



**LOWER
HUDSON
EDUCATION
COALITION**

The LHEC is a joint project of School Superintendents and Board of Education Trustees in the four counties of the Lower Hudson Valley. We work together to share information and advocate on behalf of the public schools we represent.

Dutchess • Putnam • Rockland • Westchester



2020 ADVOCACY AGENDA

*** Adequate, Equitable & Predictable School Funding ***

*** Local Flexibility ***

LHEC Sponsoring Organizations:

Lower Hudson Council of School Superintendents
Dutchess County School Boards Association
Rockland County School Boards Association
Westchester Putnam School Boards Association



**77
Districts**



**239,000
Students**



**1.7 Million
Community
Members**

LHEC BUDGET & ADVOCACY AGENDA 2020

SCHOOL FUNDING NEEDS TO BE ADEQUATE, EQUITABLE & PREDICTABLE

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

- ◇ Executive Budget proposal for \$504M Foundation Aid or \$826M in total education aid falls far short of the \$2-2.1B recommended by the Board of Regents and the Educational Conference Board.
- ◇ The Executive Budget proposal to dissolve 10 expense-based aids into Foundation Aid will reduce transparency and predictability, and end incentive for school districts to cooperate through the BOCES shared services model.
- ◇ Due to the Foundation Aid formula being “frozen” since 2008, 34% of the districts in our four-county region receive less than 60% of Foundation Aid, compared to fewer than 10% of districts statewide.
- ◇ Outdated data used in the 2007 Foundation Aid formula does not reflect changes in student demographics and shifting enrollment in the Hudson Valley.
- ◇ “Circuit breakers” that exist in the current formula, such as the floor in the Combined Wealth Index, limit the range of funding available to highest need districts and should be reviewed.

Regional Cost Index: *NYSED should use the most recent Regional Cost Index (RCI) data, and apply it to all State Aid formulas. Additionally, the Lower Hudson Valley should be included with the NYC/Long Island region due to similarities for purposes of the Regional Cost Index.*

- ◇ Currently, NYSED is still using the 2006 RCI, rather than the most recent 2012 RCI, which would better reflect the increasing costs of living in our region.
- ◇ The current regional grouping used for the RCI places the LHEC districts with counties that have a lower cost of living. Our districts face significantly higher costs for staffing and district operations, as well as a higher cost of living for the families in our communities.
- ◇ Grouping LHEC counties with NYC/Long Island will accurately reflect the true regional cost.

Obstacles to Funding Public Education: *Make modifications to the tax cap formula and provide school districts with additional tools to fund public education and offset costs.*

- ◇ The tax levy cap should start with a growth factor of at least 2%, rather than the current linkage to an annual CPI, with no negative tax levies. The cap formula should also be adjusted to account for enrollment growth, and the effects of PILOTs, reserves and transfer to capital.
- ◇ The paper work and timing issues for school taxpayers moved from STAR credit to STAR exemptions programs are significant, especially for seniors living on a fixed income.
- ◇ Continue to fund building and transportation aid at current levels to ensure predictability of School District aid.
- ◇ Additional tools to fund public education could include limiting the impact of large tax certioraris; having the state smooth out the budgetary impacts of changes in pension or healthcare costs; and providing relief from severe transportation mandates.
- ◇ When the tax levy cap was enacted, mandate relief was promised to school districts, but has failed to materialize. The Legislature should require that each education-related bill include a cost estimate to local school districts, prior to voting on the legislation.

Funding of Special Education Services: *Reject the Executive Budget proposal to discontinue funding of the State’s 18.42% portion of CSE residential placement costs.*

- ◇ Placing State share of cost of placements for severely impacted special needs students to the local districts will significantly affect the home school districts, the residential placement facilities (which are often associated with Special Act school districts), and the students.
- ◇ 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, as well as establish limitations on school district funding of parental legal fees.

Compliance Mechanisms: *Provide relief from the financial penalties school districts face as they work to comply with the increasing requirements from NYS.*

- ◇ NYSED should have clear notice requirements for Superintendents on compliance issues.
- ◇ Develop corrective action plans with districts and reduce the use of financial penalties.
- ◇ Support legislation that provides statewide forgiveness on building aid and transportation aid penalties due to inadvertent, minor clerical or technical errors.
- ◇ Withdraw proposed regulations for substantial equivalency determinations that place a costly burden on public schools.

Special Act Public School Districts (SASD): *Enact S.5606/A.8001 (Mayer/Benedetto), S.5192/A.7120 (Mayer/Benedetto), and S.7688/A.1585 (Harckham/Abinanti), giving fiscal and programmatic stability for Special Act public schools, which educate NYS's most challenged students, whose individual needs cannot be met in their home districts.*

- ◇ The SASD tuition rate, set by NYSED's rate setting unit, should be awarded before the beginning of the school year and include growth rates that fund all public school mandates and allow districts to grow their educational programs.
- ◇ Establish an interim plus rate to allow for fluctuations in the student population and the resulting needed staffing changes, as well as unexpected increases in TRS, ERS and healthcare costs.
- ◇ Permit SASDs to establish a 4% unappropriated reserve fund, like all other public school districts.
- ◇ Consider additional funding for security as young offenders are placed by the courts in Special Act schools subsequent to Raise the Age legislation.

LOCAL FLEXIBILITY BENEFITS OUR COMMUNITIES

Mental Health & Student Safety: *Create flexible funding for public schools to provide services, programs and facilities to address mental health and safety. Ensure community mental health services are available for our students.*

- ◇ School safety measures that require funding include staffing, security upgrades, professional development and training.
- ◇ Increasing social-emotional and mental health needs of students requires resources. We support NYSSBA's proposal to create a mental health aid category for school districts, covering student mental health programs and staffing.
- ◇ Recognize that recess is critical to students' health by adding it to the school day/year calculations.
- ◇ Allow districts to continue to set their own policies regarding excused and unexcused absences.
- ◇ We support the proposal of the non-profit human services sector for a 3% funding increase per year over the next five years, to ensure that mental health providers are able to expand and enhance their services to the young people of NYS.

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

- ◇ Pre-K grant programs should be consolidated into an ongoing funding stream, with cost inflation factors built in, that can be deployed for 3-year-old programs, as well as 4-year-old programs.
- ◇ School districts should 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.

Limiting Schools as Polling Places: *Allow schools that are designated as polling locations the same "right of refusal" as other public buildings.*

- ◇ School districts/school buildings do not have the authority to refuse the board of elections if they request space to use as a polling place. All other public buildings have the authority to reject their designation.
- ◇ The use of school buildings for elections risks disrupting school safety protocols and interfering with students' programs and activities (i.e., gym, cafeteria or library use).
- ◇ Elections are not undertaken with school calendars in mind, such as the scheduling of primary elections in June 2020 during Regents Exam week. Districts do not have the authority to reschedule Regents exams.
- ◇ Elections take place throughout the year, such as the General, Primary, Local and Special Elections.

Time Off for Voting: *Pass S.5314 (Mayer)/A.7837 (Benedetto) to align the new provisions for time off for voting with the operations of school districts.*

- ◇ The new requirement to permit faculty and staff three hours during the school day to vote creates a hardship for districts and is unnecessary given the recent enactment of early voting.

**Thank you to the NYS Senators and Assemblymembers who represent
the public school districts of the Lower Hudson Education Coalition:**

NEW YORK STATE SENATE

Andrea Stewart-Cousins (*Senate Majority Leader*)

Shelley Mayer (*Senate Education Chair*)

Jamaal Bailey

Peter Harckham

Alessandra Biaggi

Susan Serino

David Carlucci

James Skoufis

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Thomas Abinanti

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