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For 85 years, the Federation of Protestant Welfare Agencies (FPWA) has been a leading policy advocate for individuals and families served by our almost 300 member human service agencies and churches in and around New York City.

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Enrollment in New York City's Publicly-Funded Child Care Centers: The Need for Collaboration

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Introduction

In the past year, the issue of under-enrollment facing publicly-funded child care centers across New York City has been attracting increased attention. "Under-enrolled" centers are those that have contracts with the City to provide subsidized child care for a certain number of children, but are struggling to enroll enough children to meet their contracted capacity. Recognizing the need to fill these child care slots, the New York City Administration for Children's Services ("ACS") has been reaching out to centers and helping them resolve this issue. Although the situation has improved, the recruitment and enrollment of new children remains an ongoing challenge for many centers.

The Federation of Protestant Welfare Agencies ("FPWA") agrees that vacancies in child care centers represent a wasteful expense for New York City and an inefficient use of slots that should be filled by children in need of subsidized care. We also recognize that under-enrollment is a complicated issue and may not simply indicate reduced demand for services or insufficient outreach by providers. Therefore, FPWA strongly supports ACS' continued collaboration with existing child care centers in understanding and addressing the range of issues that affect enrollment. This support will assist centers in continuing to operate and provide quality child care services to children and families in New York City.

To assist in this effort, we have identified a number of systemic factors which currently impede the ability of child care centers to enroll children, as well as specific policy recommendations for addressing these issues.¹

FPWA promotes the social and economic well-being of greater New York's most vulnerable by strengthening human service organizations and advocating for just public policies.

Factors Affecting Enrollment

Child Support Requirement

The requirement in New York State to pursue court-ordered child support as a condition for receiving subsidized child care has kept many families from enrolling their children in child care programs. Parents are wary of being forced to seek child support for a variety of reasons related to the health and safety of their families.

In New York City, the State-imposed child support requirement has had a negative impact on the ability of low-income families to access subsidized care.² Parents are unable to comply with this requirement for a number of reasons, including:

- Missing days of work to appear in court and engage in the process of pursuing a child support order can compromise the job security of low-income parents, many of whom do not have the benefit of paid leave.
- Pursuing court-ordered support may disrupt existing informal or voluntary support arrangements and place an unnecessary strain on relationships with the absent parent.
- Parents with a history of domestic violence may resist any interaction with the non-custodial parent for fear of exposing their families to potentially abusive situations. Although there is a good cause exemption for situations in which the pursuit of child support would “adversely affect the health, safety or welfare” of the child or other persons in the household, the application of this exemption is extremely difficult for both child care workers and parents to understand.³ The result is that parents in this situation are scared away from accessing subsidized child care assistance.

According to a survey of 86 ACS child care centers in Brooklyn and the Bronx conducted by the Welfare Reform Network’s Child Care Committee, three out of four center directors said that the child support requirement had resulted in the loss of single-parent applicants. Of the directors who were able to provide an estimate of the percentage of applicants lost, estimates were as high as 75%. The average estimated loss was 38%.⁴

The impact of this requirement goes far beyond its effects on the enrollment numbers at child care centers. Without subsidized child care, parents are forced to place their children in the only care they can afford, which may mean a compromised level of safety and a learning experience that falls far short of high-quality, developmentally appropriate care. Parents also lose the reliability of a subsidized care arrangement for their children, which can jeopardize their job security and the financial security of their families. This is particularly critical now that more low-income single mothers are entering the workforce.⁵

Eliminating the child support requirement would enable more families to access subsidized child care, allowing more low-income parents to work and placing more children in quality early learning programs that are crucial to their future success. Given Governor Spitzer’s commitment to improve educational outcomes for children, as evidenced by the creation of the Children’s Cabinet and the expansion of Universal Pre-Kindergarten, now is the time to express our concerns about the harmful impact of the child support requirement. Although New York City originally requested a waiver from the requirement and most recently called for changes to its implementation, FPWA urges the City to

join advocates, providers, and families in a continued effort to lobby New York State for an outright repeal of the child support requirement.

Outdated Income Guidelines

According to regulations from the New York State Office of Children and Family Services, the income guidelines used to determine the eligibility of families for child care assistance must be updated every year based on the federal poverty level. However, because ACS does not consistently disseminate and publicize new income guidelines on a timely basis, families who would be eligible under new guidelines may not be able to access subsidized care.

The income guidelines used to determine eligibility for child care assistance in New York City are based on the federal poverty level and family size. To qualify for subsidized care, a family of two must be under 275% of the federal poverty level, a family of three must be under 255% of poverty, and a family of four or more must be under 225% of poverty.⁶ The new federal poverty level is released each year and, according to State regulations, the income guidelines must be updated to reflect this on June 1st of each year.⁷

However, because ACS does not always issue revised income guidelines according to the required timeframe, many programs and potential applicants operate on outdated guidelines that shut out families who are actually eligible for care. In April 2007, ACS notified providers of changes to the guidelines based on the 2006 federal poverty level, *ten months after the revised guidelines should have gone into effect*. Furthermore, a recent review of the 2005 and 2006 ACS Child Care Fee Schedules by the Welfare Reform Network's Child Care Committee revealed inconsistencies between the child care fees charged and the City's stated formula for determining those fees. Although ACS has taken some steps to remedy these issues in its 2007 Fee Schedule, the agency must consider that incorrect or inconsistent information regarding income eligibility guidelines or required child care fees will prevent families in need from accessing care. ACS should make every effort to ensure that guidelines are revised on time and distributed widely (including online publication) and that providers have access to up-to-date, accurate fee schedules.

There is also concern that the current income guidelines do not adequately cover all working families in need of subsidized care. Child care is a major obstacle to employment for parents and can have particularly serious implications for the economic security of working families. We commend New York City for extending subsidized child care to families over 200% of poverty and for implementing a 10% cap on the amount of gross annual income that a family must pay towards child care fees.⁸ However, FPWA believes that the income guidelines should be raised such that *all* families under 275% of the federal poverty level qualify for subsidized care, *regardless of family size*. This would allow more working families to take advantage of child care assistance. It would also protect more families who qualify under existing income guidelines from being bumped out of eligibility altogether due to marginal increases in family income.

While we call on New York City to raise the income eligibility guidelines for subsidized child care, we realize that the City cannot do this alone. Therefore, we urge the State to devote more money to the New York State Child Care Block Grant ("NYSCCBG"), the primary funding source for subsidized child care assistance in local counties. We further recommend that the current restriction limiting the use of NYSCCBG funds to families under 200% of poverty be changed to allow counties to use this funding for families with incomes up to 275% of poverty.⁹ An increase in funding and a higher

income eligibility ceiling would provide much-needed support for New York City's overall child care system and allow the City to reach even more working families.

Administrative Limitations

New York City's system for enrolling children in child care is a cumbersome, paperwork intensive process that is often marked by inefficiency and inconsistent procedures.

There are a multitude of administrative problems confronting the child care enrollment process, including but not limited to:

- inconsistent operating procedures across ACS Child Care Resource Areas which cause application processing delays¹⁰;
- data entry errors resulting in discrepancies between ACS enrollment records and the centers' own accounts;
- communication lapses between ACS and providers, such as the failure to inform providers of upcoming recertification deadlines for families; and
- ongoing problems with the transfer of the Human Resources Administration's child care program to ACS, which often leaves providers with incomplete or conflicting information regarding the eligibility status of public assistance families.

Providing a specific framework for solving the many administrative issues afflicting the system is beyond the scope of this paper. Resolving these issues requires input from all stakeholders and a comprehensive evaluation of the delivery system as a whole. ACS and child care centers must work together to identify problem areas and develop a process where families enter the child care system with minimal disruption to family life and greater administrative ease.

ACS has already taken a step towards developing strategies for system-wide administrative change with the launch of its Eligibility and Enrollment Initiative. This initiative, prompted by ACS' "Rethinking Child Care" plan and implemented in the Bronx in January 2006, demonstrated that enrollment at child care programs can be increased as a result of strategic procedural reform.¹¹ With an emphasis on community-based enrollment, the initiative allowed parents to enroll children at the center of their choice rather than going to an ACS Child Care Resource Area. New, simplified application forms were put into use and child care providers were trained in the provision of on-site eligibility services. To reduce time lags in the application approval process, special attention was directed towards Resource Area procedure as well. Practice modifications included assigning caseloads of specific programs to Resource Area workers, devoting time each week for these workers to discuss pending enrollment applications with individual programs, standardizing the application review process, and increasing the number of re-certification cases handled by mail.¹²

These streamlined procedures resulted in a 13% increase in enrollment at participating child care centers in the Bronx. The initiative was also completed in Manhattan and in Queens, which demonstrated an 8% increase in enrollment, and is underway in Brooklyn and Staten Island. Currently, ACS is reporting enrollment rates of 89% to 93% across the five boroughs, due in large part to these efforts.¹³

Although the Eligibility and Enrollment Initiative has been successful, more work is needed to address outstanding administrative issues and to create a seamless process for enrolling families in child care. FPWA encourages ACS to use the initiative as a stepping stone to more comprehensive

administrative reform, perhaps by creating a collaborative, working group process that includes both ACS and centers. The goal would be to evaluate the enrollment process and devise a system that facilitates speedy application approvals, accurate recordkeeping, and an active exchange of information that allows centers and ACS to provide the best eligibility assistance possible to families in need.

The Eligibility and Enrollment Initiative also illustrates that ongoing support and resources are critical for sustaining any changes in enrollment practices. For instance, while it has many benefits, on-site eligibility work is an added responsibility for already overworked center directors and staff members. Centers need additional staff and specialized training in order to take on these new responsibilities. Without a continuing investment of resources, improvements in practice are unlikely to survive beyond short-term “initiatives.” As it implements the changes necessary to streamline the enrollment process for children and families, ACS must ensure that centers and Resource Areas have the tools they need to function successfully.

Lack of Information for Parents

Poor distribution of information through 3-1-1 and other City sources makes it extremely difficult for parents to acquire complete and accurate information about child care programs and/or the application process.

Many parents seeking information on local child care programs for their children encounter great difficulty in obtaining this information. Operators for the City’s information hotline, 3-1-1, are responsible for fielding questions on publicly-funded child care programming, but are not always equipped with complete or correct information regarding location, number of vacancies, or service offerings for particular centers. Online information resources are also limited. Although ACS has posted a list of contract child care programs on its website, the information has multiple shortcomings:

- the data is irregularly updated, with the most recent updates made in January and June 2007;
- the entry ages for programs are not listed, making it impossible for parents to know whether a center’s “infant/toddler” category applies to children under age two; and
- it is not easily searchable.¹⁴

ACS should make information about child care programs in New York City more easily accessible for parents. The agency must ensure that 3-1-1 operators and other outreach personnel are properly trained to provide parents with the best information available regarding local child care programs. While we understand that real-time information on the number of vacancies in child care centers is difficult to maintain, we encourage ACS to continue working towards making this data readily available to parents seeking subsidized care. Online resources should also be expanded and improved. To be truly effective and helpful to parents, any online list of child care programs must be continually updated, user-friendly, easily searchable, and comprehensive, with the inclusion of vital information such as addresses with cross streets and entry ages for programs.

In addition to ensuring that parents who seek out ACS informational sources receive the information they need, FPWA also encourages the agency to strengthen its active outreach efforts. Low-income parents, who are often struggling with a myriad of issues related to employment, transportation, housing and food security, may not know how or where to access information on subsidized child care. Direct mailings, community postings, and ACS-sponsored informational fairs or open houses in each borough would go a long way towards providing parents with easy access to important information on child care arrangements for their children. The agency should also consider reinstating an annual enrollment campaign each Spring, featuring increased marketing and outreach. This was a practice used

successfully in past years to encourage parents to enroll their children in early care programs in anticipation of student turnover in the Fall.

Lastly, ACS should work with centers to create enrollment strategies tailored to meet the needs of particular groups, including hard-to-reach, under-served, and high-need populations. ACS has already demonstrated its willingness to engage in targeted outreach with its recently released plan to increase the enrollment of public assistance families. Key components of the outreach plan include providing information on ACS contract child care programs to parents in Job Centers, mailing information directly to public assistance families currently using informal care, and re-training Job Center staff on the child care enrollment process for their clients. In the future, the agency hopes to bolster these efforts by offering tours of child care sites and informational focus groups to parents utilizing Job Centers. Furthermore, child care centers will receive necessary assistance with marketing, monitoring reservations, and general trouble-shooting, as well as access to an ACS Central Office liaison.¹⁵

We support ACS in this effort to ensure that one of New York City's most vulnerable populations has access to child care services, and we encourage the agency and centers to use this as a model for reaching other communities in need. For example, immigrant families in New York City face a variety of obstacles in accessing subsidized care, including general unfamiliarity with the child care system, language barriers, and fear that interaction with the City will somehow jeopardize parents' immigration status.¹⁶ Targeted outreach strategies employing specialized marketing and training for program staff on specific community or cultural needs are necessary to ensure that immigrant families and other hard-to-reach populations receive the child care services they need.

Shifting Landscape

Changing trends in other publicly-funded early education programs, including the rising predominance of public school kindergarten and the creation of the Out-of-School Time program, have greatly affected enrollment patterns in New York City child care centers.

Public school kindergarten has become the norm, and consequently, numerous child care programs which previously hosted kindergarten classrooms have lost the enrollment of five-year-old children. However, some program contracts still assume the need for all-day kindergarten classrooms in early care centers even though they are increasingly difficult for providers to fill. Furthermore, the implementation of the Out-of-School Time program in 2005, which involved the transfer of funding for school-age care from ACS to the Department of Youth and Community Development, resulted in the loss of enrolled school-age children in child care centers across the City.¹⁷ This transition also led to the withdrawal of many preschool-age children, whose older siblings could no longer attend ACS center-based school-age care.¹⁸ Working parents simply could not afford the time and inconvenience of enrolling their children in separate programs.

In anticipation of a changing child care landscape, the "Rethinking Child Care" plan emphasized the emerging opportunity for publicly-funded centers to "age down" by taking on the care of children under age three.¹⁹ The shortage of subsidized care for infants and toddlers in New York City, coupled with open classroom space in some centers, suggests that the increased enrollment of younger children in centers may be a natural fit. However, "natural," in this case, does not mean "easy." Preparing centers to take on the care of younger children requires significant additional work. In some instances, centers may need assistance with restructuring classroom age groupings

to accommodate younger children. In other situations involving the care of younger children, centers may face a variety of hurdles, including:

- re-configuring space;
- re-fitting classrooms with equipment appropriate for younger children;
- amending center licensing agreements to allow for infant/toddler care;
- training in infant/toddler best practices for existing staff; and
- recruiting new staff to satisfy the higher staff-to-child ratios required by health and safety regulations.

Centers need extensive technical assistance, as well as a known and manageable process for obtaining funding, in order to accommodate this transition and the necessary programmatic changes. We also recognize that the City needs adequate support from the State in order to invest in changes that allow the subsidized child care system to better serve the needs of families. FPWA again urges the State to increase funding for the New York State Child Care Block Grant.

Changing Communities

The changing needs and populations of certain communities may affect the number of children in need of subsidized care in the vicinity of some child care centers.

Shifting demographics, including trends such as gentrification and population aging, may have affected the demand for subsidized child care in certain communities. The distribution of child care services should accurately reflect the level of need, and ACS should continue exploring this issue and developing comprehensive strategies to assist centers in coping with these changes. However, we encourage ACS and the City to carefully examine the distribution of need and ensure that an inability of low-income families to access subsidized care is not mistaken for an absence of need.

The Future of Universal Pre-Kindergarten and its Impact on Enrollment

With the City receiving roughly \$60 million in additional State money devoted to Universal Pre-Kindergarten (“UPK”) this year, the goal of providing all four-year-olds with a quality early learning experience appears closer than ever.²⁰ The City has already taken steps to broaden pre-kindergarten programming, soliciting applications from community-based providers for new and expanded UPK contracts in February and May 2007.²¹ The City Council also added \$5 million in funding in New York City’s budget for Fiscal Year 2007-08 for full-day pre-kindergarten programming in ACS-contracted community-based sites.²² To ensure these efforts to expand pre-kindergarten services are successful, the promotion of UPK enrollment in child care programs will be essential.

Community-based organizations (“CBOs”), including CBO-operated, ACS-funded child care centers, are a major partner in the effort to deliver much-needed UPK services to children. In 2004-05, 62% of children enrolled in Universal Pre-Kindergarten in New York State received pre-kindergarten services in community-based settings, including over 600 sites in New York City.²³ CBO programs offer many benefits, including the availability of extended day and year-round services and an early childhood environment that may be more developmentally appropriate for some children than the elementary school setting. Extended day and year-round services are particularly important for working parents, who need care for their children outside of the public school “full” day program, which lasts only 6 ½ hours and is limited to the ten months of the year when public schools are in session. Pre-kindergarten classes at CBO sites also typically have lower student-to-teacher ratios, allowing for more individualized instruction and greater attention to family and culturally-specific needs.

In order to ensure that children are enrolled in these programs, the City must take adequate steps to inform parents of the full range of pre-kindergarten options, including the availability of these services at CBO-operated, ACS-funded child care centers and other CBO programs. To accomplish this, the City needs a streamlined UPK enrollment process that provides parents with information on the different choices in program settings, as well as a centralized application that can be used to enroll children in CBO programs or schools. Accurate information is integral to encouraging parents to enroll their children in UPK programs at CBO sites. Working parents need to know that CBOs offer extended day and year-round services that may better fit their schedules and that choosing a CBO program will not affect their ability to later enroll their children in the public school kindergarten class of their choice. With easy access to the right information, parents who need the specialized services that CBOs provide will be able to make an informed decision.

Conclusion

Centers cannot continue to host unfilled slots at a time when New York City is experiencing significant unmet need for child care assistance.²⁴ However, center vacancies do not automatically mean that the City's obligation to families in that community has been fulfilled. The City should not take on the expense of redistributing slots without first doing all it can to support existing programs. These programs have already invested a tremendous amount of resources over many years in developing high-quality early care services and strong ties to communities.

FPWA understands that ACS is working hard to implement systematic changes that will ease the enrollment process for both families and providers. Recognizing the need to provide centers with clear guidance and direction, ACS reportedly plans to release a policy guide for full enrollment in the near future. This document will provide center directors and staff with information that is essential to creating a strong working partnership between programs and ACS, including expected enrollment goals, timelines for goal achievement, and available interventions for centers that need agency assistance. FPWA believes that the recommendations presented in this brief will strengthen ACS' existing efforts to improve enrollment in publicly-funded child care centers.

FPWA'S POLICY RECOMMENDATIONS

- Continued State-level advocacy to rescind the child support requirement for families seeking subsidized child care;
- Timely release and widespread distribution of fee schedules reflecting up-to-date income eligibility guidelines and accurate child care fees;
- Increased efforts to resolve administrative issues currently hindering the enrollment process, combined with an investment of resources to support improved practices;
- Continued support for procedural reforms implemented through the Eligibility and Enrollment Initiative, including resources to support programs in providing on-site eligibility services and to assist ACS Resource Areas in maintaining a standardized application approval process;
- Support for enrollment in pre-kindergarten programs at community-based organization sites;
- Increased efforts to strengthen City informational sources, including an easily searchable, complete online list of child care programs and proper information for 3-1-1 personnel;
- Active outreach to communities, including an annual Spring campaign with increased marketing to promote child care enrollment for the Fall and targeted outreach strategies for hard-to-reach populations such as immigrant families;
- Technical assistance and funding for centers taking on infant/toddler care;
- Increased income eligibility guidelines such that families up to 275% of the federal poverty level are eligible for care, regardless of family size; and
- State-level advocacy for increased funding and a higher income eligibility ceiling for the New York State Child Care Block Grant.

With the needs of New York City's children and families at stake, ACS and child care centers must work together to maintain these centers as valuable fixtures in their communities.

Endnotes

- ¹ Much of the information presented in this brief was gathered through conversations with child care providers, community advocates, and representatives of the New York City Administration for Children's Services. FPWA expresses great thanks to all those who contributed their time and insight.
- ² 18 NYCRR 4153(c); 05-OCFS-ADM-03.
- ³ 05-OCFS-ADM-03.
- ⁴ "Report on the Effect of the Court-Ordered Child Support Requirement on ACS Child Care Centers," Welfare Reform Network's Child Care Committee (2007).
- ⁵ Betsy Gotbaum and Nancy Rankin, "The Other Mothers" (May 14, 2006). Available at <http://pubadvocate.nyc.gov/news/ReadGotbaumsNewYorkTimesOp-EdonLow-IncomeWorkingMothers.html>.
- ⁶ Local District Child Care Plan for New York City (Effective 2004-2006).
- ⁷ 07-OCFS-INF-03 (This Informational Letter from the New York State Office of Children and Family Services directs counties to use the "state income standards" in determining eligibility for services; however, as the Letter indicates, the state income standards are based on the federal poverty guidelines.).
- ⁸ Local District Child Care Plan for New York City (Effective 2004-2006).
- ⁹ New York State Child Care and Development Fund Plan for FFY 2008-2009.
- ¹⁰ Child Care Resource Areas are ACS-operated offices that provide information on child care and Head Start programs and conduct certain eligibility and enrollment activities.
- ¹¹ Ajay Chaudry, Kate Tarrant, and Julie Asher, "Rethinking Child Care: An Integrated Plan for Early Childhood Development in New York City," New York City Administration for Children's Services (October 2005).
- ¹² Information provided by New York City Administration for Children's Services ("ACS").
- ¹³ "Testimony of Commissioner John B. Mattingly, Administration for Children's Services," before the New York City Council Committees on Finance, General Welfare and Women's Issues (March 15, 2007); Information provided by ACS.
- ¹⁴ "Directory of the Child Care Contract Agencies." Available at http://www.nyc.gov/html/acs/downloads/pdf/childcare_contract_agencies.pdf.
- ¹⁵ "Priority Enrollment for Public Assistance Families," Memorandum to Directors of Contract Child Care Programs, New York City Administration for Children's Services (August 21, 2007).
- ¹⁶ For a more complete description of the specific enrollment barriers affecting immigrant families, see Rasmia Kirmani and Vanessa Leung, "Breaking Down Barriers: Immigrant Families and Early Childhood Education," Coalition for Asian American Children and Families (forthcoming).
- ¹⁷ Frank Lombardi, "After-school change strain: Say shift from day care to PS cuts slots," THE NEW YORK TIMES (September 13, 2006). Available at http://www.dc1707.net/press_release5.htm.
- ¹⁸ Although vouchers are technically available to parents who want school-age services in ACS-funded centers, in reality, they are extremely difficult to obtain. As stated on the ACS website, "[f]unding for vouchers is extremely limited, and the wait for a voucher can be very long."
- ¹⁹ Ajay Chaudry, Kate Tarrant, and Julie Asher, "Rethinking Child Care: An Integrated Plan for Early Childhood Development in New York City," New York City Administration for Children's Services (October 2005).
- ²⁰ "Statewide Prekindergarten Programs: 2007-08 Prek Funding Allocations," New York State Education Department. Available at <http://www.emsc.nysed.gov/nyc/UPK/2007-08/2007-08upkallocations.xls>.
- ²¹ "RFP #R0051: Universal Prekindergarten Services 2007-2010," The New York City Department of Education (February 2007); "Application for two and one-half hours of Universal Prekindergarten Services 2007-2010: Application #R0217," The New York City Department of Education (May 2007).
- ²² "City Council Fiscal Year 2008 Adopted Expense Budget: Adjustments Summary/Schedule C" (June 15, 2007). Available at http://www.nycouncil.info/pdf_files/reports/schedule_c_rvs.pdf.
- ²³ "2004-2005 Universal Prekindergarten Program, Annual Report to the Legislature," New York State Education Department. Available at <http://www.emsc.nysed.gov/nyc/UPK/0405upkreport.htm>; "Strengthening and Expanding Prekindergarten in the Children First Reorganization," Child Care Inc. (2007).
- ²⁴ William C. Thompson, Jr., Office of the Comptroller, City of New York, "Slots for Tots: New York City's Failure to Manage Daycare Enrollment" (April 1, 2003) (In 2003, this report estimated that approximately 46,800 children were on the waiting list for ACD child care.); Ajay Chaudry, Kate Tarrant, and Julie Asher, "Rethinking Child Care: An Integrated Plan for Early Childhood Development in New York City," New York City Administration for Children's Services (October 2005) (According to this report, there are roughly 275,000 children in New York City who are under age six and from families under 200% of the federal poverty level, most of whom are "potentially eligible" for subsidized care.).