



LOWER HUDSON EDUCATION COALITION

450 Mamaroneck Ave, Harrison, NY 10528 • (914) 345-8737 • www.lhec.org • lhec@lhec.org

December 13, 2018

The Honorable Andrew M. Cuomo
Governor of New York State
NYS State Capitol Building
Albany, NY 12244

Re: S.4530-A, Murphy/A.5618-A, Abinanti

This legislation will require the Commissioners of Education and Social Services to develop separate reimbursement methodologies for tuition and maintenance of approved private schools and special act school districts

Dear Governor Cuomo,

The Lower Hudson Education Coalition (LHEC) **supports** the above referenced legislation and urges your approval.

This legislation would require the Commissioners of Education and Social Services to develop separate reimbursement methodologies for tuition and maintenance of approved private schools and special act school districts. This legislation is crucial for special act school districts, who are facing serious funding issues, in order to provide necessary and much needed services for their students.

Special act school districts are public school districts created by special acts of the legislature to provide education and other related services to students who face physical, emotional and mental disabilities. They are located on the grounds of residential treatment or hospital facilities that provide specialized services to some of New York's most challenged students whose individual needs cannot be met in their home school districts.

Under current law, the Commissioners are required to establish a single methodology to calculate tuition and maintenance rates for special act school districts and private schools. This creates significant problems for special act districts since public schools have additional expenses that private schools do not incur.

Despite special acts being public school districts, and therefore facing the same requirements and mandates, they are not funded through the same formulas and mechanisms as traditional public school districts. For example, special acts do not have local taxing authority and they are assigned a rate each year from the state based upon costs and services from 2 years prior. This two-year lag means the school districts are not funded upon the current needs of their students, and in turn may not be able to provide the appropriate staffing and resources.

This can impact much needed capital projects as well. For example, one of these districts is looking to replace their windows. Currently they are using a wooden stick to lock the windows as they will not lock on their own. This provides the safety issue of both someone being able to break in, and these wooden sticks potentially being used as weapons. Unfortunately, if a district is undertaking a capital project such as this, the total project costs could put them outside the 30/70 ratio, making it a disallowed cost.



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Another issue is depreciation. The methodology does not allow for certain items to be fully reconciled in that year's rate, even if fully paid for. For example, a special act district purchased a bus in the 2015-16 school year. They fully paid for the bus that school year, but because of the depreciation requirement, they were only reimbursed at a rate of 20% a year for the next 5 years, instead of being fully reimbursed like all other expenses. This removed over \$90,000 from the 2015-16 reconciled rate.

For these reasons, LHEC supports this legislation and urges your immediate approval of this bill.

Sincerely,

Members of the Lower Hudson Education Coalition

Cc: Senator Terrence Murphy
Assembly member Thomas Abinanti
Alphonso David
Dan Fuller
Terry Pratt
Jamie Frank