Introduction

Our schools have many reasons to be hopeful. The economy has rebounded. The state is projecting multi-billion dollar surpluses over the next several years. The state has received a multi-billion dollar windfall in fines and penalty payments from financial institutions. Financially, public school districts should be anticipating an end to the hard times they have experienced in recent years.

However, 2015 represents a critical year for public education as many challenges still remain.

More than one billion dollars are withheld from public school districts under the Gap Elimination Adjustment. Foundation Aid implementation is years and billions of dollars behind. The tax cap limits the ability of school districts to raise local revenue at the same time districts are asked to offer more programs and provide more resources for their students.

On the following pages, the New York State School Boards Association offers recommendations for change – changes that would greatly benefit our students and communities.
The New York State School Boards Association (NYSSBA) is guided by five main principles around supporting state aid for public schools.

**Adequacy** – to provide sufficient resources to assure the opportunity for a sound basic education for all students.

**Equity** – to distribute a foundation level of state aid for every student that is based on the actual cost of providing a sound basic education that fairly compensates for differences in community costs, needs and resources. The Legislature should preclude municipalities from using state aid to replace local education resources.

**Flexibility** – to increase the percentage of operating aid so that boards of education retain the discretion to determine what educational programs best address local needs. Local communities should not be restrained from determining the level of funding they will expend to support educational programs.

**Predictability** – to provide timely passage of the state budget and stable funding distributed through a consistent, uniformly applied formula that would not require annual manipulation by the Legislature and that would facilitate long-term planning by school districts.

**Clarity** – to establish a funding formula that is easily explained and understood.
NYSSBA’s 2015 Calls to Action

Foundation Aid

The Foundation Aid formula, enacted in 2007 following the resolution of the Campaign for Fiscal Equity lawsuit, represented a significant policy success. The formula finally recognized both the cost of educating a successful student and the ability of a local district to meet that cost. As enacted, the Foundation Aid formula embodied many of the state aid principles advanced by NYSSBA.

But despite the plan to phase-in the formula over a four-year period, the downturn in the economy led to the Foundation Aid phase-in plan being frozen after just two years. NYSSBA calls on the state to return to a functioning Foundation Aid formula directing considerable funding to schools through the formula for the 2015–16 school year. This funding should allow school districts to again receive operating aid that is based on updated enrollment, district wealth and student need, while ensuring that districts who have lost enrollment during the frozen years are held harmless.

Gap Elimination Adjustment Restoration

With the state projecting a budget surplus, it is time to accelerate the end of the Gap Elimination Adjustment (GEA), which is withholding more than one billion dollars in formula-based state aid from school districts. The GEA has led to considerable reductions in the programs and services school districts have afforded students. Coupled with the property tax cap, the GEA has strained budgets and forced school boards to make painfully difficult educational and financial decisions. The 2015 budget should include an accelerated end to the GEA.

Expense-Based Aids

NYSSBA calls for the full funding of expense-based aids to school districts in 2015. Much of this funding represents reimbursement for approved costs associated with delivering programs and services to our students such as: transportation, special education and instructional services delivered through Boards of Cooperative Educational Services (BOCES). These expense-based aids also reimburse schools for expenses related to school construction. School districts have already incurred these costs and are counting on the state to provide full and timely reimbursement.
Prior Year Claims

Currently, millions of dollars are owed to school districts due to adjusted state aid claims from prior years. Thousands of claims have been submitted by districts and approved by the State Education Department resulting from the receipt of updated cost information and other minor issues. Years of limited state funding has caused a backlog of these claims; a school district filing a prior year claim may not see aid for as many as 12 years. NYSSBA requests funding to eliminate this backlog of the claims, which would require a one-time expenditure to zero out the list.

Building Aid Recalculation

NYSSBA calls on the state to eliminate the statutory recalculation of building aid payments. Language enacted nearly 15 years ago requires the state to review interest rates used in the calculation of school building aid. Unless action is taken, the low interest rates currently available for borrowing will result in the state reducing building aid payments to many school districts across the state.

High Tax Aid

High tax aid is provided by the state to school districts whose residents pay a comparatively high percentage of their income in property taxes. This aid often helps support districts with otherwise relatively low state aid levels. NYSSBA calls on the state to maintain funding for this program in 2015.
Professional and Curriculum Development

As school districts continue the transition to higher learning standards, funding is needed to help support related professional development efforts. Additional resources will allow school districts to focus on professional and curriculum development needs that are specific to their individual district circumstances. Professional and curriculum development have always been the purview of locally elected boards of education. Lack of resources should not force districts to use state provided curriculum or professional development simply because that is the only option they can afford. State financial support should be made available for the local development of programs.

Support for English Language Learners

Students who are English Language Learners (ELL) present our schools with a unique set of educational needs. State support is critical as schools strive to meet these needs. Recent changes increase requirements in reporting and delivery of ELL and bilingual education services. State financial support must be provided to ensure that non-native English speakers get the programs and supports they are entitled to. In addition, school districts need to be provided with optimal flexibility to ensure that they can hire and retain qualified staff to meet the language needs of students.

Unaccompanied Minors and Enrollment Spikes

Many school districts have experienced recent and dramatic increases in enrollment. Some of this shift in student population has been driven by the arrival of high numbers of unaccompanied minors enrolling in these school districts. The Office of Refugee Resettlement reports more than 6,000 youths have been placed with sponsors in the last year. More than 3,000 of those youths are located in suburban Long Island districts. This number only accounts for those students that have been placed with a sponsor, therefore the total number may be higher, and continues to grow.

To appropriately serve these students, districts must invest additional resources to meet their extraordinary needs; those resources must be made available in the current school year.
Career and Technical Education

Recent regulatory changes proposed by the Board of Regents open the possibility that students will be able to attain a Regents diploma by successfully completing an approved industry based exam in lieu of one of their Regents exams. Students who successfully complete industry based programs show high levels of success in college and careers. Creating the framework for these programs is only part of the equation. For an increase in student access and participation, resources will be required.

These resources can be made available in three ways:

- By lifting the cap on reimbursement of BOCES aid to support Career and Technical Education (CTE) teachers;
- By increasing special services aid for the Big 5 and non-component districts; and
- By making resources and supports directly available to districts to support the provision of CTE programs.

Prekindergarten

The state’s recent investment in full-day prekindergarten (pre-K) represented an important increase in access to pre-K programs in New York. However, too many districts were interested in participating and unable to access the funding, either because they did not have the resources to apply, to advance funding, or because there was not enough money for all districts who were ready to launch programs. NYSSBA calls for additional funding, focused on those interested districts who were excluded in 2014.

Reduce Standardized Testing

Inadequate funding has limited the production of materials for federally required standardized tests. As a result, limited test items can be released and there is a higher than necessary number of standalone field tests. NYSSBA calls on the state to fully fund the state assessment program and ensure that funding associated with the program be used to reduce the number of standalone field tests and make the tests and testing process more transparent.
School Safety

It has never been more important for school districts to represent a safe haven for students. But too often the security of our school buildings has been compromised or threatened. Parents should be secure in the knowledge that they have sent their students to a building that is safe and secure and that there are real consequences for violating or threatening that security.

To that end NYSSBA urges the enactment of two legislative proposals related to school safety:

1. Individuals who threaten acts of mass violence against a school district should face serious consequences. Current law limits threats of a bomb, explosive or other hazardous materials for applicability of a felony charge. As a result, when individuals have threatened the use of a gun to terrorize a school district, they could only be charged with a misdemeanor. This should be changed.

2. School districts should have greater input over whether their school buildings are designated as polling places. Every time an election is held in a school district, numerous people are granted access to the school building. District leaders should be empowered to decide when to allow individuals to enter the school building while students are present.

Creation of Regional High Schools

Many school districts, especially small districts and those in remote settings, struggle to offer students the diversity of programming they deserve, and that many of their peers can offer. By allowing school districts to combine resources with each other or through their BOCES, students across the state could have access to much richer academic programs. NYSSBA calls on the state to create a new governance structure that would allow for the creation of these cooperative learning environments, while still allowing districts to retain their individual identities.
Establishment of Retirement Obligation Reserve Funds

NYSSBA calls for legislation authorizing school districts and BOCES to establish and fund reserves for future obligations associated with payments to the Teachers’ Retirement System and other post-employment benefit obligations. Funding these reserves would help school districts and BOCES moderate the negative future impact of cost shifts. This, in turn, can help keep academic programs strong and local property taxes stable in years when rates and costs increase.

Supporting Public School Districts

NYSSBA believes in local school governance and support for public education. Boards of education are representatives of their communities and should retain the authority and flexibility to make the decisions that are best for those communities. At the same time, NYSSBA believes that public resources should flow to public school districts. Programs and initiatives that divert funding to private institutions, including charter management companies and tuition tax credits, erode that local control.

The New York State School Boards Association believes that proposals affecting public education should:

- provide access to programs that prepare students to be college and career ready;
- achieve equity and adequacy in funding;
- promote efficiency and cost-effectiveness;
- advance high expectations for all students;
- embrace innovative approaches and assessments; and
- foster community engagement and regional cooperation.