in these data sets.

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Although New Yorkers have generally positive attitudes toward the police, they also support reform and accountability efforts for the NYPD. Reforming policing and curtailing misconduct were top priorities for 56 percent of New Yorkers and a top priority for 61 percent of Black and Latinx New Yorkers. Even a significant portion of New Yorkers with an active duty or retired police officer in their household supported reform (47 percent top priority; 85 percent priority overall).

New Yorkers also support redistributing funds previously set aside for the NYPD to support community programs and services instead. Most believe that investing in community programs has a positive impact on the city's communities (86 percent agree, including 59 percent strongly agree), and most (over 70 percent) agree that the city should divest from the NYPD and use the money to fund community programs.<sup>7</sup>

### Current Policy Context

On March 25, 2021, the New York City Council voted to ratify a series of police and public safety proposals. These policies were in response to the governor's Executive Order 203 (EO 203), which was enacted following the killing of George Floyd, and intended to reform and reinvent each of the municipal police forces within the State of New York. The policies included in New York City's response to EO 203 were organized around five pillars of reform: (1) the decriminalization of poverty; (2) recognition and continual examination of historical and modern-day racialized policing; (3) transparency and accountability; (4) community representation and partnership; and (5) a diverse, resilient, and supported NYPD.

The reform plan submitted by City Hall reflected an important first step in a reform process by facilitating wide-reaching discussions with many segments of the city and identifying problem areas to be addressed. More than eighty-five meetings were held, including public listening sessions, town halls, and roundtable discussions with an array of groups and organizations from communities most impacted by racialized policing and poverty.<sup>8</sup>

However, City Council Resolution 1584-2021 to adopt the plan is only a first step toward broad, comprehensive reform. Additionally, a limited financial commitment has been made in the current administration's FY22 budget to execute the full plan; there has been no formal legislation to ensure that each aspect of the plan will be seen through. The role of the next administration will both involve funding and pursuing the commitments laid out in Resolution 1584-2021 and supplementing it with policies, such as those discussed below, that will ensure all New Yorkers can feel safe and supported in their schools and communities and any experiences with the police are fair, equitable, and supportive.

### Conditions for Success

If the policy recommendations that follow are to be successfully adopted and enacted with maximal impact, a new administration must work with the City Council to put in place additional conditions:

- **Full funding of all initiatives outlined in New York City Council Resolution 1584-2021.** The work of the NYPD's Police Reform and Reinvention Collaborative has laid the initial groundwork for addressing many of

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7. Most agreed that the city should divest from the NYPD and use the money to fund community programs, regardless of whether framing about the importance of effective policing was included: 73 percent agreed that the city should divest from the NYPD and use the money to fund community programs with policing language, and 70 percent when the policing language was not included.

8. Descriptions of the Police Reform and Reinvention Collaborative, and the community engagement process and participants are available at <https://www1.nyc.gov/site/police/police-reform-and-reinvention-collaborative/community-engagement/page>.

the systemic problems in the policing and public safety space, but the full plan requires committed funding.

- **Expansion of the breadth of the Civilian Complaint Review Board (CCRB)’s authority** to investigate allegations of biased policing and profiling and to initiate its own investigations. Broader independent oversight is necessary in order to hold NYPD personnel who have caused harm accountable and ensure that the department works for all New Yorkers.
- **Willingness to divest funds from the NYPD budget and invest in public health, education, opportunity, and community-based initiatives.** Divesting and reinvesting is necessary to switch from a reliance on criminal justice responses and sanctions in addressing problems that stem from conditions of poverty and instead provide much-needed resources to non-carceral approaches.
- **Follow through on the current administration’s pledge to expand the Crisis Management System and youth anti-gun violence programming** through summer 2022.

**TABLE 1. POLICING INITIATIVES OUTLINED IN NEW YORK CITY COUNCIL RESOLUTION 1584-2021**

<b>TRANSPARENCY AND ACCOUNTABILITY</b>
NYPD will ensure that at-risk officers are identified and that swift, appropriate interventions occur.
Hold police officers accountable for misconduct through internal NYPD disciplinary decisions that are transparent, consistent, and fair.
Monitor implementation of the Discipline Matrix and enhance transparency regarding its use.
The David Dinkins Plan: Expand and Strengthen CCRB.
Consolidate and strengthen NYPD oversight by expanding CCRB’s authority to incorporate the powers of NYC’s Department of Investigation Office of the Inspector General for the NYPD and the Commission to Combat Police Corruption.
Support a State law change that would broaden access to sealed records for specified entities, including CCRB, charged with investigating police misconduct, especially biased-policing investigations.
CCRB occupies a critical role in the accountability system, which should be evaluated for potential further expansion to additional NY PD employees.
Support a State Law change to increase the 30-day cap in unpaid suspensions for certain egregious cases of misconduct by police officers.
Support a State law change to create a pension reduction or forfeiture remedy for the most egregious misconduct cases.
Ensure the Special Victims Division is a model for national best practice.
End Qualified Immunity at the local level for police officers.
Create a Citywide policy to strengthen transparency and accountability in the use of biometric technology.
The City will implement public and comprehensive reporting on key police reform metrics
NYPD must improve transparency about personal data that is collected and how it is used, which is critical to earning and maintaining the trust of the community.
Equip NYC Sheriff’s Deputies with Body-Worn Cameras.
Provide more insight into the NYPD’s budget during the FY 2022 Executive Budget by including a more particularized breakdown of the agency’s spending.

<b>COMMUNITY REPRESENTATION AND PARTNERSHIP</b>
Work with communities to implement NYC Joint Force to End Gun Violence.
Expand community-based interventions - double the size of the Cure Violence workforce (triple by summer 2022).
Expand the Community Solutions Program.
Pilot the Advance Peace Model, a new approach to helping youth who are at risk for involvement with gun violence.
Assess and ameliorate the impacts of militarization.
Consistently solicit real-time feedback from members of the community and implement programs that enhance precinct-based customer experiences.
Elevate the feedback of the community through CompStat and Enhanced Neighborhood Policing.
Invest in enhancing productive partnerships with community members and organizations and increasing officers' cultural competence.
Incorporate direct community participation through Precinct Councils in the selection of Precinct Commanders.
Ensure that the composition of NYPD's workforce is reflective of the community it serves at all levels of the organization.
Expand the People's Police Academy to five precincts.
Launch the Neighborhood Policing App and expand training to steady sector officers.
Expand the Precinct Commander's Advisory Councils.
Expand Pop Up with a Cop.
Support and expand the Citizen's Police Academy by doubling participation in the next year.
Expand the Youth Leadership Councils to 18 precincts and 9 PSAs, bringing the total to 85.
Expand the Law Enforcement Explorers Program from 2,200 to 3,000 Explorers with enhanced programming.
Transform public space to improve community safety.
Respect the right to protest and improve policing of this essential civic activity.
Work with the Mayor's Office for People with Disabilities to expand the reach and scope of services provided by the NYPD Disability Services Facilitator.
Improve relationships with NYC's immigrant communities through increasing language access.
Codify and strengthen the Mayor's Office to Prevent Gun Violence.
<b>RECOGNITION AND CONTINUAL EXAMINATION OF THE HISTORICAL AND MODERN-DAY RACIALIZED POLICING IN NEW YORK CITY</b>
The City will create a dedicated process to acknowledge, address, and repair past and present injustices and trauma caused by the practice of racialized policing.
Participate in a comprehensive, independent review to identify and assess persistent structures of racism within the Department.
The City will require reporting on traffic stops.
Require supervisors to proactively monitor discretionary officer activity for indications of biased-based policing and take corrective measures immediately.
Augment racial bias training for NYPD leadership.
Eliminate the use of unnecessary force by changing culture through policy, training, accountability, and transparency.
Educate NYPD leadership and NCOs on restorative justice processes, and design processes to repair relationships with communities.
Train all officers on Active Bystandership in Law Enforcement (ABLE).
Enhance positive reinforcement, formally and informally, to change culture ("Shout Out a Co-Worker").
Consistently assess and improve practices and policies through accreditation (CALEA).

<b>THE DECRIMINALIZATION OF POVERTY</b>
Systematically examine and end policies that lead to over-policing lower-income and people of color communities, perpetuating the cycle of impoverishment and incarceration.
The City will expand SYEP by adding 5,000 new spots this summer for CUNY Students.
Prioritize principles of budget justice and provide key services to support low-income individuals, families, and communities, and reduce the likelihood of justice involvement.
Prioritize the health and wellbeing of youth while minimizing potential exposure to trauma in City schools through the investment in human resources and trauma-informed practices, moving school safety agents from NYPD to the Department of Education and retraining them, and revising policies that govern school safety.
Develop a health-centered response to mental health crises.
The City supports adopting important new public health approaches to reducing overdoses.
Pursue new approaches to safety, outreach, and regulation through civilian agencies.
Establish a crash investigation and analysis unit within the Department of Transportation.
Consolidate the coordination of all crime victim service programs into one agency to better support crime victims.
Improve support for victims of domestic, gender-based and family violence through access to critical resources and customized training for officers.
Develop more responsive and consistent approaches to helping survivors of domestic, family and gender-based violence.
The City will develop new policies and approaches to combatting sex trafficking which focus on the traffickers and do not entangle victims or those selling sex in the criminal justice system.
The City will enhance community-based approaches to combatting bias and hate crimes.
Create a pilot program to assist families with children at risk of homelessness earlier in the housing instability spectrum before their housing situation reaches a crisis point.
<b>THE DECRIMINALIZATION OF POVERTY</b>
Make residence in NYC a more significant factor in hiring police officers.
Examine barriers to recruitment.
Recruit officers who reflect the communities they serve by examining the impact of the qualification process on the diversity of recruits (including minor criminal convictions or violations and the college credit requirement).
Reform the discretionary promotions process to center on transparency and fairness.
Build a culture that encourages use of coping tools through the Critical Incident Stress Management Program.
Support professional development through the Commander's Course and leadership development programs.
Commit to an updated Patrol Guide that is more user friendly, less complex for officers, and transparent to the public.

## Policy Response

### 1. Address the Criminalization of Poverty through Budget Justice

In New York City, poverty is criminalized, and justice involvement worsens poverty. This creates an inescapable cycle of disadvantage that requires a coordinated response to analyze and interrupt.<sup>9</sup> Low-income New Yorkers of color face systemic, intersecting disadvantages that increase the likelihood of their involvement in the criminal justice system, which in turn, worsens the poverty they experience.

FPWA recently reported that the five community districts in New York City with the highest poverty rates were all among the ten community districts with the highest jail incarceration rates; they also reported that communities

9. "Ending the Poverty to Prison Pipeline," FPWA, April 2019, <https://www.fpwa.org/wp-content/uploads/2019/04/FPWAs-Ending-the-Poverty-to-Prison-Pipeline-Report-2019-FINAL.pdf>.

with high jail incarceration rates experienced high rates of school absences, unemployment, and psychiatric hospitalizations.<sup>10</sup> Furthermore, research from the Brennan Center for Justice shows that imprisonment and even a minor conviction record can translate into diminished economic opportunity and deepening racial and economic inequality. They found that time in prison can reduce someone’s lifetime earning potential by more than half—or nearly half a million dollars; even a misdemeanor conviction can translate to a 16 percent drop in lifetime earnings.<sup>11</sup>

**TABLE 2. LOST EARNING POTENTIAL DUE TO INVOLVEMENT IN THE CRIMINAL JUSTICE SYSTEM, 2017**

	Number of people	Annual Average Earning Loss	Annual Lifetime Earning Loss	Aggregate Annual Earning Loss
<b>Formerly imprisoned people</b>	<b>7.7 million</b>	<b>52%</b>	<b>\$484,400</b>	<b>\$55.2 billion</b>
White	2.7 million	–	\$267,000	–
Black	2.7 million	–	\$358,900	–
Latinx	2.7 million	–	\$511,500	–
<b>People convicted but not imprisoned</b>			<b>\$98,800*</b>	
Felonies	12.1 million	22%	–	\$77.1 billion
Misdemeanors	46.8 million	16%	–	\$240.0 billion
<b>Total</b>				<b>\$372.3 billion</b>

*Source:* T-A Craigie, et al., “Conviction, Imprisonment, and Lost Earnings: How Involvement with the Criminal Justice System Deepens Inequality,” Brennan Center for Justice, September 15, 2020, <https://www.brennancenter.org/our-work/research-reports/conviction-imprisonment-and-lost-earnings-how-involvement-criminal>.

Problems as systemic and entrenched as the interconnectedness of the criminal justice system and poverty will not be remedied quickly or easily. Resolution 1584-2021 included numerous reform plans for beginning to address the criminalization of poverty in New York City, including:

- *The City will systematically examine and end policies that lead to over-policing lower-income and people of color communities, perpetuating the cycle of impoverishment and incarceration. These assessments will focus on disparities in enforcement, as well as the disparate impact these policies have on these communities.*
- *Starting June 1, 2021, the City will create an Ending Poverty to Prison Pipeline initiative to prevent and reduce justice system contact and connect low-income and justice-involved clients and their families with streamlined services.*

10. Ibid.

11. T. A. Craigie et al., “Conviction, Imprisonment, and Lost Earnings: How Involvement with the Criminal Justice System Deepens Inequality,” Brennan Center for Justice, 2020, [https://www.brennancenter.org/sites/default/files/2020-09/EconomicImpactReport\\_.pdf](https://www.brennancenter.org/sites/default/files/2020-09/EconomicImpactReport_.pdf).

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- *The City will standardize service entry-points to develop a “no wrong door” approach. Currently, many health and human services are specialized and siloed, requiring that clients seek out services at multiple agencies to address the full extent of their needs. This process is made worse by time consuming, redundant, and stressful intake practices and conditions that discourage client engagement and a lack of cross-agency collaboration and communication.*
  - *The City will build a trauma-informed health and human services sector to prevent justice system contact due to trauma-related mental health and/or substance use issues, support mental and long-term physical health outcomes, and address trauma experienced by low-income and justice-involved individuals and families.*

The plan included many other recommendations centered on the criminalization of poverty in addition to those listed above. However, there has yet to be an accompanying budget or financial or legislative commitment to back up the full scope of this work.<sup>12</sup> It is imperative that the incoming mayoral administration ensure that this work be fully implemented and receive sufficient funding and support.

In addition to the majority of individuals in the Robin Hood/GSG poll who agreed that the city should divest from the NYPD and use the money to fund community programs, advocates across the city have also been calling for “budget justice;” which includes investing in social services, programs, and infrastructure in low-income communities and communities of color. Many see divestment from the NYPD budget as a potential source of funding for this work.<sup>13</sup>

Conversations with New Yorkers as part of the Police Reform and Reinvention Collaborative further reinforce the need to invest in work that decriminalizes poverty and moves away from criminal justice responses to social problems. For example, during listening sessions, feedback included:

- *Police won’t cure poverty. What can we give to the community outside of policing? How can we build the community up outside of policing? What does this community need? If they got it, do you think the crime rate would go down? I think I would start the conversation with a question, “What do they need?” or “Why is this happening?” Understanding the root before curing the branches.*
- *If a person is afforded opportunities, educational, health care, financial, nutritional, then it is more likely they are going to succeed, however you define success.*
- *Communities that are well resourced don’t have as many police, but it’s because they have resources and don’t need them.*

A plan to begin to address the intersection of racialized policing, poverty, and the criminal justice system in New York City has already been drafted and approved by the City Council. Now, it is only with a new mayor’s support, prioritization, and financial commitment to the policies proposed that long overdue comprehensive, lasting, and systemic change can occur.

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12. While some of the specific initiatives were clearly allocated funding in the FY22 budget, the financial support for others remains uncertain. Further, according to the public-facing “NYC Reform and Reinvention Collaborative Initiative Tracker,” as of July 6, 2021 many of these initiatives are in the planning phase and/or pending approval of a proposed approach. Tracker data available for download at <https://www1.nyc.gov/assets/police-reform/downloads/PUBLIC-NYPD-Reform-EO203-Tracker-7-6-21.pdf>

13. “NYC Budget Justice,” Communities United for Police Reform, July 1, 2020. [www.changethenypd.org/nycbudgetjustice](http://www.changethenypd.org/nycbudgetjustice).



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## 2. End Racial Disparities in Police Stops

Despite a substantial decrease in the use of stop-and-frisks over the past decade and an ongoing monitorship that arose out of the *Floyd v. City of New York* case, where a federal judge ruled that stop-and-frisk practices violated the constitutional rights of minorities in the city, there remain persistent racial disparities in who is targeted by discretionary police stops.<sup>14</sup> While neighborhoods with higher rates of poverty typically experience more aggressive policing, the Robin Hood Poverty Tracker found that police are nevertheless more likely to stop Black New Yorkers living in lower-poverty neighborhoods than white or Latinx New Yorkers living in higher-poverty neighborhoods.<sup>15</sup>

Robin Hood's Poverty Tracker data show that over a period of approximately four years, using data collected from 2015 to 2020, police stopped one third of all Black New Yorkers or their household members. Whereas official stops data reported by the NYPD rely on the accurate documentation and disclosure of officers, data from the Poverty Tracker capture the often-overlooked community perspective of stops and include interactions that would not necessarily be captured in police statistics. The Poverty Tracker data indicated that police were more likely to stop Black New Yorkers or members of their household (17 percent), compared to white New Yorkers (10 percent), when compared over a one-year period. Furthermore, Black New Yorkers were nearly as likely to report multiple stops within their household as white New Yorkers were to report any stop, over a four-year period.<sup>16</sup>

Additionally, despite the reforms associated with the *Floyd* case, multiple surveys of individuals living in heavily policed, high-crime neighborhoods in the city have found youth who have been stopped multiple times over very short periods.<sup>17</sup> Many New Yorkers who participated in the Police Reform and Reinvention Collaborative process reported continuing to feel the effects of stop-and-frisk and over-policing in their communities.

- *We still see stop and frisk to this day. We still see targeted policing in vehicular stops.*
- *When I walk through a deserted South Shore neighborhood at night and see an officer, I feel safe. When one of my Latinx employees does that, she's asked where she's going.*

Reducing the number of unnecessary police encounters may have measurable impacts on the physical and mental health of the New Yorkers most frequently targeted by discretionary stops. Research conducted in New York City has found police stops to be associated with trauma and anxiety.<sup>18</sup> Additionally, and further reiterating the intersection of poverty and the criminal justice system, living in a neighborhood with higher levels of police stops is associated with poor physical health outcomes and the potential to build substantial debt through the accumulation of small tickets or fines.<sup>19</sup>

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14. *Floyd, et al. v. City of New York, et al.*, 959 F. Supp. 2d 540 (S.D.N.Y. 2013)

15. M. Maury, et al. "Spotlight on Policing: Despite the End of Stop-and-Frisk, Black New Yorkers Continue to be Over-Policed," Robin Hood Foundation and the Center for Poverty and Social Policy, Columbia University Population Research Center, November 2020, <https://www.robinhood.org/poverty-tracker/Policing.pdf>.

16-. Figures presented reflect four years of data, in an update to those originally presented in *ibid*.

17. K. Turney and S. Wakefield, "Criminal Justice Contact and Inequality," *RSF: The Russell Sage Foundation Journal of the Social Sciences* 5, no. 1 (2019): 1–23.

18. A. Geller, et al., "Aggressive Policing and the Mental Health of Young Urban Men," *American Journal of Public Health* 104, no. 12 (2014): 2321–27; K. Turney and S. Wakefield, "Criminal Justice Contact and Inequality," *RSF: The Russell Sage Foundation Journal of the Social Sciences* 5, no. 1 (2019): 1–23.

19. A. Sewell and K. Jefferson, "Collateral Damage: The Health Effects of Invasive Police Encounters in New York City," *Journal of Urban Health* 93, suppl. 1 (2016): 42–67; A. Sewell, et al., "Living Under Surveillance: Gender, Psychological Distress, and Stop-Question-and Frisk Policing in New York City," *Social Science and Medicine* 159, no. 6 (2016): 1–13; K. Turney and S. Wakefield, "Criminal Justice Contact and Inequality," *RSF: The Russell Sage Foundation Journal of the Social Sciences* 5, no. 1 (2019): 1–23.

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To address over-policing, disparate stops, and subsequent trauma caused to New Yorkers, particularly New

**73% of New Yorkers and 75% of low-income New Yorkers support examining New York City's current policy on police stops to reduce the over-policing of people of color.**

Yorkers of color, the new mayor should ensure that the NYPD reduces unnecessary police encounters. This includes reducing the practice of discretionary stop and frisk searches conducted on the basis of “reasonable suspicion,” while also monitoring and addressing racial and ethnic disparities in enforcement at the precinct level.<sup>20</sup>

City Hall can track the data and ensure this is enforced.

The incoming mayor should work with the police commissioner to ensure that the NYPD collects and publishes monthly audits of discretionary stop practices within each precinct, to determine if “reasonable suspicion” standards are being applied appropriately and whether people of color are being disproportionately targeted. External checks, such as randomized audits of body-worn camera footage and stop reports, should be established to ensure stops are accurately and consistently reported. Disparities in stop and frisk activity by race and ethnicity that are greater than 5 percent from the expected value should be investigated, and findings should be presented to a predetermined oversight entity, such as the Civilian Complaint Review Board (CCRB), and made publicly available in a format that can be consumed by a layperson.

Additionally, the new mayor should consider prohibiting the use of consent searches by law enforcement in New York City. Consent searches do not require a warrant, probable cause, or reasonable suspicion; instead, a subject voluntarily waives their Fourth Amendment rights, thereby allowing a police officer to perform the search. Data indicate that residents almost always consent to searches (96 percent in Q4 2020), and those who are subject to consent searches are disproportionately people of color (90 percent people of color in Q4 2020).<sup>22</sup> It has been suggested elsewhere that residents in over-policed communities are unlikely to feel that they actually have a choice not to consent to these searches.<sup>22</sup> Other jurisdictions, including Washington, D.C., are currently discussing whether to prohibit these searches altogether.<sup>23</sup>

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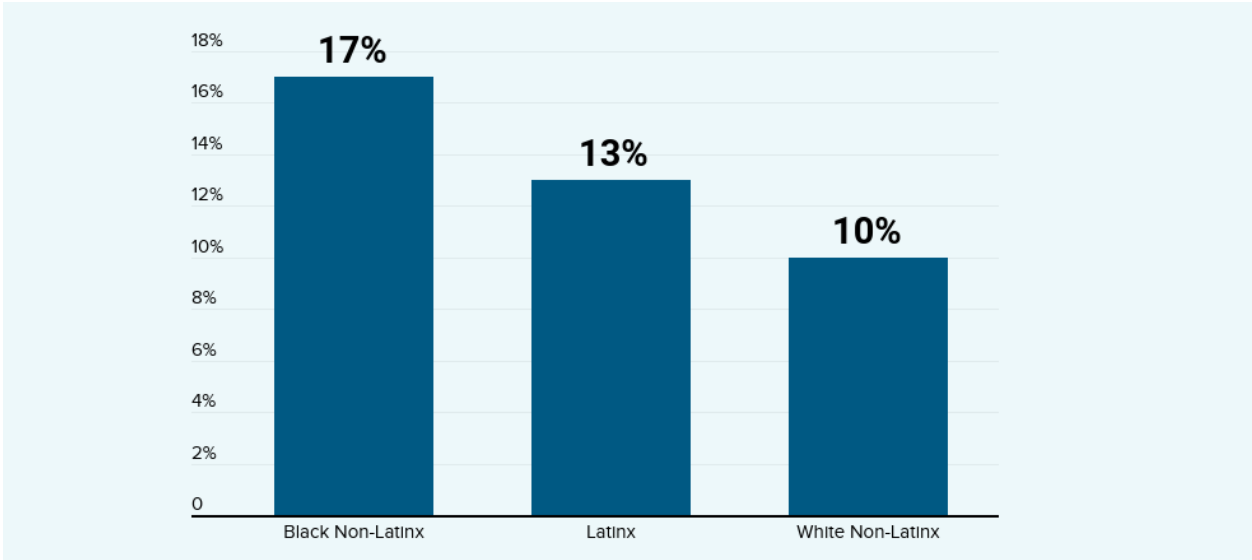
20. While the NYPD Monitor currently reviews some of this information, such as through audits completed by RAND, this information is not at the precinct level, where corrective action could occur, nor is it easily consumable by the public. See for example, Peter L. Zimroth, NYPD Monitor, Letter to the Honorable Analisa Torres, January 7, 2020, <http://nypdmonitor.org/wp-content/uploads/2020/01/monitors-corrected-tenth-report.pdf>.

21. NYPD consent search data is available for download on the NYPD website, <https://www1.nyc.gov/site/nypd/stats/reports-analysis/consent-to-search.page>.

22. For example, research indicates that people comply with searches for social rather than informational reasons; while individuals stopped may be instructed that they have the right to refuse a search, the social context and authority of the police creates pressure to comply. See R. Sommers and V. Bohns, “The Voluntariness of Voluntary Consent: Consent Searches and the Psychology of Compliance,” *Yale Law Journal* 128, no. 7 (2019): 1962–2033, [https://www.yalelawjournal.org/pdf/SommersBohns\\_w4cmjkwe.pdf](https://www.yalelawjournal.org/pdf/SommersBohns_w4cmjkwe.pdf).

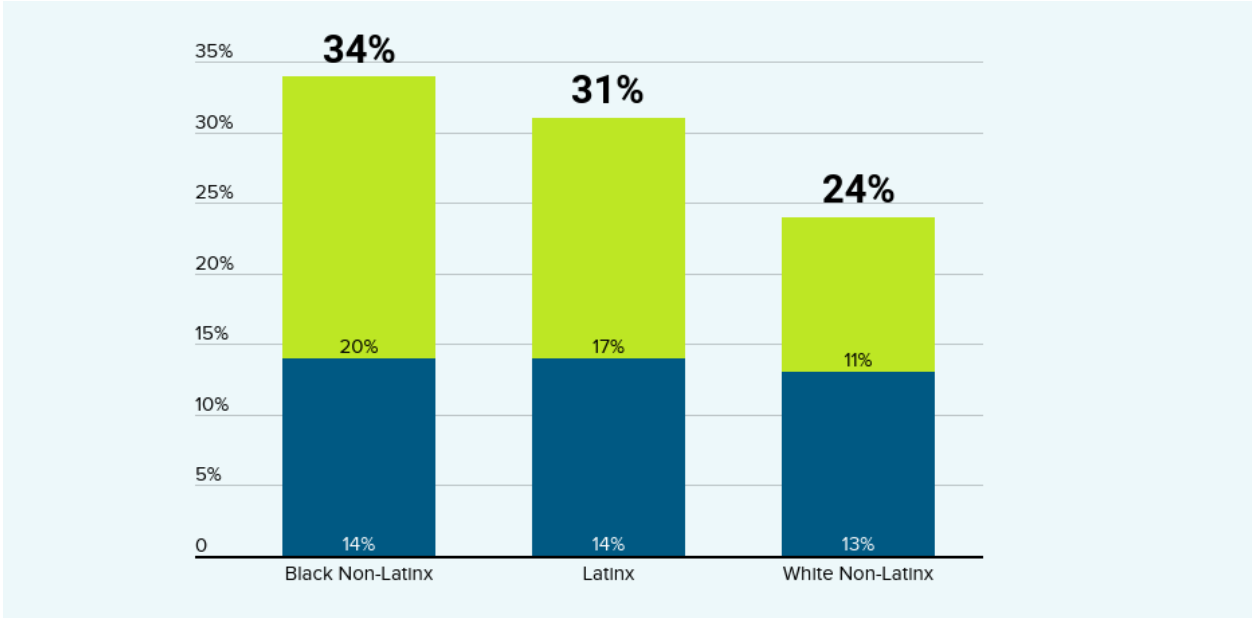
23. The recommendation included in the DC Police Reform Commission Report states: “The Council should modify Section 110 of Act 23-336 (“Limitations on Consent Searches”) by prohibiting all consent searches—warrantless searches permitted based solely on the consent of the individual whose person or property is searched—and, in criminal cases, should require the exclusion of any evidence obtained from a consent search.” See “Decentering Police to Improve Public Safety: A Report of the DC Police Reform Commission,” DC Police Reform Commission, April 1, 2021, [dcpolicereform.com/](https://dcpolicereform.com/).

FIGURE 1. PERCENTAGE OF HOUSEHOLDS WITH A MEMBER STOPPED BY POLICE, BY RACE, 2016–19



Source: Robin Hood Poverty Tracker Stop Data

FIGURE 2. PERCENTAGE OF HOUSEHOLDS WITH A MEMBER STOPPED BY POLICE, BY RACE AND FREQUENCY, 2016–19



Source: Robin Hood Poverty Tracker Stop Data

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### 3. Remove Police from New York City Schools

The presence of police officers in public schools disproportionately affects low-income communities of color and contributes to not only the criminalization of poverty but also the school-to-prison pipeline. The city's current commitment to supposedly reduce the police budget and eliminate the NYPD from schools simply transfers supervision of the over 5,000 school safety agents from the NYPD to the city's Department of Education (DOE). This does not reflect a real divestment from the school safety division, a meaningful commitment to change the culture in schools, or a reallocation of funds to additional social resources and supports needed in many of these schools.<sup>24</sup>

In New York City, NYPD school safety agents outnumber school social workers at a rate of nearly 4:1.<sup>25</sup> According to recent testimony from Advocates for Children, “before schools closed last year due to COVID-19, the NYPD—and not clinically trained mental health professionals—had already intervened in more than 2,250 incidents involving students in emotional crisis, handcuffing some as young as 5 years old. Of the students handcuffed, 58 percent were Black” although only about a quarter of New York City students are Black.<sup>26</sup> The New York City FY22 Executive Budget supports an additional 350 social workers, including the restoration of 60 Single Shepard social workers, on top of an additional 150 in the Preliminary Budget and funding for 27 more Community Schools.<sup>27</sup> It is imperative that a new administration see that these commitments are enacted and maintained, as well as provide additional support for students' social, emotional, and mental health (as outlined in the Education section in this project).

Research has also demonstrated that the presence of police in schools not only displaces resources that might better address the social and emotional challenges experienced by many students but also can be harmful for students. For example, a recent study of youth found that being stopped at school was associated with more emotional distress during and after the stop and with more social stigma, and post-traumatic stress disorder, relative to being stopped on the street—which was also disruptive.<sup>28</sup>

To address the needs of New York City's youth, particularly in low-income and minority communities, a new administration must follow through on the commitment to remove the NYPD from public schools. Rather than simply transferring supervision of the same roles to DOE, the school safety program should be reconceptualized, with the money instead being invested in providing sufficient resources to support students' social, emotional, and behavioral needs. This may include:

To address the needs of New York City's youth, particularly in low-income and minority communities, a new administration must follow through on the commitment to remove the NYPD from public schools. Rather than

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24. The FY22 budget increases the total School Safety budget by \$19 million over FY21, though the relative increase is largely the result of FY21 overtime reductions. The budget includes funding for all 5,322 civilian and 189 uniform full time salaried school safety agents in the NYPD budget, the same number of total positions that were in the FY21 budget. “Report of the Finance Division on the Fiscal 2022 Preliminary Budget and the Fiscal 2021 Preliminary Mayor's Management Report for the New York Police Department,” Council of the City of New York, March 16, 2021, <https://council.nyc.gov/budget/wp-content/uploads/sites/54/2021/03/056-NYPD.pdf>

25. D. Yuster, “Testimony to Be Delivered to the New York City Council Committee on Education,” Advocates for Children of New York, February 18, 2021, [www.advocatesforchildren.org/sites/default/files/on\\_page/NP\\_testimony\\_school\\_safety\\_bills\\_021821.pdf?pt=1](http://www.advocatesforchildren.org/sites/default/files/on_page/NP_testimony_school_safety_bills_021821.pdf?pt=1).

26. *Ibid.*

27. “The City of New York Executive Budget Fiscal Year 2022: Message of the Mayor,” Mayor's Office of Management and Budget, April 26, 2021, [www1.nyc.gov/assets/omb/downloads/pdf/mm4-21.pdf](http://www1.nyc.gov/assets/omb/downloads/pdf/mm4-21.pdf); “Report of the Finance Division on the Fiscal 2022 Preliminary Budget and the Fiscal 2021 Preliminary Mayor's Management Report for the Department of Education” <https://council.nyc.gov/budget/wp-content/uploads/sites/54/2021/03/DOE-Expense-.pdf>.

28. . D. Jackson et al., “Police Stops Among At-Risk Youth: Repercussions for Mental Health,” *Journal of Adolescent Health*, 65 (2019): 627.

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simply transferring supervision of the same roles to DOE, the school safety program should be reconceptualized, with the money instead being invested in providing sufficient resources to support students' social, emotional, and behavioral needs. This may include:

- Replacing the school safety agent system with a holistic, trauma-informed public health approach to school safety and crisis intervention.
- Investing in staff trained and coached in providing direct services, such as: social workers, behavior specialists, trauma-informed de-escalation staff, conflict resolution specialists, peacemakers, and school climate and restorative justice staff.

The school safety budget exceeds \$300 million annually, with funding provided to the NYPD likely through at least the next fiscal year. Other cities, such as Washington, D.C., have also explored the potential to dismantle the school policing infrastructure, with the D.C. Police Reform Commission recommending “eliminating MPD’s school safety division and replacing it with supportive and restorative staff, programs, and resources” as a course of action.<sup>29</sup> Numerous other jurisdictions around the country have also committed to similar withdrawals in the past year.<sup>30</sup>

With the ratification of Resolution 1584-2021, New York City has committed to investing at least \$30 million to “ensure every school can effectively support students’ social emotional and behavioral needs with a trauma informed approach.” The new administration must prioritize, follow through on, and fully fund these commitments to remove police from schools and engage in a supportive, trauma-informed approach in its place.

#### 4. Ensure Accountability for Racialized and Biased Policing

The NYPD’s accountability mechanisms, such as the Civilian Complaint Review Board (CCRB), have been hamstrung by the police commissioner’s boundless discretion.<sup>31</sup> Between January 2014 and May 2020, only one CCRB investigation resulted in the termination of an officer—among hundreds of total case closures—and concurrence rates between the disciplinary actions recommended by the CCRB and those imposed by the police commissioner remain low: In 2019, for cases in which the CCRB recommended “Command Discipline, Formalized Training, or Instructions,” the police commissioner concurred just 51 percent of the time; when the CCRB recommended charges and specifications and the officer was prosecuted by the Administrative Prosecution Unit, the concurrence rate was less than one third (32 percent).<sup>32</sup> Concern about these low rates, the non-binding nature of the recently implemented

**80% of New Yorkers and 81% of low-income New Yorkers support creating and maintaining a registry of police officers who have been disciplined for misconduct to be made publicly available to all New Yorkers.**

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29. “Decentering Police to Improve Public Safety: A Report of the DC Police Reform Commission,” DC Police Reform Commission, April 1, 2021, [dcpolicereform.com/](https://dcpolicereform.com/).

30. Chavez, N. “A Movement to Push Police out of Schools Is Growing Nationwide. Here Is Why.” CNN, June 28, 2020, [www.cnn.com/2020/06/28/us/police-out-of-schools-movement/index.html](https://www.cnn.com/2020/06/28/us/police-out-of-schools-movement/index.html).

31. M. Simon, et al., “What It Looks Like When the New York City Police Commissioner Has ‘Unchecked Power’ Over Officer Discipline,” ProPublica, December 11, 2020, <https://projects.propublica.org/nypd-unchecked-power/>; E. Umansky and M. Simon, “The NYPD Is Withholding Evidence From Investigations Into Police Abuse,” ProPublica, August 17, 2020, [www.propublica.org/article/the-nypd-is-withholding-evidence-from-investigations-into-police-abuse](https://www.propublica.org/article/the-nypd-is-withholding-evidence-from-investigations-into-police-abuse).

32. See “Civilian Complaint Review Board Annual Report: 2019,” Civilian Complaint Review Board, 2019, [https://www1.nyc.gov/assets/ccrb/downloads/pdf/policy\\_pdf/annual\\_bi-annual/2019CCRB\\_AnnualReport.pdf](https://www1.nyc.gov/assets/ccrb/downloads/pdf/policy_pdf/annual_bi-annual/2019CCRB_AnnualReport.pdf).

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disciplinary matrix (which provides guidelines on presumptive penalties for police misconduct), and local, national, and global calls for increased police accountability have led to new and revived calls for checks on the commissioner’s final disciplinary authority.<sup>33</sup>

The reforms included in Resolution 1584-2021, as part of the Police Reform and Reinvention Collaborative Plan, include that “NYPD will make public ‘deviation letters’ that set out the police commissioner’s specific rationale for exercising his discretion to deviate from guidelines set by the new disciplinary matrix,” but the commissioner still retains the ability to deviate as he sees fit under §434 of the New York City Charter and §14-115 of the N.Y.C. Administrative Code. Additionally, the reform plan included Intro.2212 to give the CCRB authority to investigate allegations of biased policing and profiling and a commitment to proposing legislation to increase the CCRB’s authority to initiate investigations on its own.

Many New Yorkers who participated in the Police Reform and Reinvention Collaborative process discussed the continued need for stronger and more transparent accountability measures.

- *We need more than just a website with details, we need to let the community know that you’ll publicly make sure that wrongs are being dealt with.*
- *You continue to hear about accountability, transparency, and trust. The chief says that officers were disciplined. The public has no visibility into it, and so trust is not restored.*
- *CCRB has little to no power—the Mayor has put some power back. But even the way that CCRB membership comes about is suspect. It needs the people who have day to day encounters with the NYPD—CCRB as it stands should be changed to encompass real New Yorkers.*

To address the problems of accountability within the NYPD and ensure that when harm is caused by police, it is appropriately addressed, the new administration should proactively support a New York City Charter amendment to remove the police commissioner’s final authority over discipline and undertake the following reforms:

- Giving final disciplinary authority to the CCRB for all complaints within its jurisdiction.
- Expanding the jurisdiction of the CCRB to include complaints against nonuniform members of service, including school safety agents, traffic enforcement agents, civilian employees, and volunteer auxiliary police.
- Inclusion of at least one individual from New York City with a criminal justice history on the CCRB.
- Removal of NYPD disciplinary trials—which are governed by Title 38, Chapter 15 of the Rules of the City of New York and §14-115 of the Administrative Code of the City of New York—from NYPD jurisdiction, to the Office of Administrative Trials and Hearings (OATH).
- Automatic checks on the disciplinary system such that if more than 5 percent of penalties imposed deviate from the presumptive penalty range prescribed in the NYPD disciplinary matrix, a review of the matrix is triggered.

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33. M. Simon and E. Umansky, “Calls Increase for NYPD Commissioner to Be Stripped of Absolute Authority Over Officer Discipline,” ProPublica, December 22, 2020, [www.propublica.org/article/calls-increase-for-nypd-commissioner-to-be-stripped-of-absolute-authority-over-officer-discipline](http://www.propublica.org/article/calls-increase-for-nypd-commissioner-to-be-stripped-of-absolute-authority-over-officer-discipline).

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Many of these reforms have been advocated for by organizations, such as the Fortune Society, and collaboratives, such as REFORM NYPD NOW, which includes the Association to Benefit Children, BRC, Center for Employment Opportunities, Children's Aid Society, East Harlem Scholars Academy, Fortune Society, Goddard Riverside, Good Shepherd Services, Grand Street Settlement, LSA Family Health Service, New Settlement Apartments, Queens Community House, Stanley M. Isaacs Neighborhood Center, Sunnyside Community Services, and Women in Need (Win), among others.<sup>34</sup>

By enhancing accountability structures within the NYPD and for individual officers, the low-income communities and communities of color that are disproportionately subjected to over-policing and aggressive policing can be better served. Further, by enforcing swift and consistent discipline that is harm-centered and communicated to the public, trust and public safety can both improve.

## 5. Address Violence through Community-Centered Initiatives

Since 2020, New York City has seen a steep rise in gun violence after having experienced its lowest levels of violent crime in over six decades.<sup>35</sup> As of the second weekend in May 2021, there were over 500 shooting victims in New York City, reflecting a higher toll at that point than in any of the past ten years. Criminologists have speculated that this trend will not simply abate when the city fully reopens, due to the numerous theorized causes behind the violence, including the disproportionate economic strain, death toll, and job disruption of the pandemic in communities already struggling with gun violence and the challenge of disrupting the cycle of retaliation from individual shootings.<sup>36</sup>

It will be critical for the incoming mayoral administration to have a clear plan for how to address violence in the city and, based on input from impacted individuals during the Police Reform and Reinvention Collaborative, a willingness to invest in community-based programming and resources and street-level outreach rather than relying solely on increases in policing. Said differently, the current circumstances should not be seen as justification for further expansion of the NYPD budget but as a reason to make long-term investments in the most-impacted communities, to interrupt current cycles of violence, and reduce the likelihood of upswings in the future.

Community-based programming is well suited to address the current parallel issues of low trust in the police and entrenched problems of violence. For one, community-based organizations are more likely to understand the problems, culture, and nuances of particular areas and be better positioned to respond to many of the issues that occur. Targeted investment by the city can help communities build agency and support the development of local leadership and coordination by fostering relationships and community participation and building the local infrastructure.<sup>37</sup> Lastly, scholarly research has found evidence to indicate that the expansion of local nonprofit organizations had a measurable effect in reducing violence in major cities during the previous crime decline (1990s to 2010s).<sup>38</sup>

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34. "REFORM NYPD NOW," Union Settlement, <https://unionsettlement.org/reformnypdnow/>.

35. T. Closson, "The Spike in Shootings During the Pandemic May Outlast the Virus," *New York Times*, May 14, 2021, [www.nytimes.com/2021/05/14/nyregion/shootings-nyc-covid.html](https://www.nytimes.com/2021/05/14/nyregion/shootings-nyc-covid.html).

36. *Ibid.*

37. L. Sakala, et al., "Public Investment in Community-Driven Safety Initiatives: Landscape Study and Key Considerations," Urban Institute, November 2018, [https://www.urban.org/sites/default/files/publication/99262/public\\_investment\\_in\\_community-driven\\_safety\\_initiatives\\_1.pdf](https://www.urban.org/sites/default/files/publication/99262/public_investment_in_community-driven_safety_initiatives_1.pdf).

38. P. Sharkey, et al., "Community and the crime decline: The causal effect of local nonprofits on violent crime decline," *American Sociological Review* 82, no. 6 (2017): 1240.

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One model that New York City is already using successfully is The Crisis Management System (CMS), an evidence-based approach to reducing and interrupting gun violence and strengthening neighborhood safety that has been effectively implemented in numerous areas within the city. Within CMS is programming based on the Cure Violence model, which aims to interrupt violence using public health approaches, such as detecting and interrupting conflicts, identifying and treating those at highest risk, and changing social norms.<sup>39</sup> A 2017 assessment of Cure Violence in the South Bronx and East New York, Brooklyn reported a 37–50 percent reduction in gun injuries in two communities and a 63 percent reduction in shootings in one community.<sup>40</sup> Further, a 2015 study found an 18 percent reduction in killings across thirteen New York City Cure Violence sites, while control sites experienced a 69 percent increase during the same time period.<sup>41</sup>

To address the ongoing problem of gun violence through a community-centered approach, the new administration should fully implement and follow through on the city’s current commitments to expand CMS. This includes the current administration’s June 2020 pledge to grow the program, as well as the commitments within Resolution 1584-2021, which include:

- *The City will deepen its commitment to interrupting violence through expanded community-based interventions.*
- *The NYPD will expand the Community Solutions Program.*
- *The City will pilot the Advance Peace Model, a new approach to helping youth who are at risk for involvement with gun violence*

Within these reforms, the city stated that it would “triple the workforce from today’s figures by Summer 2022, which means the City will provide at least \$25 million in funding each year. This funding will also support increased money for the Anti-Gun Violence Youth Employment Program.”<sup>42</sup> This pledge will ultimately fall to the incoming administration to see through.

Additionally, the city must also address the chronic problem of violence by fundamentally shifting how it approaches public safety in communities. Rather than predominantly relying on police to react to issues of violence and then the carceral responses that follow, the new administration should be investing in long-term strategies that prevent engagement in crime and violence across lifetimes. For example, a continued investment and commitment to programs such as the Nurse–Family Partnership, which has over forty years of evaluations indicating significant, lasting benefits for children, including an 80 percent lower rate of being convicted of a crime for program participants, compared to individuals who did not receive the intervention, as well as lower behavioral problems and substance use and higher academic achievement, reflect the promise of cost-effective, preventive approaches.<sup>43</sup>

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39. “Violence: A Health Issue,” NYC Health, [www1.nyc.gov/site/doh/health/neighborhood-health/anti-violence.page](http://www1.nyc.gov/site/doh/health/neighborhood-health/anti-violence.page).

40. S. Delgado et al., “The Effects of Cure Violence Programs in the South Bronx and East New York, Brooklyn,” John Jay Research and Evaluation Center, John Jay College of Criminal Justice, October 10, 2017, [johnjayrec.nyc/2017/10/02/cvinsobronxeastny/](http://johnjayrec.nyc/2017/10/02/cvinsobronxeastny/).

41. J. Butts et al., “Effectiveness of the Cure Model in New York City,” John Jay Research and Evaluation Center, John Jay College of Criminal Justice, January 16, 2015, [johnjayrec.nyc/2015/01/16/researchbrief201501/](http://johnjayrec.nyc/2015/01/16/researchbrief201501/).

42. “Resolution 1584-2021: Adopting a plan pursuant to State Executive Order Number 203,” New York City Council, March 25, 2021, <https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=4890502&GUID=2CB9D744-6371-434F-8331-4A923FF529AB&Options=ID|Text|Search=police>.

43. “Nurse–Family Partnership Literature Review,” NYC Health, [www1.nyc.gov/assets/doh/downloads/pdf/ms/nfp-literature-review.pdf](http://www1.nyc.gov/assets/doh/downloads/pdf/ms/nfp-literature-review.pdf).



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Together, programs that respond to and interrupt patterns of violence, such as Cure Violence and school-based restorative justice programming, and preventive interventions that invest in long term outcomes can increase safety and reduce violence in the near and long term through community-centered approaches and a reduction in traditional police responses and the carceral system.

**Acknowledgments:**

The authors would like to acknowledge the work of Arva Rice (NY Urban League), Jennifer Jones Austin (FPWA), Emily Miles (FPWA), and Donovan Williams (FPWA) in developing many of the policies proposed by the NYPD Reform and Reinvention Collaborative. Their insights and recommendations during that process helped to inform many of the ideas presented here, and we are thankful for their contributions.

## Appendix: Policing Initiatives Outlined in New York City Council Resolution 1584-2021

 <b>Police Reform and Reinvention Collaborative</b> <span style="font-size: 2em; font-weight: bold; color: #0070C0;">INITIATIVE TRACKER</span>			
ID	Initiative [PUBLIC]	Status [PUBLIC]	Progress to Date [PUBLIC]
<b>Transparency and Accountability</b>			
*	NYPD will ensure that at-risk officers are identified and that swift, appropriate interventions occur.		
1	Build upon the Early Intervention Program and commit to a continuous review to identify at-risk officers.	Complete	NYPD's Early Intervention Committee has been established and convenes monthly to assess officers and implement remedial action for those who have hit enumerated performance thresholds.
2	Design new interventions, including amplified re-training and senior leader mentorship programs, to reduce risk to the public, the officer, and the Department.	In progress	Additional thresholds are being added and the system further developed. Incremental enhancements will be added throughout the year. Further development of internal databases and more sophisticated and robust analytics will be rolled out in fiscal year 2022.
3	Publish annual reports on the Early Intervention Program and accompanying data on the Department's website.	Complete	Posted on NYPD website: <a href="https://www1.nyc.gov/site/nypd/stats/reports-analysis/early-intervention-program-reports.page">https://www1.nyc.gov/site/nypd/stats/reports-analysis/early-intervention-program-reports.page</a>
4	<b>Hold police officers accountable for misconduct through internal NYPD disciplinary decisions that are transparent, consistent, and fair.</b>	In progress	This is an ongoing effort and also captured in initiatives #5, #6, #7, and #8 below.
*	<b>Monitor implementation of the Discipline Matrix and enhance transparency regarding its use.</b>		
5	The City commits to a more frequent, semi-annual review in the first year. Any changes that result from the review would require a 30-day public comment period, and all reviews will be made public.	In progress	NYPD and CCRB are evaluating the Discipline Matrix as they use it. Semi-annual review process will begin in July 2021 and a revised version will be posted for public comment by Fall 2021.
6	The NYPD will provide a minimum 30-day public comment period for future changes to the Discipline Matrix. The revised Matrix will be posted by the NYPD on or before the date at which it takes effect.	In progress	NYPD and CCRB are evaluating the Discipline Matrix. Any revisions will be posted for 30-day public comment.
7	Hold police officers accountable for "failure to take police action." An oversight entity will review these cases to better understand the types of misconduct which fall under this category and its consequences, followed by a determination regarding the appropriateness of this penalty range.	In progress	The Commission to Combat Police Corruption has begun to review relevant disciplinary cases and expects to make any recommendations for edits to the Discipline Matrix during the upcoming Matrix review process.
8	NYPD will make public "deviation letters" that set out the Police Commissioner's specific rationale for exercising his discretion to deviate from guidelines set by the new disciplinary matrix.	In progress	This is an ongoing effort. The first deviation letter was posted on NYPD Website on June 16th, 2021.
*	<b>The David Dinkins Plan: Expand and Strengthen CCRB.</b>		
9	Facilitate timely and necessary access to Body Worn Camera footage and officers' disciplinary histories for CCRB cases.	In progress	CCRB-NYPD MOUs in place to accomplish these objectives. "Clean Room" for Body Worn Camera access will go live as soon as permitted by COVID restrictions.
10	Give CCRB authority to investigate instances of biased-based policing.	Complete	Int 2212-2021, clarifying CCRB's authority to investigate instances of bias-based policing became law in April 2021. Investigations will begin in early 2022.
11	Allow CCRB to initiate investigations on its own.	In progress	Legislation is drafted and the City will work with legislative partners in the City Council to introduce and pass it in 2021.
12	Establish the Patrol Guide Review Committee.	In development	The CCRB will Chair the Patrol Guide Review Committee. Review is expected to begin in 2021.
13	<b>Consolidate and strengthen NYPD oversight by expanding CCRB's authority to incorporate the powers of NYC's Department of Investigation Office of the Inspector General for the NYPD and the Commission to Combat Police Corruption.</b>	In progress	The City is exploring options for an initial phase of consolidating and strengthening police oversight. Implementation is expected to begin Fall 2021.
14	Support a State law change that would broaden access to sealed records for specified entities, including CCRB, charged with investigating police misconduct, especially biased-policing investigations.	In progress	The City is working with State legislative partners to advance this legislation. Assembly Bill No. 8062 has been introduced.
15	CCRB occupies a critical role in the accountability system, which should be evaluated for potential further expansion to additional NYPD employees.	In progress	The City has begun an evaluation to be completed in 2021.
16	Support a State Law change to increase the 30-day cap in unpaid suspensions for certain egregious cases of misconduct by police officers.	In progress	The City is working with State legislative partners to advance this legislation.

17	<b>Support a State law change to create a pension reduction or forfeiture remedy for the most egregious misconduct cases.</b>	In progress	The City is working with State legislative partners to advance this legislation.
* <b>Ensure the Special Victims Division is a model for national best practice.</b>			
18	The Division's policies and procedures for investigating sexual assault cases will be independently reviewed to ensure alignment with best practices, particularly focusing on victim-centered and trauma-informed techniques.	In progress	A contract for this assessment has been signed. The vendor is currently conducting interviews and focus groups. This is expected to be complete by Fall 2021.
19	NYPD will provide annual "trauma-informed interviewing" training for all detectives under the Special Victims Division to ensure respectful and professional communication with victims of trauma and abuse.	In progress	NYPD is developing a scope of work to provide refresher training annually in preparation for procurement.
20	The Administration is committed to siting new locations for Brooklyn and Queens SVD facilities while continuing to ensure our existing facilities meet the needs of those we serve.	In progress	Working closely with DCAS, NYPD is reviewing possible lease locations for relocation. The NYPD has identified 45 Nevins as the preferred location, and DCAS and the City's tenant representatives are working to acquire the property via a long-term lease.
21	<b>End Qualified Immunity at the local level for police officers.</b>	Complete	Int 2220-2021, creating a local right of action for excessive force and search and seizure for which qualified immunity is not a defense, is now in effect as Local Law 48 of 2021.
22	<b>Create a Citywide policy to strengthen transparency and accountability in the use of biometric technology.</b>	In progress	A policy is being drafted and will be available for public comment by Summer 2021. It is expected to be finalized by September 2021.
* <b>The City will implement public and comprehensive reporting on key police reform metrics</b>			
23	Launch a website providing information about members' discipline history, including charges, penalties, and trial decisions.	Complete	Posted on NYPD website here: <a href="https://nypdonline.org/link/1026">https://nypdonline.org/link/1026</a>
24	Issue annual reports on the implementation of the discipline matrix.	In progress	The Department is compiling the data. The report that includes information about the implementation of the discipline matrix will be released in 2022.
25	NYPD policy changes that are identified as having a potential public impact and that aren't otherwise statutorily mandated will be subjected to public comment.	In progress	This is an ongoing effort. Any future policy changes with a potential public impact will be posed for public comment.
* <b>NYPD must improve transparency about personal data that is collected and how it is used, which is critical to earning and maintaining the trust of the community.</b>			
26	The City will ensure the POST Act is working to achieve its stated objectives, including complete and thorough mandatory oversight audits of systems including but not limited to the NYPD criminal group database.	In progress	This is an ongoing effort. Existing technology impact and use policies were posted for public comment on January 2021 and final impact and use policies were published in April 2021 - here: <a href="https://www1.nyc.gov/site/nypd/about/about-nypd/public-comment.page">https://www1.nyc.gov/site/nypd/about/about-nypd/public-comment.page</a>
27	<b>Equip NYC Sheriff's Deputies with Body-Worn Cameras.</b>	In progress	Project launched in April 2021. Funding approved in Executive Budget in April 2021. Estimated completion is in December 2021.
28	<b>Provide more insight into the NYPD's budget during the FY 2022 Executive Budget by including a more particularized breakdown of the agency's spending.</b>	In progress	The City is working with the Council to establish additional units of appropriation.
<b>Community Representation and Partnership</b>			
29	<b>Work with communities to implement NYC Joint Force to End Gun Violence.</b>	In progress	Incident reviews launched in June, and the program will continue to focus on incidents in Brooklyn precincts. The program will be expanded city-wide by Dec. 2021.
30	<b>Expand community-based interventions - double the size of the Cure Violence workforce (triple by summer 2022).</b>	In progress	Mayor recently committed to triple the overall size of the CMS workforce by Summer 2022, and to expand CMS into the 105th precinct. Current CMS contracts are being extended, and providers will be able to expand services by Summer 2021.
31	<b>Expand the Community Solutions Program.</b>	In progress	Currently, 52 precincts have been implemented.
32	<b>Pilot the Advance Peace Model, a new approach to helping youth who are at risk for involvement with gun violence.</b>	In progress	MOCJ has identified the main vendor as well as the sub-vendors for each borough. Contract negotiations are in progress.
33	<b>Assess and ameliorate the impacts of militarization.</b>	In progress	NYPD is assessing and reviewing current policies. This is estimated to be complete by June 2021.
* <b>Consistently solicit real-time feedback from members of the community and implement programs that enhance precinct-based customer experiences.</b>			
34	Launch a series of tools to collect public feedback.	In progress	Customer service surveys have been launched in the precincts. Additional tools to collect public feedback are expected to be launched in Summer 2021.
35	Routinely, actively, and systematically survey members of the community.	In progress	This is currently being done and will be an ongoing effort.
* <b>Elevate the feedback of the community through CompStat and Enhanced Neighborhood Policing.</b>			

36	Expand customer service pilot to all Public Service Areas and transit Districts.	Complete	Customer service feedback surveys were expanded to all precincts, housing and transit districts in March 2021.
37	Require commanding officers to report customer-service and neighborhood-focused metrics through CompStat and the Neighborhood Strategy Meeting.	In progress	This is currently being done and will be an ongoing effort.
38	Engage community representatives in reviewing the customer survey and other neighborhood data to inform new metrics agency-wide.	In progress	This is being done at the Precinct Commander's Advisory Council meetings and will be an ongoing effort.
<b>* Invest in enhancing productive partnerships with community members and organizations and increasing officers' cultural competence.</b>			
39	Develop strategies to encourage members of service with satisfactory performance evaluation histories to remain in their commands.	In progress	NYPD has begun the process of developing these strategies.
40	Facilitate the immersion of new officers in the neighborhoods they serve through undergoing an intensive course, including field training, to better understand the neighborhood.	In progress	Cultural immersion curriculum and templates are currently being developed. This is estimated to be complete by September 2021.
41	Require executive staff to provide transition plans when leaving a command.	In progress	The transition plan template is anticipated to be developed by August 2021.
42	<b>Incorporate direct community participation through Precinct Councils in the selection of Precinct Commanders.</b>	Complete	NYPD has developed a process to pilot for 90 days beginning in April 2021. To date, 8 Precincts have completed the Commander's Selection process.
<b>* Ensure that the composition of NYPD's workforce is reflective of the community it serves at all levels of the organization.</b>			
43	Engage community-based organizations in partnership with City Council to implement a paid recruitment campaign and strategies to increase the diversity of the NYPD applicant pool, including a specific focus on outreach to African American candidates.	In progress	The City is exploring options for partnering with community-based organizations in paid recruitment campaigns.
44	Facilitate hiring and application workshops in communities most affected by the criminal justice system.	In progress	The city has committed to waiving the Police Officer exam filing fee for all future exams. NYPD is currently holding workshops for the PO exam in various communities affected by the criminal justice system.
45	Establish partnerships with groups most affected by the criminal justice system to broaden the recruitment candidate pool.	In progress	NYPD is partnering with community groups to spread the word about the PO exam. Examples include various clergy leaders through NYC, Urban Upbound, Daughters4Justice, etc. This is an ongoing effort.
46	Implement mentoring, leadership, and professional development programs to support officers from underrepresented populations early in their careers.	In progress	Leadership and professional development programs are continuously being offered by NYPD's Office of Professional Development. NYPD is working with ISLG on developing a mentorship curriculum.
47	<b>Expand the People's Police Academy to five precincts.</b>	Complete	NYPD has hosted (3) 90 minute roundtable sessions. Training for the five precincts were completed as of June 2021.
48	<b>Launch the Neighborhood Policing App and expand training to steady sector officers.</b>	In progress	App is currently being developed for expansion in Fall 2021.
49	<b>Expand the Precinct Commander's Advisory Councils.</b>	Complete	Advisory Council was expanded to 28 commands.
50	<b>Expand Pop Up with a Cop.</b>	Complete	Pop-Up Events were expanded to 28 commands.
51	<b>Support and expand the Citizen's Police Academy by doubling participation in the next year.</b>	In progress	The next Citizen's Police Academy class is expected to begin in September 2021.
52	<b>Expand the Youth Leadership Councils to 18 precincts and 9 PSAs, bringing the total to 85.</b>	Complete	There are currently 76 precincts with YLCs and 9 PSA YLCs, which totals to 85.
53	<b>Expand the Law Enforcement Explorers Program from 2,200 to 3,000 Explorers with enhanced programming.</b>	In progress	NYPD has currently recruited over 1500 explorers to expand the programming for Summer 2021.
<b>* Transform public space to improve community safety.</b>			
54	Gather community input for the NYPD Community Center in East New York.	In progress	New vendors started to create a group of service offerings starting July 1. The work has commenced in April 2021 and is expected to be completed by October 2021.
55	Rehabilitate NYCHA basketball courts.	In progress	Six NYCHA courts were completed as of June 2021. All other courts will be completed by July, except for one in August and one in October.
56	Rehabilitate the basketball courts and soccer pitch at Colonel Charles Young Park in Harlem (Summer 2021).	In progress	There is one court left to be completed; should be ready by Summer 2021.
57	Expand Saturday Night Lights to 100 gyms.	In progress	NYPD is working with DYCD and the Manhattan DA's office and has selected 100 sites. The expanded program is expected to begin July 2021.
58	<b>Respect the right to protest and improve policing of this essential civic activity.</b>	In progress	See link to Mass Demonstration Response Tracker: <a href="https://www1.nyc.gov/assets/nypd/downloads/pdf/public_information/mass-demonstration-recommendations-status-as-of-03172021.pdf">https://www1.nyc.gov/assets/nypd/downloads/pdf/public_information/mass-demonstration-recommendations-status-as-of-03172021.pdf</a>
59	<b>Work with the Mayor's Office for People with Disabilities to expand the reach and scope of services provided by the NYPD Disability Services Facilitator.</b>	In progress	NYPD hired 3 out of the 8 Community Ambassadors. NYPD is working with the Law Department in reviewing the latest update to the AccessibleNYPD report.
<b>* Improve relationships with NYC's immigrant communities through increasing language access.</b>			
60	Support those seeking NYPD services regardless of their immigration status.	In progress	The department continues to implement ways to support those seeking NYPD services, such as through the newly-created Hate Crimes Civilian Panel.
61	Continue to better the relationship between NYPD and the Muslim Communities.	In progress	This is an ongoing effort with many initiatives underway. The department met with various Muslim community advocates in April 2021 and is continuing to develop processes to engage with Muslim communities.
62	<b>Codify and strengthen the Mayor's Office to Prevent Gun Violence.</b>	In progress	The City is working with legislative partners to codify the Mayor's Office to Prevent Gun Violence.
<b>Recognition and Continual Examination of the Historical and Modern-Day Racialized Policing in New York City</b>			

	<b>* The City will create a dedicated process to acknowledge, address, and repair past and present injustices and trauma caused by the practice of racialized policing.</b>		
63	Devise and execute an authentic, participatory acknowledgment and reconciliation process at the city and precinct levels.	In progress	MOCJ is working with City partners and consultants to design an engagement process. The process is expected begin by Fall 2021.
64	Produce a comprehensive report documenting the past and present history of racialized policing in New York City.	In progress	MOCJ is working with City partners and consultants to design an engagement process. The process is expected begin by Fall 2021.
65	Acknowledge and investigate past harms brought to light during the reconciliation process.	In progress	MOCJ is working with City partners and consultants to design an engagement process. The process is expected begin by Fall 2021.
66	Work with relevant stakeholders to explore, develop, and champion a reparative justice policy.	In progress	MOCJ is working with City partners and consultants to design a reparative justice mechanism for addressing ongoing harm. That mechanism will be one of the final deliverables of the acknowledgement and reconciliation process.
67	Develop and implement educational materials based on the findings of the reconciliation and restorative justice process.	In progress	The timeline for this recommendation is based on the findings of the reconciliation process.
68	Develop and implement training materials to educate new recruit classes of officers on the history, effect, and legacy of racialized policing in New York City based on the findings of the reconciliation and restorative justice process.	In progress	New training materials are now included in the recruit training, and NYPD will continue to develop more training in conjunction with the reconciliation process.
	<b>* Participate in a comprehensive, independent review to identify and assess persistent structures of racism within the Department.</b>		
69	Contract an independent entity to conduct a top to bottom review of: public-facing NYPD policies, and internal NYPD systems to identify areas in which structural racism affects the Department and its employees.	In progress	Contract should be in place by Summer 2021. MOCJ will lead on review process.
70	<b>The City will require reporting on traffic stops.</b>	In progress	NYPD began preliminary discussions on how data will be collected for annual reporting. First report due to NYC Council April 2022.
	<b>* Require supervisors to proactively monitor discretionary officer activity for indications of biased-based policing and take corrective measures immediately.</b>		
71	The NYPD Disciplinary Matrix will be updated to clarify that failure to report biased-motivated or prejudiced policing are subject to applicable progressive discipline.	In progress	NYPD is currently reviewing and plans to incorporate changes in the next round of updates to the matrix in Summer 2021.
	<b>* Augment racial bias training for NYPD leadership.</b>		
72	Explore providing additional racial bias trainings for all executives in the rank of Captain and above.	In progress	Funding has been approved and NYPD is reviewing options to conduct this training.
73	<b>Eliminate the use of unnecessary force by changing culture through policy, training, accountability, and transparency.</b>	In progress	This is an ongoing effort and also captured in initiatives #1, #5-8, #23-25, and #75 below.
	<b>* Educate NYPD leadership and NCOs on restorative justice processes, and design processes to repair relationships with communities.</b>		
74	Partner with a community based organization to work with all NCOs, especially those in the most impacted communities, to institutionalize restorative justice and reconciliation practices.	In progress	Some practices are already incorporated in MOCJ's current contracts, with a policy to expand and consolidate current work under development.
75	<b>Train all officers on Active Bystandership in Law Enforcement (ABLE).</b>	In progress	Training began in March 2021. 100 out of 125 trainers have been trained and more than 8,000 UMOS have been trained. The goal is to train all UMOS by end of Q1 2022.
76	<b>Enhance positive reinforcement, formally and informally, to change culture ("Shout Out a Co-Worker").</b>	Complete	NYPD launched program on 4/12/2021.
77	<b>Consistently assess and improve practices and policies through accreditation (CALEA).</b>	In progress	This review process has started. Credentialing for Use of Force Guidelines is almost complete. The entire accreditation process is estimated to be complete in January 2024.
<b>The Decriminalization of Poverty</b>			
	<b>* Systematically examine and end policies that lead to over-policing lower-income and people of color communities, perpetuating the cycle of impoverishment and incarceration.</b>		
78	Assess current summons practices to determine if and how they are disproportionately affecting low-income and/or minority communities and make all data used in this analysis public.	In progress	MOCJ has a racial disparities research team identifying multiple partners and developing study design.
79	Assess disparities in the use and impact of different enforcement tools such as warnings, summonses, arrests, and desk appearance tickets, among others, for comparable offenses. This assessment will also include review of the practices of the District Attorneys' Offices.	In progress	MOCJ has a racial disparities research team identifying multiple partners and developing study design.
80	Systematically examine policies that affect low-income New Yorkers' access to public transportation, and may result in contacts with the criminal justice system.	In progress	MOCJ has a racial disparities research team identifying multiple partners and developing study design.

81	The City has abolished all fees and mandatory surcharges associated with supervision and diversion programs, and will work with Council to pass legislation that ensures that no such fees are charged.	In progress	MOCJ is conducting a City-wide audit to confirm that no current criminal justice related contracts charge participant fees. MOCJ is working with legislative partners to draft a potential local legislation prohibiting participant fees in connection with criminal justice related contracts.
82	The City supports legislation to amend the administrative code of the City of New York, in relation to prohibiting housing discrimination on the basis of arrest or criminal record.	In progress	The City Council has introduced legislation (Intro 2047-2020) which would prohibit housing discrimination against those with criminal or arrest records. The City is working with legislative partners to support this local legislation.
83	The City supports the reimagining of State parole supervision via the passage of the Less is More: Community Supervision Revocation Reform Act.	In progress	The City is working with legislative partners to support this State legislation.
84	Analyze the collateral consequences of drug-related arrests or convictions, including City agency policies regarding findings of drug use or to discovery of drug convictions or arrests.	In progress	MOCJ has a racial disparities research team identifying multiple partners and working to develop study design.
85	The City will expand SYEP by adding 5,000 new spots this summer for CUNY Students.	In progress	CUNY is currently working on developing jobs and enrolling students for SYEP this summer.
*	<b>Prioritize principles of budget justice and provide key services to support low-income individuals, families, and communities, and reduce the likelihood of justice involvement.</b>		
86	Create an Ending Poverty to Prison Pipeline initiative to connect low-income and justice-involved clients and their families with streamlined services.	In progress	NYC Opportunity is taking the lead on initiative and planning is underway. Estimated start date is July 2021, pending approval of proposed approach.
87	Issue an Executive Order requiring City agencies to establish service plans to ensure access to health and human services for individuals and families affected by the criminal justice system.	In progress	NYC Opportunity is taking the lead on initiative and has started to gather input from stakeholders
88	Explore structural opportunities to ensure that health and human services are provided in a supportive, and client centric manner.	In progress	NYC Opportunity is taking the lead on initiative and planning is underway. Estimated start date is July 2021, pending approval of proposed approach.
89	Ensure that health and human services Requests for Proposals include score components.	In progress	NYC Opportunity is taking the lead on initiative and planning is underway. Estimated start date is July 2021, pending approval of proposed approach.
90	Standardize service entry-points to develop a "no wrong door" approach.	In progress	NYC Opportunity is taking the lead on initiative and planning is underway. Estimated start date is July 2021, pending approval of proposed approach.
91	Build a trauma-informed health and human services sector to prevent justice system contact.	In progress	NYC Opportunity is taking the lead on initiative and planning is underway. Estimated start date is July 2021, pending approval of proposed approach.
92	Commit \$15 million to allow the Council to fund programs to fund critical anti-violence, social safety net, and hate violence prevention programming.	In progress	The Administration is working with legislative partners to include in the ongoing budget process
93	Restore funding for vital agencies that are critical to the social and emotional well-being of New Yorkers, including the Department of Parks and Recreation and the Department of Youth and Community Development.	In progress	The Administration is working with legislative partners to include in the ongoing budget process
*	<b>Prioritize the health and wellbeing of youth while minimizing potential exposure to trauma in City schools through the investment in human resources and trauma-informed practices, moving school safety agents from NYPD to the Department of Education and retraining them, and revising policies that govern school safety.</b>		
94	Invest at least \$30 million to ensure that every school can effectively support students' social emotional and behavioral needs with a trauma-informed approach.	Complete	The Mayor and First Lady along with Schools Chancellor Porter, and Speaker Johnson announced historic expansion of mental health supports for all schools on April 27, 2021. This includes \$91M to ensure every school has mental health supports through either a DOE social worker or mental health clinic, as well as \$12M to expand Restorative Justice programs to all Middle and High Schools.
95	Redesign the role of school safety agents and prioritize the specific needs of the school community.	In progress	The transition process is underway and on track to be complete by the end of fiscal year 2022.
96	Critically review all policies related to school safety officers' use of physical interventions on students.	In progress	The transition process, includes a review of intervention policies, is underway and on track to be complete by the end of fiscal year 2022.
*	<b>Develop a health-centered response to mental health crises.</b>		
97	Implement B- HEARD.	In progress	Training is underway and services will begin soon. In April, the City announced that the program would be expanded citywide.
98	Launch of a new intensive case management program, in underserved communities, called CONNEC2T to provide both mobile and site-based care based on intensive, ongoing engagement.	In progress	Program design and planning are underway. Implementation will begin in FY 2022.
99	Double the investment for the expansion of Intensive Mobile Treatment (IMT) Teams for FY 2022.	In progress	Program design and planning are underway. Implementation will begin in FY 2022.
*	<b>The City supports adopting important new public health approaches to reducing overdoses.</b>		
100	Renew the call for New York State to allow the Overdose Prevention Center pilot.	In progress	The City is engaging with local, state, and federal partners to advance this initiative.
*	<b>Pursue new approaches to safety, outreach, and regulation through civilian agencies.</b>		
101	Transition homeless outreach from NYPD to DHS.	Complete	Transition completed in 2020.
102	Transition street vending from NYPD to DCWP.	In progress	DCWP is receiving all street vending complaints through 311, electeds, and other community groups. Transition is estimated to be complete in September 2021.

103	Transition press credentialing from NYPD to MOME.	In progress	MOME will establish a press credential office and promulgate rules required by Local Law 46 of 2021. We anticipate publishing a proposed rule for public comment by 1st quarter of FY2022. Press credentialing will be transferred completely from NYPD to MOME by the deadline of 1/20/2022.
* <b>Establish a crash investigation and analysis unit within the Department of Transportation.</b>			
104	Int. No. 2224 (sponsored by Council Members Ydani Rodriguez and Speaker Corey Johnson) centers DOT as the agency responsible for ensuring street safety in New York City by expanding their role in serious traffic crashes.	Complete	This legislation has been passed.
* <b>Consolidate the coordination of all crime victim service programs into one agency to better support crime victims.</b>			
105	Transition management of the Crime Victims Assistance Program from the NYPD to the Office of Crime Victims Services at the Mayor's Office of Criminal Justice.	In progress	Coordinated with ACCOs to assign contract and draft notice to vendor. MOCJ is currently staffing the new office.
* <b>Improve support for victims of domestic, gender-based and family violence through access to critical resources and customized training for officers.</b>			
106	Invest in community-based resources and supports for addressing family violence.	In progress	ENDGBV is leading on this initiative and planning is underway.
107	"Review services for survivors with a view to decoupling them from the criminal justice system: Analyze barriers to survivors in accessing services and develop recommended strategies for reducing these barriers."	In progress	ENDGBV is leading on this initiative. ENDGBV/ISLG are in negotiations with subcontractors and consultants needed to complete this initiative. Estimated completion is January 21, 2022.
108	Mandate training for officers to provide advanced skills to support survivors of and communities affected by domestic- and gender-based violence.	In progress	ENDGBV and NYPD convening regular meetings to discuss strategies and best practices to ensure trainings are reflective of survivors' needs and experiences, and also speak to the processes of the Department. NYPD is reviewing current trainings to find areas where there may be gaps, or existing content to leverage and expand.
* <b>Develop more responsive and consistent approaches to helping survivors of domestic, family and gender-based violence.</b>			
109	Work with ENDGBV to create a formalized structure to receive community feedback, enhance transparency and support accountability to survivors and their communities.	In progress	ENDGBV and NYPD are holding regular meetings to discuss the best ways to engage with survivors in the coming months. Decisions are being made around types of meetings to be held, number of attendees, and who will be present to ensure survivors feel heard and secure.
110	Work with partners to examine interactions with survivors and change the protocols for reporting to minimize the number of times that a survivor has to tell their story throughout the course of an investigation.	In progress	ENDGBV is leading on this initiative. ENDGBV/ISLG are in negotiations with subcontractors and consultants needed to complete this initiative. This work will begin in November 2021 and end in June 2022.
111	The Department will develop these training modules in collaboration with the ENDGBV Training Team and community partners, including survivors, who have engaged with NYPD and domestic and gender-based violence service providers and advocates. ENDGBV and the NYPD Counseling Unit will collaborate to provide training and capacity building to the NYPD staff to support both survivors of domestic and gender-based violence, and people who have caused harmed in their intimate partner relationships.	In progress	NYPD and ENDGBV are leading on this and in negotiations with subcontractors and consultants needed to develop trainings. The target completion date is 12/31/2021.
* <b>The City will develop new policies and approaches to combatting sex trafficking which focus on the traffickers and do not entangle victims or those selling sex in the criminal justice system.</b>			
112	Support changes in State Law that would expand the number of crimes that will cause a victim of sex or labor trafficking to have their conviction vacated.	In progress	The City is working with legislative partners to support changes in State Law. As of 6/24 A459/S674 has been passed by both houses.
113	Launch Task Force on Health and Safety Needs of Sex Workers to develop recommendations to expand supportive community-based services for sex workers.	In progress	Led by ENDGBV and Unity Project as co-chairs. ENDGBV/Unity/ISLG are in negotiations with consultants needed to lead the Task Force. Launch meeting held 6/8/2021.
114	Task Force on Health and Safety Needs will issue recommendations.	In progress	Led by ENDGBV and Unity Project as co-chairs. ENDGBV/Unity/ISLG are in negotiations with consultants needed to lead the Task Force. Launch meeting held 6/8/2021.
115	The Task Force will explore and refine proposals related to sex work programs and services, especially sex worker led health, employment, and safety programs.	In progress	Led by ENDGBV and Unity Project as co-chairs. ENDGBV/Unity/ISLG are in negotiations with consultants needed to lead the Task Force. Launch meeting held 6/8/2021.
116	The Task Force will identify and support new partnerships outside of law enforcement that focus on labor exploitation and trafficking as well as supporting affected communities.	In progress	Led by ENDGBV and Unity Project as co-chairs. ENDGBV/Unity/ISLG are in negotiations with consultants needed to lead the Task Force. Launch meeting held 6/8/2021.
117	The Task Force will create strategies to address racialized policing of sex work.	In progress	Led by ENDGBV and Unity Project as co-chairs. ENDGBV/Unity/ISLG are in negotiations with consultants needed to lead the Task Force. Launch meeting scheduled for 6/8/2021.
118	The Task Force will review what efforts are being made to identify where labor exploitation may be contributing to or co-occurring in trafficking cases and will establish procedures including referrals to labor rights and immigration services.	In progress	Led by ENDGBV and Unity Project as co-chairs. ENDGBV/Unity/ISLG are in negotiations with consultants needed to lead the Task Force. Launch meeting held 6/8/2021.

119	The Task Force will evaluate ongoing reforms to the Vice Enforcement Division, which has shifted focus from policing sex work to policing trafficking and create proposals to address allegations of past misconduct and abuse, coercion and exploitation of sex workers.	In progress	Led by ENDGBV and Unity Project as co-chairs. ENDGBV/Unity/ISLG are in negotiations with consultants needed to lead the Task Force. Launch meeting held 6/8/2021.
120	Develop new strategies to combat trafficking while working to eliminate arrests for selling sex.	In progress	Led by ENDGBV and Unity Project as co-chairs. ENDGBV/Unity/ISLG are in negotiations with consultants needed to lead the Task Force. Launch meeting held 6/8/2021.
121	Review policies and procedures for identifying and investigating human trafficking to develop alternative methods that focus on arresting traffickers without further criminalizing and harming those directly involved in the sex trade.	In progress	Led by ENDGBV and Unity Project as co-chairs. ENDGBV/Unity/ISLG are in negotiations with consultants needed to lead the Task Force. Launch meeting held 6/8/2021.
122	NYPD, ENDGBV, the Unity Project, and other experts will support officer training on identifying people who are being trafficked or exploited as well as improving engagement with members of the sex work community.	In progress	Led by ENDGBV and Unity Project as co-chairs. ENDGBV/Unity/ISLG are in negotiations with consultants needed to lead the Task Force. Launch meeting held 6/8/2021.
123	The NYPD will work with ENDGBV to create a formalized structure to receive community feedback, enhance transparency and support accountability to survivors and their communities.	In progress	Led by ENDGBV and Unity Project as co-chairs. ENDGBV/Unity/ISLG are in negotiations with consultants needed to lead the Task Force. Launch meeting held 6/8/2021.
* <b>The City will enhance community-based approaches to combatting bias and hate crimes.</b>			
124	Report data on "Crimes with Bias Elements" that do not otherwise constitute Hate Crimes.	In progress	NYPD has begun internal discussions on the documentation of "Crimes with Bias Elements."
* <b>Create a pilot program to assist families with children at risk of homelessness earlier in the housing instability spectrum before their housing situation reaches a crisis point.</b>			
125	Fund \$1.28 million for the Department of Social Services Homebase budget for a two-year pilot to expand prevention services.	In progress	Proposed model has been outlined, three service areas and Homebase partners have been selected and DOE and ACS have been invited to inter-agency program coordination team. ACS and HRA providers were cross-trained in June.
<b>A Diverse, Resilient, and Supported NYPD</b>			
126	<b>Make residence in NYC a more significant factor in hiring police officers.</b>	Complete	This has been implemented.
127	<b>Examine barriers to recruitment.</b>		
128	Recruit officers who reflect the communities they serve by examining the impact of the qualification process on the diversity of recruits (including minor criminal convictions or violations and the college credit requirement).	In progress	Candidate assessment data has been analyzed and is being reviewed to examine the qualification process. Assessment should be complete by Summer 2021.
* <b>Reform the discretionary promotions process to center on transparency and fairness.</b>			
129	Issue an executive order to ensure that a diverse candidate pool is considered for top NYPD promotions.	Complete	Mayor signed executive order to expand diversity in the NYPD hiring process on 3/31/2021. NYPD will be required to interview at least one diverse candidate for each available position.
130	Commit to overhauling the discretionary promotion system, in accordance with best practices across law enforcement and in partnership with experts.	In progress	NYPD has launched a redesigned process for executive promotions as of May 2021; the NYPD is working on redesigning the process for all other ranks.
131	Systematically incorporate accountability into the decision-making process before a member of service is entrusted with additional responsibility.	In progress	NYPD has launched a redesigned process for executive promotions as of May 2021; the NYPD is working on redesigning the process for all other ranks.
132	Implement systemic checks within the discretionary and civil service promotion processes to identify disparities.	In progress	NYPD has launched a redesigned process for executive promotions as of May 2021; the NYPD is working on redesigning the process for all other ranks.
133	<b>Build a culture that encourages use of coping tools through the Critical Incident Stress Management Program.</b>	In progress	With the recent approval to hire psychologists, NYPD will be going through the hiring process to expand the Department's Critical Incident Stress Management Program.
134	<b>Support professional development through the Commander's Course and leadership development programs.</b>	In progress	NYPD is working on a proposal for the Commander's Course. Leadership development is an ongoing effort through NYPD's Office of Professional Development.
135	<b>Commit to an updated Patrol Guide that is more user friendly, less complex for officers, and transparent to the public.</b>	In progress	Work has started and the initial set of changes were posted in May. This is an ongoing effort through the end of 2021.





# From Crisis to Opportunity

A POLICY AGENDA FOR AN EQUITABLE NYC

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DATE: JULY 2021



# Strengthening New York City's Nonprofit Human Services Sector

 From Crisis to Opportunity  
A POLICY AGENDA FOR AN EQUITABLE NYC

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# Strengthening New York City's Nonprofit Human Services Sector

Millions of New Yorkers rely on nonprofit human services organizations to provide essential, lifesaving, and stabilizing supports every day. Critical services such as homeless shelters, youth centers, elder care, food pantries, health centers, and countless other necessities are provided by more than 7,000 nonprofits statewide, which are funded by government contracts, philanthropic grants, and private donations. These organizations comprise much of New York City's safety net, and over the past year, their work has kept thousands of New Yorkers fed, safe, and housed as the pandemic devastated the city and low-income communities, in particular.

Nonprofit human services workers were on the frontlines of the pandemic, often without adequate supplies and amid an explosive increase in demand for the services their organizations provide. These workers continued to serve predominantly Black, Latinx,<sup>1</sup> and Asian communities—which experienced the bulk of COVID-19 infections, death, and economic hardship over the past year—while putting themselves and their families at risk of contracting the virus. The nonprofit employees who continued working on-site throughout the pandemic were disproportionately people of color (85 percent), with white workers making up only 14 percent of frontline roles.

And like so many essential workers who kept New York City running, nonprofit human services workers did so while being chronically undercompensated. These workers are overwhelmingly female (66 percent), over two-thirds are full-time workers of color (68 percent), and nearly half (46 percent) are women of color. Despite the importance of their work, they earn an average annual income of \$32,700—making this sector the second-lowest paid in New York City, behind the restaurant industry.<sup>2</sup> Members of the human services workforce generally make about 71 percent of what government employees make and 82 percent of what private sector workers receive, despite the fact that 63 percent of full-time nonprofit human services workers have a four-year college degree or more, 10 percentage points greater than for the private sector overall.<sup>3</sup> Insufficient pay means that more than 60 percent of workers in this sector qualify for some form of public assistance, putting many of them in financial positions similar to the New Yorkers their organizations serve.<sup>4</sup>

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1. The sources consulted for *From Crisis to Opportunity: A Policy Agenda for an Equitable NYC* used a variety of terms in collecting data about ethnic identity, such as Hispanic, Latino, Latinx, or Spanish origin. Some of the sources collected data using only one of these terms and reported their results under one term, while others collected data using several of the terms, but reported their data using only one term. This project uses Latinx universally in referring to the identities expressed in these data sets.

2. "The Road to and from Salary Parity in New York City: Nonprofits and Collective Bargaining in Early Childhood Education," The New School Center for New York City Affairs, January 2020, [https://static1.squarespace.com/static/53ee4f0be4b015b9c3690d84/1/5e222c2ab457e7527ddc6450/1579297836053/SalaryParity\\_Parrott\\_Jan2020\\_Jan17.pdf](https://static1.squarespace.com/static/53ee4f0be4b015b9c3690d84/1/5e222c2ab457e7527ddc6450/1579297836053/SalaryParity_Parrott_Jan2020_Jan17.pdf).

3. Human Services Recovery Task Force, "Essential or Expendable: How Human Services Supported Communities through COVID-19 and Recommendations to Support an Equitable Recover," Human Services Council, June 11, 2021, <https://humanservicescouncil.org/wp-content/uploads/2021/06/HSC-Taskforce-Report-Essential-or-Expendable-How-Human-Services-Support-Communities-Through-COVID-19.pdf>.

4. "Undervalued and Underpaid: How New York State Shortchanges Nonprofit Human Services Providers and Their Workers," Restore Opportunity Now, March 2017, <https://humanservicescouncil.org/wp-content/uploads/Initiatives/RestoreOpportunityNow/RONreport.pdf>.

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As with so many structural flaws and inequities exposed during the pandemic, pre-existing systemic issues within the human services sector intensified over the past year. Despite rising to meet the increased need for services, nonprofits were forced to operate without clarity on when they would be paid by the city, how they would cover the costs of protective equipment and other related costs associated with COVID-19, and whether they would ever be reimbursed for the additional costs of shifting their methods of service provision in response to in-person restrictions.

These challenges compounded the problems of an already overburdened and undervalued sector. For decades, human services organizations have had to rely on city contracting practices that pay late, fail to cover full costs of service delivery, and require tedious reporting and procurement metrics that do little to capture the extent to which their services meet the needs of New Yorkers.

As the next mayor looks to rebuild New York City's economy and workforce and support individuals and families recovering from the pandemic and its financial consequences, the mayor must prioritize reforming supports for the human services sector. Nonprofits rose to the occasion of the pandemic—expanding service offerings to meet the moment's needs—but they will not be able to survive unless there are meaningful changes to how they are contracted, paid, and included in future disaster and recovery planning. New York City cannot reduce poverty, expand economic mobility opportunities, and improve equity if the organizations that support low-income communities do not have the resources they need.

This section summarizes the recommendations of the Human Services Recovery Task Force, which was convened by Human Services Council (HSC) and conducted in collaboration with more than sixty-five of the leading nonprofits in New York City and New York State in order to make recommendations for shoring up the human services sector.<sup>5</sup> Robin Hood, The Century Foundation, and Next100 support the task force's recommendations and in this section have focused on their importance for the next mayor as they apply to city government. To strengthen the human services sector, the next mayoral administration should:

- 1. Ensure strong systems are in place for human services to support equitable disaster response and community recovery** by including nonprofits in disaster planning so that the sector can respond to community needs swiftly, with accurate information; and sufficient resources, and without threatening their own financial futures.
- 2. Pay equitable wages to all contracted nonprofit human services workers**, with appropriate cost-of-living adjustments and a wage floor.
- 3. Ensure city government pays in full and on time for essential services for New Yorkers**, with contracts covering indirect expenses, reflecting market rates, and without delayed reimbursement.
- 4. Transform the human services procurement system to prioritize meaningful outcomes for New Yorkers**, rather than race-to-the-bottom cost-cutting, starting with a Procurement Reform Commission.

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5. Human Services Recovery Task Force, "Essential or Expendable: How Human Services Supported Communities through COVID-19 and Recommendations to Support an Equitable Recover," Human Services Council, June 11, 2021, <https://humanservicescouncil.org/wp-content/uploads/2021/06/HSC-Taskforce-Report-Essential-or-Expendable-How-Human-Services-Support-Communities-Through-COVID-19.pdf>.

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## Goals

These recommendations aim to support more effective delivery of vital human services to millions of New York City residents by fostering stability for organizations and their workers. A new administration should aim to:

- establish a wage floor for the 120,000 nonprofit human services workers in New York City of no less than \$21 an hour,
- decrease the proportion and value of delayed payments among city-contracted human services organizations,
- ensure the city's Indirect Cost Rate (ICR) Funding Initiative is fully funded and that future contracts and renewals honor the approved indirect cost rates moving forward; and
- reduce the number of city-contracted human service organizations that depend on lines of credit and decrease the amount of interest payments on loans.

## Background and Need

The nonprofit organizations that comprise New York City's human services sector are the foundation of the city's safety net, providing essential services to millions of New Yorkers every day. Funded through government contracts, philanthropic grants, and corporate and private donations, these organizations are embedded into the fabric of communities across the city. From food pantries to homeless shelters, education and child welfare programs to elder care, job training to community health centers, and countless other services in between, these organizations and their staff work tirelessly to make sure New Yorkers have what they need, regardless of income, immigration status, or other demographic characteristics.

When the pandemic hit New York City, these organizations became more important than ever, as the health and economic crisis disproportionately devastated low-income communities of color, increasing their reliance on supports from nonprofits. Unlike the many New Yorkers who were able to transition to remote work or worked for companies that were able to scale back while they waited for government loans and assistance, workers at human services nonprofits continued to work, day in and day out, to prevent hunger, homelessness, and death during a raging pandemic.

During the height of the pandemic, reliance on nonprofit services increased, as millions of New Yorkers faced unemployment and risk of eviction. Data from Robin Hood's Poverty Tracker shows that prior to COVID-19, roughly 12 percent of New Yorkers used a food pantry at least once in a twelve month period.<sup>6</sup> But in September and October of 2020, 32 percent of adults reported that they used a food pantry at least once in the twelve-months prior, an increase of more than 250 percent relative to January and February. Other Poverty Tracker data highlights the enormous uptick in hardship across the board.<sup>7</sup> Half of New Yorkers, and more than half of low-wage workers, lost work or income since the start of the pandemic. One in four renters have missed a rent

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6. Sophie Collyer, Chantal Bannerman, Rebecca Charles, Katherine Friedman, and Christopher Wimer, "Food hardship in New York City is rising as New Yorkers wait for a second federal stimulus bill," Robin Hood Foundation and the Center for Poverty and Social Policy, Columbia University Population Research Center, November 2020, [https://www.robinhood.org/wp-content/themes/robinhood/images/poverty-tracker/pdfs/POVERTY\\_TRACKER\\_REPORT22.pdf](https://www.robinhood.org/wp-content/themes/robinhood/images/poverty-tracker/pdfs/POVERTY_TRACKER_REPORT22.pdf).

7. Michael Williams, "Life in New York City during COVID-19," Robin Hood Foundation and the Center for Poverty and Social Policy, Columbia University Population Research Center, February 2021, [https://www.robinhood.org/wp-content/themes/robinhood/images/poverty-tracker/pdfs/POVERTY\\_TRACKER\\_REPORT24.pdf](https://www.robinhood.org/wp-content/themes/robinhood/images/poverty-tracker/pdfs/POVERTY_TRACKER_REPORT24.pdf).

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payment since March 2020. Two-thirds of New York City parents are extremely worried about their children falling behind in school, especially parents without access to computers or the Internet at home.

Amid all these intensifying hardships, thousands of nonprofits have stepped in to help New Yorkers survive, often expanding the services they offer. Data from a Bennett Midland survey of more than sixty-five human services nonprofits in New York City and New York State, commissioned by Human Services Council (HSC), found that 82 percent of organizations reported launching new services; 72 percent of organizations reported expanding existing services. Nearly half (45 percent) of organizations launched telehealth services, 47 percent launched services related to food and nutrition, and 32 percent launched new services related to direct financial assistance programs.<sup>8</sup>

This enormous increase in demand for services, coupled with government budget cuts and fundraising challenges, forced nonprofits to dip into their own accounts and reserves to pay for protective equipment (PPE) for staff, other essential supplies, and expanded offerings. Data from the Bennett Midland survey shows that nonprofits statewide spent an average of \$539,000 each last year on costs related to COVID-19, from PPE to new technology enabling remote services, where feasible. Organizations overwhelmingly had to turn to philanthropy (79 percent) or draw down their general operating funds (69 percent) to pay for items essential to maintaining operations and keeping their workforce safe during the pandemic.

When city and state government assistance finally materialized, nonprofit service organizations were only reimbursed for a fraction of their costs. According to HSC, of the total amount that organizations spent on COVID-19-related expenses, only about 38 percent was reimbursed by city and state government, leaving the rest unreimbursed, despite government dependence on nonprofits to deliver more and more services to meet emerging needs of residents. While COVID-19 expenses ate up valuable financial resources, New York City and New York State took drastic measures to shore up their own budgets, at the expense of providers and communities.

As with housing, education, the economy, and the health care system, the pandemic exacerbated existing structural flaws and inequities within the human services sector and its relationship with city, state, and federal governments. In the decades preceding COVID-19, the New York City government has transferred most legally mandated human services functions to the nonprofit sector, in order to save money and contract out addressing many of society's most challenging problems. Meanwhile, nonprofits have had to endure chronic underfunding, delays in payment, and lack of support and cooperation from all levels of government, making it nearly impossible for them to create meaningful and sustainable interventions that will improve quality of life and equitable outcomes for all in New York City.

Lack of sufficient support and resources from New York City and New York State governments and agencies have pushed the human services sector into financial and programmatic jeopardy that threatens the availability of high-quality services for New Yorkers. Data from HSC shows that, historically, city and state government agencies typically cover only about 80 percent of a nonprofit human services organization's total costs

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8. Human Services Recovery Task Force, "Essential or Expendable: How Human Services Supported Communities through COVID-19 and Recommendations to Support an Equitable Recover," Human Services Council, June 11, 2021, <https://humanservicescouncil.org/wp-content/uploads/2021/06/HSC-Taskforce-Report-Essential-or-Expendable-How-Human-Services-Support-Communities-Through-COVID-19.pdf>.

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to provide services—services that these governments are legally required to ensure are provided. This underfunding forces organizations to scale back essential programs that New Yorkers need, to cut pay to an already underpaid workforce, and to dedicate huge portions of staff time and effort (which could otherwise be dedicated to serving New Yorkers) on raising money from philanthropies, corporations, and private donors.

The city and the state not only fail to pay nonprofits what they need to cover costs on government contracts, they also fail to make payments on time, putting nonprofits further at risk. Data from the Bennett Midland survey<sup>9</sup> cited earlier found that delays in payments from the city and state governments wreak havoc on organizations, with 70 percent of organizations reporting a delayed payment from the city and 60 percent from the state in the past year. Over the past year, the average value of delayed payments to nonprofit services organizations from the city was \$8,025,000 (an average of 13 percent of organizations' annual operating budgets).

Underfunding and late payments, combined with the unprecedented challenges resulting from COVID-19 and the economic crisis, have pushed nonprofits into deeper financial duress and insolvency. The Bennett Midland survey<sup>10</sup> found that 62 percent of organizations statewide had to either permanently or temporarily lay off or furlough staff, and among the organizations that made permanent layoffs, an average of 74 percent of their staff are Black or Latinx. The survey found that more than half of organizations reported a decline in expected revenue for calendar year 2020, with an average decline of nearly \$9.1 million. Nearly half of organizations surveyed were forced to take out loans or draw on a line of credit due to withheld or delayed payments—sometimes at significant cost. The average annual cost of interest for those organizations that had to take on interest-bearing loans is reported as \$223,000. While financial hardships have undoubtedly intensified since the pandemic, even in 2018, 20 percent of New York City human services organizations were fiscally insolvent.<sup>11</sup>

**For too long, nonprofit human services organizations have been undervalued, as have their staff and the communities they serve, both of which are made up primarily of low-income people of color.** As the next mayor looks to rebuild New York City—and make it a fairer, safer, and more prosperous home for all New Yorkers—the mayor must focus on supporting and investing in New York City's human services sector. Sixty percent of nonprofit human services workers qualify for public assistance; 15 percent qualified for food stamps in the 2016–18 period, and if child care workers and home health aides are included in the sector, nearly a quarter of all nonprofit human services workers received food stamps in that period. Government's current treatment of the human services sector perpetuates the economic instability and poverty human services organizations work to address.

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9. Human Services Recovery Task Force, "Essential or Expendable: How Human Services Supported Communities through COVID-19 and Recommendations to Support an Equitable Recover," Human Services Council, June 11, 2021, <https://humanservicescouncil.org/wp-content/uploads/2021/06/HSC-Taskforce-Report-Essential-or-Expendable-How-Human-Services-Support-Communities-Through-COVID-19.pdf>.

10. Human Services Recovery Task Force, "Essential or Expendable: How Human Services Supported Communities through COVID-19 and Recommendations to Support an Equitable Recover," Human Services Council, June 11, 2021, <https://humanservicescouncil.org/wp-content/uploads/2021/06/HSC-Taskforce-Report-Essential-or-Expendable-How-Human-Services-Support-Communities-Through-COVID-19.pdf>.

11. Dylan Roberts, George Morris, John MacIntosh, and Daniel Millenson, "Risk Management for Nonprofits," Oliver Wyman and SeaChange Capital, March 2016, <https://www.oliverwyman.com/our-expertise/insights/2016/mar/risk-management-for-nonprofits.html>.

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## Policy Response

The recommendations that follow come from the work of the Human Services Recovery Task Force, convened by the Human Services Council in November 2020 and supported by Robin Hood. Over the past eight months, the task force has analyzed the impact that the COVID-19 pandemic has had on the human services sector and developed recommendations for more effective city and state policies to ensure high quality services for New Yorkers, prepare for the next disaster, and mitigate long-standing problems in the sector. The task force—made up of leaders of human services providers in New York City and New York State, as well as advisors from philanthropy and the private sector—generated the recommendations that follow, and this report has adapted them to apply specifically to New York City.

### 1. Ensure Strong Systems Are In Place for Human Services to Support Equitable Disaster Response and Community Recovery

As discussed above, to meet the massive increase in economic instability and hardship, New York City's nonprofit human services organizations have had to expand the range of services offered, transition to remote delivery where possible, and step in where government assistance and programs fell short, jeopardizing their own financial viability while they waited for reimbursements and assistance from government.

Looking ahead, the next mayor of New York City must do more to include human services in disaster planning for the city and prepare resources so that the sector can respond to community needs swiftly, with accurate information, and without risk to their own financial futures. New York City must create formal mechanisms in the contracting process so that if there is a declared state of emergency or disaster, human services organizations will still have contracted expenses covered in the event that providers cannot fulfill all contract deliverables but still have outstanding expenses that must be met. The city must also ensure that providers will have approved costs covered if service delivery is altered to meet changing emergency needs, as was the case with many organizations that shifted practices to meet COVID-19 restrictions.

A new administration should establish disaster and response recovery funds available to human services agencies to cover necessary expenses, including costs associated with deploying and protecting the human services workforce, such as PPE, overtime, and transportation, and costs associated with service delivery in a disaster, such as dispersing supplies to the community, technology, client transportation, sanitation, and infrastructure.

Furthermore, COVID-19 has made it clear that how government structures provide services during response and recovery efforts, and how individuals and families access those services, is increasingly dependent on online services—and the digital divide has left human services organizations and the New Yorkers they serve in desperate need of a technology upgrade. Human services organizations need to be able to serve their community remotely, but many providers faced difficulty doing so during the pandemic because they and the people they served had online access challenges. The Bennett Midland survey found that more than 80 percent of organizations in New York City and New York State launched new services, including telehealth services, spending more than \$200,000 on average on COVID-19-related IT expenses last year. Furthermore, data from Robin Hood's Poverty Tracker shows that roughly 18 percent of New Yorkers surveyed do not have



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a computer or tablet that has Internet access. Brooklyn and the Bronx have the highest rates of residents without access, at 23 percent and 22 percent, respectively, compared to Manhattan, where 14 percent lack a computer with Internet access.<sup>12</sup> A new administration must ensure that broadband is universally available, with the city government partnering to ensure access to all individuals and families, regardless of income. The city should also alter human services contracts to budget broadband as a utility, not an indirect expense, due to its essential nature in program delivery.

## 2. Pay Equitable Wages to All Contracted Nonprofit Human Services Workers

Human services providers in New York City rely on a mix of government contracts, philanthropic grants, and private donations—but the bulk of funding comes from city and state government contracts. Data from a report by SeaChange shows that among New York City’s fifty largest human services nonprofits, philanthropy only covers 4 percent of the total budgets of these organizations, the rest is funded through government contracts.<sup>13</sup> But these government contracts do not cover the full cost of services or incorporate cost escalators and rarely include cost-of-living adjustments (COLAs), creating gaps in funding in already financially stressed budgets. Some reprieve came to these workers during FY18 when the city granted a three-year, 3 percent COLA to nonprofit human services workers, but that expired in FY20. In FY21, a time when these workers repeatedly showed up for duty and put their lives at risk to meet New Yorkers’ most critical needs, the city did not renew the COLA. The final FY22 New York City Budget does not include a human services COLA nor does it address wage equity. Instead, the city provided \$24 million for a one-time bonus, which will not go far enough to address the need.

Chronic underfunding results in increased staff turnover, as staff are severely underpaid relative to their government counterparts, depriving New Yorkers of services from the most experienced, well-trained staff and jeopardizing high-quality services. The Bennett Midland survey found that nearly a third (30 percent) of organizations have a vacancy rate higher than 15 percent, and 80 percent of respondents reported that inadequate pay significantly impacted their organization’s ability to make hires—far and away above other factors.

Layoffs during 2020 exacerbated existing financial hardships for nonprofit employees, who were already underpaid because of inadequate government contracts. Data from Robin Hood’s Poverty Tracker show that before the pandemic, nearly 50 percent of essential workers, which includes nonprofit workers, were experiencing poverty or were low-income; 20 percent were unable to make a full rent or mortgage payment; and 30 percent had fallen behind on utility bills. The data show that these types of financial hardships have only intensified over the past year.<sup>14</sup>

City contracting practices have created an intolerable situation of extreme pay disparities between the contract sector and the public sector, with the result that a human services workforce that is overwhelmingly

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12. Michael Williams, “Life in New York City during COVID-19,” Robin Hood Foundation and the Center for Poverty and Social Policy, Columbia University Population Research Center, February 2021, [https://www.robinhood.org/wp-content/themes/robinhood/images/poverty-tracker/pdfs/POVERTY\\_TRACKER\\_REPORT24.pdf](https://www.robinhood.org/wp-content/themes/robinhood/images/poverty-tracker/pdfs/POVERTY_TRACKER_REPORT24.pdf).

13. “Too Big to Fail: New York City’s Largest Human Service Nonprofits,” SeaChange, April 2020, <http://gd7xi2ioeh408c7o34706rc-wpengine.netdna-ssl.com/wp-content/uploads/2020/04/Too-Big-To-Fail.pdf>.

14. Sophie Collyer, Sonia Huq, Kahlen Washington, and Christopher Wimer, “Nearly half of all New York City workers lost employment income from the pandemic, deepening economic insecurity and racial inequity across the city,” Robin Hood Foundation and the Center for Poverty and Social Policy, Columbia University Population Research Center, October 2020, [https://www.robinhood.org/wp-content/themes/robinhood/images/poverty-tracker/pdfs/POVERTY\\_TRACKER\\_REPORT21.pdf](https://www.robinhood.org/wp-content/themes/robinhood/images/poverty-tracker/pdfs/POVERTY_TRACKER_REPORT21.pdf).

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workers of color is paid 70 cents on the dollar compared to public employees, putting nonprofit workers in the same situation as many of the clients they serve.

New York City's incoming leadership must establish a wage floor for all city-government-contracted nonprofit human services workers at a rate of no less than \$21 an hour, 40 percent higher than New York State's minimum wage, reflecting the need for a reasonable premium for entry-level nonprofit workers compared to the minimum wage.

The next mayor must work to bring together the comptroller, government agencies, human services providers, and labor organizations to establish a wage and benefit schedule for all government-contracted nonprofit human services workers to put them on an equal footing with comparable city employees. Once established, these compensation benchmarks should be incorporated into all contracts, along with funding to support career advancement and promotion opportunities. The city should phase in funding increases to achieve full compensation parity and immediately establish a reserve for recruitment and retention to stabilize the contracted human services workforce. Lastly, the city should create an automatic annual COLA incorporated into all human services contracts, not as a substitute for comparable pay but to ensure that pay parity is maintained on a continuing basis. The Human Services Council estimates that the cost of renewing the COLA at 3 percent in FY22 would be \$48 million for New York City, benefiting approximately 120,000 city workers and 400,000 state workers. As this adjustment was not included in the final FY22 budget, it is imperative that the next administration prioritize this in future budgets.

### **3. Ensure City Government Pays In Full and On Time for Essential Services for New Yorkers**

Chronic underpayment and late payments have plagued the human services sector for decades, in part because organizations are limited by the amount of indirect costs the city and state allow them to reimburse on contracts. Data show that, on average, organizations reported a loss of \$396,000 in FY20 between the indirect cost rate initially approved by the city and the revenue that they actually generated under the new Indirect Cost Rate Funding Initiative.<sup>15</sup> Other industries are not arbitrarily capped on what it truly costs to provide a service, and by neglecting to pay for necessary expenses, city government has stripped human services providers of fundamental resources needed to successfully operate. It was this structural flaw that goaded New York City to recently implement the Indirect Cost Rate Funding Initiative, allowing nonprofits to qualify for a higher and individualized indirect rate, and yet the funding has fallen short. The FY22 budget includes \$60 million to fully fund the initiative for the next year.<sup>16</sup> However, the next mayoral administration must ensure that the city makes a permanent commitment to the Indirect Cost Rate Funding Initiative to cover costs on future contracts.

Moreover, scopes of work proposed by government agencies are typically developed without a market survey of costs or input from service providers. This results in budgets that do not account for the true cost of services and provide inadequate compensation for the highly educated workforce needed, which make

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15. Human Services Recovery Task Force, "Essential or Expendable: How Human Services Supported Communities through COVID-19 and Recommendations to Support an Equitable Recover," Human Services Council, June 11, 2021, <https://humanservicescouncil.org/wp-content/uploads/2021/06/HSC-Taskforce-Report-Essential-or-Expendable-How-Human-Services-Support-Communities-Through-COVID-19.pdf>.

16. "The New York City Council's Fiscal Year 2022 Adopted Expense Budget Adjustment Summary / Schedule C," City of New York, June 30, 2021, <https://council.nyc.gov/budget/wp-content/uploads/sites/54/2021/07/Fiscal-2022-Schedule-C-Merge-6.30.21.pdf>

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implementing high-quality programs next to impossible. In addition, persistent delays in government contract payments force providers to take on loans or lines of credit to make payroll, rent, and service delivery, which often amass interest not reimbursed by government contracts even though it is not the fault of the provider.

A new administration must ensure that contract payments cover actual indirect expenses, reflect market rates, and are paid on time. To do this, New York City must recognize the costs of operating human services programs and commit to paying indirect costs on all human services by fully funding the Indirect Cost Rate Funding Initiative on current contracts and work to ensure that RFPs and renewal contracts support approved rates going forward. The city must commit to paying providers in a timely way, including clear timelines for payments, and creating interest penalties for delayed payments that cannot be paid out of the value of the contract. Currently, the city will occasionally pay interest on delayed payments. However, the interest comes out of the value of the contract, rather than as additional money meaning that providers can deduct interest as an expense on the contract but cannot get any interest payments above the contract value.

#### **4. Transform the Human Services Procurement System to Prioritize Meaningful Outcomes for New Yorkers**

New York City's human services sector continues to grow, as the city increasingly relies on the sector for a broad range of vital public services. However as described above, nonprofits have simultaneously experienced decades of divestment, contracts that do not cover the full cost of service, overregulation and micromanagement, and persistent delays in procurement that have left organizations in desperate financial positions.

The city asks nonprofits to function and serve like businesses, meeting performance metrics and keeping costs low, but they do not treat them or pay them as such. State and local government agencies both continue to propagate programs without the input, collaboration, and shared goals of providers, limiting the ability of the sector to actually advance systemic changes for the communities they serve. Providers are asked to report on metrics, outputs, and levels of service rather than measures of progress toward sustainable outcomes and what level of funding might be necessary to achieve lasting change. Furthermore, government agencies perpetuate scarcity, forcing providers to compete with one another on providing services for the lowest dollar rather than on the quality of programs, constraining the resiliency of the sector and the communities that they serve.

To ensure the viability of the human services sector and support New York City's transformation into a more equitable and prosperous city for all New Yorkers, the next mayor must commit to supporting transformative human services programs, which mean those services that are (1) designed with providers and communities to (2) get at the root cause of the issues with (3) provable and achievable outcomes that demonstrate individual and community value. This will require New York City's next mayor to conduct a reimagination of the entire model in collaboration with providers and commit to creating a Procurement Reform Commission that redesigns the procurement system within the first sixty days of office, with six months to deliver a plan and eighteen months for implementation. This reimagination of procurement should:

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- focus on performance outcomes that are aligned with the needs of the clients and communities organizations serve;
  - encourage continuity and competition so that organizations of all sizes have access to government contracts;
  - administer timely payments that cover the full cost of services so that the sector can focus on delivering high quality programs without the threat to sustainability;
  - maintain consistency, transparency, and communication in processes across all contracting agencies; and
  - support racial and social equity, as funding needs should be a direct response to community needs and rooted in transforming conditions that produce injustice.

The city should review PASSPort digital procurement portal data to establish clear timeframes that are codified through legislation for the contracting process and utilize the Mayor's Management Report to include procurement measures and targets. The Procurement Reform Commission must establish mutual accountability for both contracting agencies and providers by:

- establishing clear human services leadership with access to City Hall;
- working across contracting agencies to build systems in coordination and synchronize their data instead of requiring providers to use multiple systems;
- legislating penalties for failure to pay on time at the city level;
- establishing meaningful and impactful reporting and mandate reporting requirements for all contracting agencies, including developing key KPIs and scorecards;
- including cost escalators within fixed costs of contracts;
- holding providers accountable for outcomes, while allowing for flexible budgeting as providers are the experts in knowing how to implement programs; and
- utilizing the Nonprofit Resiliency Committee's Guide to Collaborative Communication with Human Services Providers before releasing procurements.



# From Crisis to Opportunity

A POLICY AGENDA FOR AN EQUITABLE NYC

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