



LOWER HUDSON EDUCATION COALITION
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2022 NYS Advocacy Agenda

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

Student Mental Health & School Safety: *Funding to provide for school safety and the mental health of students continues to be a critical need for schools.*

- Amend the proposed RECOVS grant program to ensure that all students have equitable access to mental health supports, by eliminating the “needs-designation” and by providing funding as a **per pupil allocation**.
- Make significant resources available in schools and communities **to support and expand mental health services for students** due to the rise in trauma, social disconnection, isolation, stress and fear.
- Include the Executive’s proposed **statutory cost of living adjustment and community reinvestment**, to support and expand community providers capacity to deliver mental health services.
- Ensure additional **flexible resources for school safety**, including funding for staffing, security upgrades, professional development and training.

Foundation Aid Formula and Regional Cost Index: *Along with the State’s commitment to fully fund the Foundation Aid formula, updated data inputs and adjustments to the current formula would ensure adequate and representative state aid to local school districts. Additionally, Lower Hudson Valley should have a regional cost index that better reflects the cost of operating in the NYC suburbs.*

- Update **school district data in the Foundation Aid formula** to ensure that increasing student needs, changes in enrollment, recent poverty data, appropriate regional costs and special education needs are reflected. Outdated data used in the 2007 formula does not reflect changes in student demographics and increased cost of living in the Hudson Valley.
- Amend the **Regional Cost Index of the Lower Hudson Valley** to reflect the high cost of operating in the suburbs of NYC. Either establish a new MTA Region to group the LHEC counties with NYC/Long Island, or create a Long Island/Hudson Valley region, similar to NYSED’s ARPA grant calculation.

Tax Cap Revisions: *In 2011 when the Property Tax Cap was first enacted, school districts and local governments were promised mandate relief to facilitate the ability to comply with the tax cap. However, in the years since, meaningful mandate relief has failed to materialize for school districts. It is essential that the Executive and the Legislature consider adjustments to the formula to reduce unintended consequences of formulaic calculations.*

- Allow districts to **apply the unused allowable tax levy** within a subsequent three-year period to balance the needs of schools and property taxpayers.
- Amend the current formula to exempt **increases in pension contributions** in excess of 10% per year.
- Amend the tax cap formula to account for **enrollment growth**. Due to the COVID-19 pandemic, more families have moved to the suburbs of NYC, creating the expectation of additional enrollment growth.
- Reduce the effects of mathematical incongruities in the **tax cap formula**, such as eliminate negative tax levy caps, include PILOTs in the tax base growth factor, and reduce the impact of annual changes in the use of reserves or transfer to capital.
- **Amend** the Executive’s proposed property tax rebate proposal by **increasing the income limit to \$500,000**, in line with the STAR program, to ensure that taxpayers in the high-cost lower Hudson Valley are eligible for property tax relief.

Zero-emission School Buses: *The Executive Budget proposes that all new school buses will be zero-emissions by 2027 and school bus fleets will be fully electric by 2035. Due to the significantly higher cost of electric buses and the operational difficulties of transforming school bus fleets in the coming years, school districts will be looking to the state for assistance with managing the transition to more environmentally friendly school buses throughout NYS.*

- Include a **dedicated funding** mechanism in the proposal to provide funding to districts to offset the cost differential between diesel buses and electric buses. Additionally, the state should include school districts within the existing NYSERDA Truck Voucher Incentive Program.
- Establish a **dedicated team of staff at SED and NYSERDA** to assist districts in developing federal grant applications.
- Amend the current NYSERDA **Clean School Initiative**, to ensure dedicated funding and a streamlined process for districts to offset costs associated with installing charging infrastructure.
- Authorize school districts to establish a **new reserve fund** to set aside monies to comply with the transition.

A joint project of the Westchester Putnam School Boards Association, the Rockland County School Boards Association, the Dutchess County School Boards Association and the Lower Hudson Council of School Superintendents

- **Protect districts from potential price gouging** by transportation companies.
- Amend the current proposal to include provisions that provide for **work force development and retraining** for current district mechanics to be able to perform maintenance on electric buses.

Funding for Pre-K Programs: *Ensuring all preschool-age children have access to a high-quality pre-K program that their family can afford is a worthy goal. State funding is critical in public school districts which have identified a clear need in their community.*

- **Increase the pool of pre-K aid** funding available to ensure additional students can benefit from quality pre-K programs.
- Consolidate pre-K grant programs into an ongoing funding stream that can be deployed for 3-year-old programs, as well as 4-year-old programs, and amend the current law to include a **cost inflation factor** in per pupil allocations.
- Allow school districts to determine the **local need** for public pre-K based on the availability of private programs and the physical space and faculty limitations of the district.

Special Act Public School Districts (SASD): *SASDs are public school districts that provide specialized services to some of NYS's most challenged students whose individual needs cannot be met in their home district. Measures are needed to ensure the fiscal and programmatic stability of Special Act public school districts.*

- Award Special Act School Districts an **interim plus tuition rate** at the start of each fiscal year, to permit districts to budget using approved growth rates that take into account new state mandates, as well as changing programmatic and staffing needs, and increases in TRS, ERS and healthcare costs.
- Support the proposal for an **11% increase in tuition rates** and ensure that increases are received early in the school year.
- Support the **reintroduction of the tuition parity bill** to ensure SASDs receive equitable tuition increases aligned with the annual increase in state aid.
- Support the five-year reconciliation processes proposed by NYSED to improve the financial stability of all SASDs.
- Fulfill SED request to **fund proposed study** on tuition rate setting process.

Administrative Relief: *Over the past months, school boards have developed the technology infrastructure to handle virtual meetings and have frequently had greater public attendance at virtual board meetings. Although we expect in person meetings to remain the norm, the ability of boards to meet partially or fully virtual provides needed flexibility for local communities.*

- Make **permanent changes to Open Meetings Law** to allow for continuation of virtual meetings and participation of Board of Education trustees remotely, without requiring public notice of trustee locations.
- Allow schools designated as **polling places** the same “right of refusal” as other locations. Ensure the **timing of primary elections** does not interfere with Regents’ exams or use of voting machines for school elections.
- Support proposed efforts to allow for **electronic submission** of transportation aid paperwork.
- Ensure district are incented to focus on green facilities by supporting the proposed end of building aid reductions for facilities improvements supported by the NYSERDA School Clean Energy program.

Mandate Relief and Transparency: *A thorough review of existing mandates and increased transparency prior to the enactment of new mandates would assist school districts in managing the significant cost burdens of compliance.*

- Require a **complete fiscal note**, prepared by a New York State actuary, to accompany each education-related bill, prior to the passage of legislation.
- Establish an ‘**Education Mandate Relief Redesign Team**’. Similar to efforts undertaken by the State in 2011, this redesign team should be tasked with reviewing ways to reduce the costs of unfunded mandates by determining how school districts may be given greater ability to control costs.

Compliance Mechanisms: *Relief and established notification requirements are needed for districts as they work to comply with the ever-increasing requirements from NYS.*

- Require NYSED to have clear **notice obligations to Superintendents** on compliance issues.
- Authorize the **use of corrective action plans** to allow districts to address deficiencies without the burden of paying financial penalties to NYS.
- Support legislation that provides blanket **forgiveness of building and transportation aid paperwork errors**.

High Cost of Special Education Services: *Modifications to the special education process would reduce the burden on districts while maintaining needed services for special needs students.*

- **Restore the 18.42% State share** of CSE residential placement costs.
- Establish a **cap on school district contributions to out of district placements** to the comparable BOCES rate for a similar program by amending Education Law 3602 to reflect the tenets of IDEA.
- Establish a **cap for school district financial responsibility for reimbursement of parental legal fees** in special education legal challenges.
- **Shift the burden of proof** on Free and Appropriate Public Education (FAPE) back to parents as it is in most other states and was in New York prior to 2007.