



LOWER HUDSON EDUCATION COALITION

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2023 NYS Advocacy Agenda (updated)

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: *The increasing mental health needs of our students are a barrier to their academic learning and must be addressed within school walls and in the broader community. School districts and community providers need funding support to achieve needed outcomes for the young people of NYS.*

- Create an **expense-based aid for student mental health** services or contractual services provided in a school setting.
- Provide behavioral health providers with ongoing **cost of living increases** to expand access to students and community members in need of mental health services.
- Establish a **Blue Ribbon Commission on Expanding Community Mental Health Supports for Youth and Families**. This Commission should include commissioners from the departments of health, education, the office of mental health and the office of children and family services as well as stakeholders from public schools, BOCES, providers of community based mental health services and local county mental health departments. The goal of the commission is to develop a set of recommendations and local strategies to address mental health challenges among youth and families including access, costs, dearth of mental health providers, alternatives to in-patient care, quality of care and effective models of delivery that can be replicated/scaled, effective strategies to support youth, including in school setting

School Safety: *Security of school buildings continues to be a key issue that parents and building administrators worry about constantly. School districts face difficulties hiring staff to ensure security and deal effectively with young people in a protective role.*

- Ensure additional **flexible resources for school safety**, including funding for staffing, security upgrades, professional development, and training.
- Raise the **allowable salary limits** for retired police officers to \$65,000 per year who choose to work as school resource officers or school security.
- Establish a **new model for school security**, like New Jersey's Special Law Enforcement Officer (SLEO) model, where school security officers are hired by the district but receive ongoing training and certification through police departments.
- Require county Boards of Elections **consult with local school districts prior to designating school buildings as polling places**. Ensure primary elections do not interfere with Regents' exams or use of voting machines for school elections.

Pre-Kindergarten Growth and Success: *Ensuring all preschool-age children have access to a high-quality, affordable pre-K program is a worthy goal. Adequate state funding is critical in public school districts where a clear need has been identified. Currently, less than half of pre-K spaces in the 2022-23 Enacted Budget were able to be provided to families in LHEC districts.*

- **Consolidate pre-K grant programs** into a single annual aid stream **comparable to the NYC per pupil rate** and amend the current law to include a **cost inflation factor** in per pupil allocations.
- Increase flexibility in use of **pre-K aid funding** to ensure additional students can benefit from early childhood programs.
- Permit school districts to use UPK funding for **creative solutions to support families with early childhood education**, depending on the local availability of private programs, the physical space limitations and demographics of the community.
- Amend the current law to make **pre-K transportation an aidable expense** for school districts.

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 school districts. Additionally, Lower Hudson Valley should have a regional cost index that better reflects the cost of operating in the NYC suburbs.*

- Provide flexibility for schools required to implement the proposed **tutoring set-aside**, including funding existing programs.
- 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.

- **Establish a mechanism to regularly re-evaluate and update the Foundation Aid formula** to reflect nuanced poverty measures, the true costs of educating ENL and special needs students, accurate regional cost indices, and the effect of the tax levy cap on the community portion of school funding.
- 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, which has failed to materialize. With the Governor's plans to increase housing stock, public school districts will need additional flexibility in the tax cap calculation to fund enrollment.*

- Allow districts to **apply the unused allowable tax levy** within a subsequent three-year period to balance the needs of schools and property taxpayers.
- Account for **enrollment growth** in the tax cap calculation.
- Amend the current formula to exempt **increases in pension contributions** in excess of 10% per year.
- Simplify the **tax cap formula**, to address incongruities 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.
- Modify the tax levy cap calculation to **begin with inflation**.

Climate Resiliency: *School districts are looking to ensure that their facilities and infrastructure are environmentally friendly and can withstand the demands of a changing climate. Aging buildings need improvements for energy efficiency, and to allow for a comfortable and safe environment with the probability of increased heat and flooding. Schools must also comply with the Climate Leadership and Community Protection Act, as well as the zero-emissions school bus mandate. 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 financial assistance and support from New York State Energy Research and Development Authority and NYS Education Department, with managing the transition to more environmentally friendly school buses throughout NYS.*

- Provide additional funding and support for capital projects intended to improve the **climate resiliency or energy efficiency of school buildings**.
- Make NYSERDA funding available to all school districts (not just high needs) for transportation studies from the Clean Green School Initiative and expand NYSERDA funding for electric school bus planning studies to ensure the ability to plan and comply with state requirements.

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.*

- Support Governor's proposed funding of a **tuition rate-setting study** and ensure that all stakeholders are required to be involved in a process undertaken with no preconditions that limit outcomes.
- Award SASDs an **interim plus tuition rate annually** on July 1st, allowing budgeting using approved growth rates.
- Provide timely guidance on how the **11% surplus retention** for 2022-23 calculations and effect on reconciliation process.
- **Eliminate the direct/indirect cost screen**, or at least, adjust **security costs** to be included as direct care costs.

Certifying Substantial Equivalency: *Many local school districts do not have the resources to effectively evaluate and monitor the substantial equivalency of instruction in the parochial and private schools in their geographic area.*

- Amend state law to permit BOCES Boards to certify substantial equivalency when a BOCES has undertaken the review.

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. In the current inflationary environment, reducing requirements on school districts will assist with cost control when prices are expected to continue to rise.*

- Require a **complete fiscal note**, prepared by a NYS actuary, added to each education-related bill, prior to passing 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.

Employee Retention and Recruitment: *As NYS considers amendments to civil service procedures in the coming budget year, school districts are looking at how the process affects employee recruitment and retention in a school district setting.*

- Support the Governor's proposal to increase availability of **continuous recruitment**.
- **Modernize test questions** to be more relevant as part of the proposed revisions to the job evaluation system.
- **Simplify the part-time job requirements** and make them non-competitive to allow for more hiring flexibility.
- **Expand number of eligible employees** for appointments to a Rule of 5 (from current Rule of 3).
- Support the continuation of the **income cap waiver** for retirees to assist with school district hiring needs.

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