

2019 LHEC Advocacy Agenda: Flexibility and Sustainability

NYS PUBLIC SCHOOLS - EVER UPWARD

Since 1976, the Lower Hudson Education Coalition (LHEC) has been a leading regional public education advocacy voice and resource for the 77 school districts in Dutchess, Putnam, Rockland, and Westchester counties. Our school districts proudly educate more than 239,000 students and comprise more than 1.7 million community members.

School districts welcome all children without exception, and strive to provide equity of resources and opportunity and a path to success for all. Our schools are vibrant centers of learning that offer a broad choice of programs and services to meet the educational and social-emotional needs of our diverse student populations. Public schools serve 9 out of 10 children in America, and 2.5 million attend school in NY.

FINANCIAL ADEQUACY AND EQUITY ARE THE FOUNDATION

FOUNDATION AID: *Provide school districts with adequate and representative state aid through a formula calculated using updated, and current school district factors, ensuring that increasing student needs, changes in enrollment, recent poverty data, appropriate regional costs, and special education needs are reflected.*

- The current Foundation Aid formula was frozen in 2008. Since then, annual calculations have been based on arbitrary and unpredictable factors, rather than a “live” formula, because of this the current formula does not reflect current district needs or a district’s changing student demographics.
- Due to the formula being frozen, this has resulted in more than 75% of the districts in our four-county region still receive less than 100% of the Foundation Aid, and one-third receive less than 60%. By contrast, only 40% of the school districts statewide receive less than 100%, with just 10% funded at under 60% of the formula amount.

REGIONAL COST (RCI): *The department should begin utilizing the most recent RCI value, and apply it to all State Aid formulas and funding eligibility criteria, including the Foundation Aid formula. Additionally, the Lower Hudson Valley should be included with the NYC/Long Island regional grouping due to the regional similarities.*

- Currently, the State Education Department (“SED”) 2006 Regional Cost Index is still being utilized, rather than the most recent 2012 Regional Cost Index.
- LHEC school districts are located in NY’s highest cost area. Given this reality, our districts face significantly higher costs for staffing and district operations, and a higher cost of living for the families in our communities.
- The current regional grouping regime used for the Regional Cost Index places the LHEC districts, which are in some of the highest cost areas of the nation, with counties that have a lower cost of living, and thus is not reflective of the true costs incurred.
- This inequity is further compounded by the shares agreement that provides predictable funding for New York City and Long Island.
- To address this inequity, we strongly believe that the LHEC counties should be grouped with the New York City/Long Island region to accurately reflect the true regional cost.

TRS RESERVE FUND: *All public-school districts need to have the flexibility to reserve funds for New York State Teacher Retirement System (TRS) employer costs, as currently allowed for employer pension costs for non-instructional staff in the Employee Retirement System (ERS).*

- Under current law, School districts may set up an ERS reserve for non-instructional pension costs, but cannot do the same for TRS. Legislation must be enacted to allow for a TRS/ERS reserve fund, because an annual increase in the NYS TRS rate can eat into a district's budget, triggering cuts to programs and services in order to be under the levy cap.

TAX LEVY LIMIT: *Modifications are needed to ensure predictability and long-term district sustainability.*

- The cap as implemented six years ago has had unintended consequences. The State needs to consider an allowable levy growth factor of at least 2% rather than the current linkage to an annual CPI, with no negative tax levies (12% of LHEC districts had negative levy limits in 2016-17), and enrollment growth. It is also time to address the impact of costly, inflexible State mandates on school districts operations.

SPECIAL ACT PUBLIC SCHOOL DISTRICTS: *Create a tuition methodology that reflects current year expenses, allows for reserve funds, and treats Special Act districts equitably with other public school districts.*

- Special Act school districts (SASD) are public school districts located on the grounds of residential treatment or hospital facilities that provide specialized services to some of NYS's most challenged students whose individual needs cannot be met in their home districts.
- The SASD tuition rate is set by NYS, and is below the going rate for most other specialized placements.

SAFETY MUST BE EVERYONE'S PRIORITY

STUDENT AND SCHOOL SAFETY: *Create new flexible funding for public school districts to provide appropriate services, programs, and facilities to address increased mental health and school safety needs.*

- School safety measures require additional flexible funding from the State in order to provide crucial services, staffing, and security upgrades to schools, as well as professional development and trainings.
- Furthermore, districts need funding to be able to support the social-emotional and mental health needs of students, especially in schools that have increasing special education and high need populations.

SCHOOL BUILDINGS AS POLLING PLACES: *Enact legislation that provides school districts with the same "right of refusal" as other public buildings for the selection of polling locations.*

Under current State Election Law, a Board of Elections is authorized to designate any building exempt from taxation, including school buildings, as a polling place. However, a school district does not have the same right as every other publicly owned or leased building to file a request to rescind that designation, even if the "use of such building as a polling place would unreasonably interfere with the usual activities in such building" (ELN § 4-104.3).

- The use of school buildings for elections has and continues to run the risk of disrupting school safety protocols and unreasonably interfering with student programs and activities (i.e. gym or library use).

ANNUAL PROF. PERFORMANCE REVIEW (APPR) - MEASURE WHAT MATTERS

NY must adopt a research-based evaluation system that promotes teacher learning and professional growth.

- Regents must extend the 2019-20 APPR moratorium and allow a newly appointed committee of practitioners and subject matter experts to analyze and draft evaluation recommendations for 3012-d.
- Districts need the flexibility to use locally determined multiple measures when evaluating teaching professionals, with management prerogative as to the selection of evaluation tools.