

April 2, 2020

Commissioner Sheila Poole
Office of Children and Family Services
52 Washington Street
Rensselaer, NY 12144

Dear Commissioner Poole,

We are writing on behalf of the undersigned organizations that provide and support high-quality afterschool, summer, and expanded learning opportunities to New York's children and families. We thank the Office of Children and Family Services (OCFS) for your continued efforts to ensure that New York children and families are able to receive the support they need to navigate this COVID-19 pandemic. Especially at this time, it is crucial to strengthen the capacity of community-based organizations that provide expanded learning opportunities and other essential services for students and their families, especially as schools close and families are leaning on child care and youth development programs more than ever.

Many afterschool, summer, and other expanded learning organizations are shifting their work to respond to COVID-19. These organizations are preparing and providing meals; providing ongoing tutoring and creating virtual youth enrichment experiences to maintain a sense of normalcy while children shelter-in; compiling parent resources; conducting wellness checks with families; staffing childcare centers to look after the children of healthcare workers, first responders, and more. However, many of these programs continue to bear the brunt amidst this COVID-19 crisis and are still unsure about how to move forward as OCFS has not provided guidance around contracts, deliverables, and/or how payments will change. **We urge you to respond within 24 hours with guidance on contractual flexibilities that allow programs to continue paying staff with state contracted afterschool funds**, specifically Advantage After School Program and Empire State After-School Program during program and school closures. **Further, we urge you to issue guidance for the Empire State After-School Program immediately**, even as you work on clarifying information for the Advantage After School Program, as immediate guidance is critical to save jobs and ensure continuity of programming when it is possible to reopen. **While it would be ideal to have aligned guidance across programs, timely guidance is more imperative.**

These programs are facing immediate decisions about staffing and operations that could result in further massive layoffs due to lack of communication. Because of the lack of guidance, programs:

- have already had to make the hard decision to lay off high-quality staff, some of whom do not qualify for unemployment.
- fear that they will not be able to meet all deliverables of state-funded contracts due to school closures and social distancing measures to address the COVID-19 pandemic.

- fear that they will not be able to re-open to resume operations, and if they do, they will be severely short staffed.
- are anticipating reduced cash flow if they cannot be reimbursed for expenses while programs are physically closed, which will negatively impact their ability to pay staff.

Some State agencies have provided guidance on contractual flexibility for their grantees. The State Education Department recently issued [guidance](#) allowing their 21st CCLC sub-grantees to keep their staff working during this time, despite lack of clear guidance from the US Department of Education. Last week, the Office of Addiction Services and Supports (OASAS) [committed](#) to reimbursing “all reasonable costs” incurred per COVID-19 related expenses and has provided regulatory flexibility for their contracts. The Office of Mental Health released [guidance](#) as well, recognizing all COVID-19 expenses as an allowable expense under existing contracts. OCFS must provide similar contractual flexibility and provide notification to providers immediately.

Afterschool providers cannot wait any longer as they need to make quick, dire, and informed decisions about their programs. These programs must be able to pay their staff, including increases for extra hours and hazard pay, and ensure that programs are able to operate in full capacity. The staff at these programs deserve the stability of full pay during these trying times.

Programs are leveraging their positions and shifting resources to provide necessary services for communities during this difficult time, but are limited if they are not given the flexibility to continue to do so. We hope that clarification and guidance will be provided immediately to ensure that these programs receive the much needed flexibility so that they can continue to provide stability for their staff and the essential services New York children and families need during this difficult time.

Sincerely,

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