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TESTIMONY OF  
THE UNITED FEDERATION OF TEACHERS

BEFORE THE NEW YORK STATE SENATE FINANCE COMMITTEE  
AND ASSEMBLY WAYS & MEANS COMMITTEE

REGARDING THE ELEMENTARY & SECONDARY EDUCATION BUDGET PROPOSAL

JAN. 27, 2016

Good afternoon. My name is Michael Mulgrew and on behalf of the United Federation of Teachers and our 200,000 members, I want to thank you for this opportunity to testify before you today. I am joined by Cassie Prugh, Assistant to the President, as well as our colleagues from NYSUT. We look forward to sharing our perspectives on the executive budget proposals, and to answering any questions that you may have.

I particularly want to thank the chairs of each committee involved in today's hearing, including Assemblymember Nolan and Senator Marcellino, the Education Committee Chairs, as well as Senator Young of the Finance Committee and Assemblyman Farrell of the Ways & Means Committee. I also want to commend Senator Majority Leader Flanagan, IDC Leader Senator Klein and Speaker Heastie for their hard work over the years on issues important to educators and working families.

What a difference a year makes. Over the last 12 months, we have made significant strides, which, in large part, is thanks to your strong leadership and advocacy on behalf of our public schools. We applaud that great work.

Our work this year is all about equity and access, and the UFT looks forward to partnering with the Legislature to ensure that our teachers are provided with the necessary programs, services and resources to deliver high-quality education to students.

That work begins with school-aid funding, and now we have a great opportunity to make a meaningful difference because New York State is operating with a growing multi-billion dollar surplus, much of which is recurring revenue. It's the perfect time to make significant investments in public education and move us closer to fulfilling the state's CFE commitment. New York City is alone is owed \$2 billion from the remaining \$4.8 billion owed statewide to meet the CFE promise. This year we respectfully request that the Governor and the Legislature make a real commitment to resolving this obligation.

The level of need in NYC schools has grown exponentially in recent years. The growing number of families in temporary housing is just one example of the challenges the families in our school system face, and why we must immediately fund the CFE settlement. A staggering 84,000 students were homeless at some point last school year, and 23,000 will go to sleep in a shelter tonight. What's more, hundreds of thousands of children live at or below the poverty line. It's difficult to teach children how to analyze material and problem solve when they can't see the blackboard, they don't have a warm coat or they're doing homework on a cot in a shelter. Because of years of disinvestment and broken promises, our schools often struggle to provide those extra supports and programs that are so desperately needed. Fund CFE and we can provide these and all children with the supports – such as after school and dinner programs, academic interventions and health services – that help them stay in school, take advantage of educational opportunities and reach their full potential.

Additional school aid could also be used to directly address some of our other pressing needs. It would enable schools to hire additional staff to serve the growing numbers of English Language Learners and special education students. As we push for college-and-career readiness, it's important that our schools have more guidance counselors, social workers and mental health professionals, because as we know, it's not getting any easier to be a kid.

CFE funding could also help solve another critical issue: class size. The number of children per class in New York City has risen over the last decade, especially in our highest-need districts. According to Class Size Matters, we are now at a 15-year high in the early grades. What's more, the number of children in classes of 30 or more has doubled in the last four years. Just this fall, we had kindergarten classes with upwards of 28 kids. In fact, we began the school year with 5,485 oversized classrooms. It's even a problem in Renewal Schools, where teachers and administrators are still struggling to reverse years of underfunding and attrition. As you know, reducing class sizes is a proven method for improving student achievement, and there we have made some progress thanks to great work by both the deBlasio administration and the Legislature, but there is still much more to do. We all want to make a difference in the lives of children, and making a real commitment to CFE and reducing class size is the way to do it.

Additional school aid would also help pay for much-needed capital improvements. As chronic overcrowding continues to plague many schools, particularly high schools in Queens where students are jammed into buildings operating well beyond their capacity. Tens of thousands of children still attend classes inside of trailers or buildings that are in desperate need of repair. Many schools still don't have the internet bandwidth they need. A teacher at Edward R. Murrow HS in Brooklyn recently put it this way: We have flip-phone schools in a smartphone world.

The UFT also strongly advocates the release of \$318 million in “prior year aid” —money that is owed but not yet paid to school districts going back several years, which has been identified by the Board of Regents and ECB, including \$128 million for New York City schools. While we appreciate that Gov. Andrew Cuomo addressed this issue with a two-year plan, last year \$250 million was provided to non-public schools for similar aid claims. Most of the \$318 million would benefit high-need school districts. The state should meet this outstanding obligation apart from 2016-17 school aid, especially when the state has revenue available for this one-time expense.

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## **FUND CURRICULUM and TEACHER TRAINING**

As we move forward with the design of new educational standards and policies, we have to be smart about it. We can't afford another failed 'reform' effort where teachers find themselves at the center of a flawed rollout, dealing with controversy and anger over policies they did not create and cannot fix.

The success of any new standards and policies depends on the input of qualified educators. It's not enough to simply brief our teachers as an afterthought. We need to be part of the process from the first day.

Success also depends on the thoughtful development of new curriculum and materials, including the time to try them out and revise as needed based on feedback collected from the field. What works in Bridgehampton may not work in Washington Heights, and we need to have those conversations and make those revisions to ensure that every classroom has the appropriate materials.

And, perhaps most important, success depends on providing teachers with formal and specialized training. That doesn't mean single day, or even two- or three-day training sessions, nor does it mean simply sending out links to a webinar. Teachers need to immerse themselves in the material; they need to try it out, experience it and make it their own, so they can teach it with confidence.

All of this work will take time and funding, but we owe it to our students to take it slow and get it right. Rarely in our state's history have we seen such an outpouring of commentary and criticism as we did during the last few years with regard to the Common Core. Those voices were heard, and now we have an opportunity — and a mandate — to fix this.

## **RESTORE TEACHER CENTERS**

We can all take great pride in the quality of our teaching force, which is second to none. You see how hard our teachers work every time you visit the schools in your districts. You see the difference they are making in their students' lives. Our future is literally being shaped right now inside classrooms from Montauk to Buffalo.

And yet, teacher attrition continues to plague our system. According to a new analysis by the UFT Research Department, the number of pedagogues who left their schools – including teachers, guidance counselors, social workers, psychologists, secretaries, lab specialists and more – topped 5,000 for the second year in a row. As of November 2015, more than one in four teachers had just five years or less of teaching experience.

Strong investments in professional teacher supports are imperative, not only because we want to attract and retain good teachers, but also because students benefit greatly when teachers improve their skills and classroom techniques. No matter how comprehensive their pre-service education may be, new teachers need supports starting with the very first day they walk through the doors.

The UFT Teacher Center, now in its 38th year, is a comprehensive professional development program that promotes teacher excellence and student achievement. The UFT Teacher Center operates throughout all five boroughs of New York City in some 125 school-based sites and numerous outreach locations.

Drawing on current research and best practices, the Center's professional development activities for educators are designed to deepen content knowledge and enhance pedagogical skill. Activities range widely, from intensive in-classroom support to after-school study groups. The school-based professional development program provides ongoing, direct support to the educational community in a collegial learning environment, and is inclusive of new teachers, experienced teachers, administrators, paraprofessionals and parents.

Pairing novice teachers with trained veterans through Teacher Centers has proven to be highly effective at ensuring those new teachers develop the skills necessary to meet the needs of all students. What makes our Teacher Centers truly unique, however, is how our experts work with teachers in their own classroom as they try out new skills, ensuring that what is being taught is what is actually practiced. We also offer a Teacher Leadership Academy to help build capacity within school buildings.

Teacher Centers provide direct assistance to classrooms to support student learning. From workshops on classroom management to differentiating instruction; from integrating technology into lessons to meeting the needs of ELLs and students with special needs, the educators who take advantage of Teacher Center offerings benefit greatly.

Among the workshop topics from this past year:

- Integrating instructional technology into curriculum and instruction;
- Implementing new learning standards;
- Supporting school teams in the use of data to inform instruction and practice;
- Developing highly-effective teachers and teacher leaders;
- Supporting English Language Learners for academic achievement; and
- Supporting the professional learning of general and special education educators.

NYC Teacher Centers are now positioned to play a leading role in providing the necessary training once the new standards are in place. Unfortunately, NYC Teacher Centers have seen major funding cuts, from \$16.8 million in 2010 to the current funding level of \$6 million. The UFT is advocating for \$40 million statewide for Teachers Centers, with additional funding for NYC Teachers Centers to provide our school communities with the professional learning opportunities they need and so greatly benefit from.

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## **END THE CHARTER EQUITY GAP**

One area that remains problematic and is perpetuating educational inequity within our system is the charter school sector. Charter schools may promise access, equity and accountability, but enrollment data tells a very different story. Many charters do not accept or retain English Language Learners, special education students or homeless children as

compared to traditional public schools in the same neighborhoods. In fact, we have seen numerous headlines in recent weeks and months about high-needs students and those with disabilities being systematically marginalized.

These are real inequities between charter schools and public schools. For example, a 2010 UFT report found that as a group, public schools enrolled four times as many English Language Learners and about 40 percent more special education children than the charter schools. Just this week, we issued a follow-up report that found that six years later, that huge gap still exists, with district schools on average still enrolling more than twice as many ELL students as charters, and more than one-third as many students with disabilities. New figures out this week also show that charter schools fail to serve many of our neediest students, such as those that are in self-contained special education classes and homeless students. What's more, some charter schools still refuse to fill thousands of empty seats during the school year, and also still resist all efforts to increase transparency in their funding practices.

Until charters demonstrate that they serve ALL children, Albany should refuse to reward their intransigence. The UFT opposes the proposal to increase funding for all charter schools by \$27 million. Additionally, the state should not revise its tuition formula or change the rental rate calculations in NYC until charters change their ways.

The UFT supports equity legislation to require taxpayer-funded charters to accept and keep comparable numbers of high-needs students as compared to public schools in the same neighborhood. In addition, charter schools should forfeit increases in state funding, including renewals, expansions, or new charters, if they fail to meet this basic standard. If charters fail to meet this requirement for more than two years, with demonstrable results, they should forfeit their charter altogether. We look forward to working on this issue with the Senate and the Assembly in the months ahead.

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## **FUND COMMUNITY LEARNING SCHOOLS**

The Community Schools movement taking place around the country may be the most promising education strategy we're implementing today. The concept is simple: Bring in targeted, sustainable community-based programs and services that can help students overcome the obstacles that hold them back academically. Those programs include mentoring, tutoring and college prep classes, or arts, music and theater. But they also include mental health services, vision and dental clinics or even dinner programs and emergency food distribution. Sometimes, community schools bring in translation services, language classes, or job and housing assistance for parents. The idea is that the school is a true "hub" for the community, supporting students, families and the greater community.

All of these programs are designed to help children in a holistic manner. After all, a child can't learn if he's hungry. She can't succeed if she's missing school because of chronic asthma. And brothers and sisters can't learn if their family is living in a one room. Community schools provide educators with a whole host of tools to address these basic needs. The beauty of the

community schools' approach is that each school develops its own plan based on the needs of its unique population.

The Resource Coordinator is the key to our model. A Resource Coordinator ensures that programs and services address the needs of the school community and they provide programs and services through diversified funding streams that ensure sustainability.

This comprehensive approach is paying dividends for NYC's Community Learning Schools Initiative, which has now grown to 26 schools. To give you just one example, Brooklyn's PS 335 is a former struggling school that is by any measure a school on the rise, with attendance, ELA and Math scores all moving up over the past three years. Through the Community Learning Schools Initiative, the school has brought in an infusion of resources, including a Young Scholars program, swimming and computer classes. A cooking class for adults has brought about new levels of parental engagement.

The Community Learning Schools Initiative has proven to be a powerful strategy for helping improve student outcomes. That's why the UFT strongly supports additional funding for existing community schools to both provide for dedicated funding stream for the Resource Coordinator position and for programs and services. We welcome the support of the Governor and the Legislature to advance this promising initiative.

## **SUPPORT ALTERNATIVES TO RECEIVERSHIP**

Giving up on a school is never a good idea, which is why our union has always maintained that supporting and helping schools is a far better alternative to closing them. Most struggling schools suffer from disinvestment and are in desperate need of resources and programs such as academic interventions and mentors, afterschool programs and the arts, health and mental health services, and so much more. In short, they need help.

That's why the UFT strongly supports Gov. Cuomo's plan to invest \$100 million to support struggling schools by transforming them into Community Schools rather than targeting them for receivership. If approved by the Assembly and Senate, that funding would be distributed through a formula, with \$75 million going to struggling and persistently struggling schools, and the remaining \$25 million to high need districts. That funding could potentially go a long way in getting schools back on track.

Closing a school is a tragedy for a community; the ripple effects are felt far and wide in the neighborhood and in nearby schools, as students are displaced and programs are lost. Closing them is the wrong thing to do. It should be an absolute last resort.

State takeover of public schools has failed wherever it has occurred, including in New Jersey, Indiana, Pennsylvania and in nearby Roosevelt, Long Island. Plus, the ill-conceived idea of modifying or cancelling collectively-bargained contracts would only further destabilize the building, driving away qualified educators and posing a huge obstacle to recruit any sort of personnel or community support.

## **INVEST IN TECHNOLOGY AND “CAREER and TECHNICAL EDUCATION” (CTE) PROGRAMS**

The UFT strongly supports additional investments in Career and Technical Education programs, as well as efforts to certify teachers in emerging fields, instructional technologies, new classroom technology, bandwidth and basic coding classes for all students.

CTE programs like Brooklyn's Pathways in Technology Early College High School (P-TECH), which President Obama visited a few years ago and later talked about during his State of the Union speech, are vital to our education system, and provide students with access and exposure to local colleges and other post-secondary institutions, industry partners as well as business and professional associations. I spent my career in a CTE high school, and I can tell you firsthand how these CTE career pathways allow teachers to engage students in ways that traditional classrooms might not be able to. This keeps our students in school and puts them on a promising career path.

## **EXPAND THE POSITIVE LEARNING COLLABORATIVE**

For a growing number of schools, restorative justice programs are reducing bullying, discipline issues and suspensions by teaching tolerance and understanding. The Positive Learning Collaborative, a program jointly developed and administered by the UFT and the NYC Department of Education, is one such program that has an extraordinary and proven track record.

As experienced educators, we understand the toll that poverty, trauma and stress take on our students and staff. The PLC, which provides support from an on-site behavior specialist and intensive training in crisis prevention for all school staff, is based on using respect and relationship-building as ways to help students work through their issues in a constructive manner, rather than through punitive measures. We open the lines of communication between parent and school and provide opportunities for them to work together. Teachers learn strategies to manage stress and calm a situation before it spirals into crisis. The goal of the program is to create a safe environment for both students and teachers, and keep kids in school.

Fifteen schools are participating in the program this school year, and dozens more are on the waiting list. The six schools that started the PLC program two years ago have experienced a reduction of more than 50% in suspensions and 64% reduction in violent incidents, while at the same time dramatically increasing school climate scores.

With \$1.5 million in additional funding, the PLC could expand to at least 15 to 20 additional schools, and provide additional training in collaboration with the DOE.

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## **GENERATE MUCH-NEEDED REVENUE**

For years, the UFT has advocated for fair share tax reforms to help support education, public services, health care and other essential programs that benefit our communities – many of the

same meaningful programs and services that the Legislature has helped fund over the years. What we're talking about is fair and equal treatment for all. By closing loopholes and taking on corporate tax evaders, New York State could bring additional revenues for our communities without the need for broad-based tax increases.

For example, as you may remember, last year the UFT proposed a comprehensive multi-year plan to lower class sizes to no more than 15 students in kindergarten through third grade by closing the tax loopholes that allow rich out-of-towners to pay ludicrously low annual real estate taxes on their uninhabited luxury apartments. Our 'fair share' plan could generate new revenue of \$900 million or more each year, which could be funneled directly into capital investments for schools, particularly in the city's poorest communities.

One statewide proposal now gaining traction is the idea of closing the carried interest loophole at the state level, allowing us to capture our share of revenue lost due to Congressional inaction. Carried interest is basically fees that hedge funds charge for investing other peoples' money. Those earnings are currently treated as capital gains rather than professional fees, and therefore taxed at practically half the rate of traditional income. Experts say taking action at the state level to close the loophole and bring the revenue back to New York could generate up to \$5.2 billion each year for the state budget.

It's also time to require transparency on the part of those hedge funds by significantly strengthening reporting requirements. It's practically impossible to track the management and incentive fees that these funds collect, or the donations that pension fund managers are making to influence the political sphere. This is all data that should be public and accessible. If everything were fully transparent, the opportunities for conflicts of interest (or worse) would be minimized.

### **ELIMINATE EDUCATION TAX CREDITS & BACK-DOOR VOUCHERS**

The United Federation of Teachers strongly opposes the proposed education tax credit package and will work vigorously against its passage. These types of credits disproportionately benefit the wealthy and this one would harm the state's public schools and public school students by diverting public funds to subsidize tuition to nonpublic schools.

We appreciate the idea of giving teachers a \$200 tax credit when they spend their own money on school supplies, teachers always spend out of pocket and it's an unfair expense.

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### **SAVE THE HOME CHILD CARE SYSTEM**

Reliable, safe, high-quality early child care is a game-changer for tens of thousands of New York families. Not only does early care make a huge difference in a child's life by laying a strong educational foundation, but it also helps parents maintain jobs or attend school. Subsidies are a lifeline for families, particularly low-income families or parents whose children have special needs.



The UFT is deeply invested in the home-based child care provider system. Our 15,000 members often provide care that extends from early morning until evening, which is of particular importance to parents working difficult shifts.

I think we can all agree that it is in the state's interest to properly support our subsidized child care programs. Such support is even more important this year as we try to meet the additional requirements put forward by the federal Child Care and Development Block Grant. The fact that most of those mandates are unfunded is deeply unsettling, and we believe without a major infusion of funding, thousands of existing child care slots could be lost. New York's own estimate of \$90 million is, by its own admission, only a part of these unfunded mandates. Our collective work must ensure both program access and stability for both child care providers and families, and ensure that we preserve existing child care slots.

Beyond additional funding, Albany must give providers a realistic transition period that respects the importance of the work and the complexity of the new regulations - one where they can participate in all necessary training and come into compliance without fear of losing their livelihood because of bureaucratic red tape.

Likewise, we must collectively address the persistently low reimbursement rates that drive providers out of the profession. It is unacceptable that child care providers - entrusted with educating our most vulnerable children - are paid so little. It's also worth nothing that each year, there are additional costly requirements for providers to meet. While we fully support ongoing educational enrichments, we must compensate providers with a livable wage for the important work they do, especially pay for the hours beyond the standard work day.

### **SUPPORT UNIVERSAL PRE-KINDERGARTEN FUNDING & REJECT NEW BUREAUCRACY**

Universal Pre-Kindergarten can play a critical role in helping shape a child's social, emotional and intellectual development. In fact, extensive research has shown that children who participate in these programs are much more likely to attend college and become productive citizens. It's an even smarter investment when you consider that early childhood programs pay for themselves through savings incurred through remedial education, special education needs and sometimes imprisonment.

The UFT supports strong investments in Pre-K, including efforts to expand and enhance Pre-K for three-year-olds in high-needs districts. That said, the UFT does not support efforts to create additional bureaucratic structures within the Pre-K system, such as the new state board that has been proposed. A lot of good work has already allowed us to expand and enhance these programs; Now is not the time to start installing new potential roadblocks.

### **STRENGTHEN WORKING FAMILIES**

The UFT supports the efforts of Gov. Cuomo, Speaker Carl E. Heastie and the Assembly majority's to strengthen working families, protect undocumented students and empower women.

- **Paid Family Leave:** Too many workers struggle with balancing their families' needs with the demands of their jobs. Federal law protects a worker's job during a leave for specified family and medical reasons, but does not require employers to pay employees during the leave. The UFT supports efforts to make paid family and medical leave available to all working families who need that time off from their jobs after the birth or adoption of a child or to care for a seriously ill relative.
- **Minimum Wage:** The UFT supports the efforts of the Assembly majority and Gov. Cuomo to restore some semblance of economic justice by making New York the first state in the nation to enact a \$15-an-hour minimum wage for all workers.
- **Dream Act:** Undocumented students who graduate from a New York high school or receive their GED here deserve access to higher education. We support legislation that would provide these students with access to the Tuition Assistance Program and other financial aid programs.
- **Protecting Women and Promoting Workplace Equality:** The UFT supports equality for women in the workplace, including pay equity and stronger accommodations for expectant mothers. The UFT also supports protections for those who are victims of housing discrimination, domestic violence and human trafficking, and we urge the state to codify the 1973 Roe v. Wade U.S. Supreme Court decision to ensure that New York women remain in control of their reproductive health.

## FINAL THOUGHTS

Our public schools are moving forward, and our teaching force remains the best in the nation. Our schools and teachers deserve our appreciation and support, especially in the form of more school aid. Additional funding is the key to:

- Academic achievement through smaller class sizes and building repairs, developing community schools and supporting our struggling families.
- Expanded training through our Teacher Centers to ensure the recruitment, development and retention of quality educators.

Every child deserves a great teacher, a safe, warm classroom, and a well-funded school with the programs and services to meet their individual needs. We look forward to working with both the administration and the legislature to address the critical needs of our students and their families.

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