



“The Assembly Majority fought for our dedicated, hardworking teachers and **secured vital state aid to help our kids get the education they deserve.**”

– Assemblyman **Walter T. Mosley**

This year’s state budget includes **\$23 billion in aid for New York’s schools**

The funding includes:

- ✓ An increase of \$1.6 billion over last year
- ✓ A \$30 million increase in pre-K funding for 3- and 4-year-olds
- ✓ \$428 million more for Foundation Aid
- ✓ An increase of \$603 million to reduce more than half of the remaining Gap Elimination Adjustment (GEA)
- ✓ \$75 million in grants for struggling schools
- ✓ A full restoration of \$14.3 million for teacher centers
- ✓ An increase of \$5 million for libraries
- ✓ \$98.5 million for 4201 schools which help students with disabilities
- ✓ An increase of \$1 million for bilingual education
- ✓ \$171.4 million for non-public schools

Assemblymember Mosley will keep fighting for us

- Less high-stakes testing and reduced stress for our children
- A plan that considers factors outside the classroom that contribute to the success of students and teachers
- A system that addresses concerns of parents and teachers



Assemblyman **Walter T. Mosley**

is fighting for our schools

An Overview of the 2015 New York State Education Budget

April 2015

The following addresses my thoughts and frustrations over the 2015 Education Budget. As your state legislator, I want to share the reasons I decided to vote in favor of the bill and the direction I see our fight going as we move forward. Please do not hesitate to contact my office if you have any questions: 718-596-0100 or 518-455-5325.

As a fellow public school parent and as an educator, I empathize and share your frustrations. The circumstance under which the Legislature has to adopt the budget comes from a series of several court decisions that have given significant power to the Governor in the budget process. I will first provide you with some context and background information as it relates to how we've come to this very point and why poor decisions continue to be in the budget process and then I will address how we can move forward.

New York's highest court, the Court of Appeals, ruled in 2001 and 2004 that the Governor could put law and policy proposals in his stand alone appropriation bills, and the Legislature could not amend them. One of the reasons budgets kept being adopted and passed late was due to legislative efforts to remove these policy proposals from the budget. Once the budget was late, the Governor would send emergency bills every few weeks to keep the old budget in place until a new one could be negotiated and adopted for the next fiscal year.

In 2010, after the budget deadline passed, Governor David Paterson threatened to put his entire original budget in one of these emergency bills. That meant if the Legislature refused to adopt such a bill, the State government would shut down, since no money can be disbursed except by said law (i.e. the budget).

Similarly, Governor Andrew Cuomo has been putting policy proposals in his appropriation bills. As before, the Legislature has sought to negotiate details rather than face the confrontation. In 2005, the Legislature put a constitutional amendment on the ballot to change the Governor's practice of putting policy into the budget/appropriation bills without the power of the Legislature to amend them, but it was defeated.

This year, unlike any year before, the Governor submitted radical changes in the education appropriation bill, and tied any school aid increase to the Legislature approving these proposals. These included bringing the award of tenure to five years with five years in a row of effective ratings, adding more charter schools, using 50% test scores for teacher ratings and 35% for outside evaluators, and putting low-performing schools into receiverships. In other words, he proposed to make the testing situation worse, not better. The Governor also proposed to put his ethics law changes into budget bills.

The Assembly leadership decided to negotiate with the Governor rather than risk going past the April 1st deadline and having the state government

shut down in absence of passing an appropriation bill which would have adopted his extreme policy measures. The final product did in fact blunt the Governor's proposals and have delegated to the New York State Board of Regents and the New York State Education Department the authority to set the parameters for the use of test scores and teacher observations.

The New York City school system will get a 6% increase over last year's aid. Increased numbers of charters have been dropped from the budget. Teacher tenure will now be four years, with effective ratings in three of four years, rather than the Governor's proposal of five years in a row of effective ratings. The language of the teacher rating part of the budget drops all reference to specific percentages for test scores and outside evaluators, and directs the Regents to develop a plan for teacher evaluations by June 30th.

It gives the Regents and the Education Commissioner the authority to set the weights for test scores and teacher observations, the growth targets, and the scoring ranges for the effective, ineffective, developing and highly effective ratings. It also allows local school districts the option of adding another measure for student performance in addition to test scores.

Additionally, it gives the Regents the authority to set the standards for outside evaluators (what percentage to use in observations), and allows the districts to use in-district personnel and even peer review.

I understand that people want an end to high-stakes testing and so do I. My goal is to remove test scores from decisions to terminate teachers and principals. Under the legislation just adopted, the Regents could block any increase in the use of test scores. Our immediate task will be to persuade the Regents, and especially our district's Brooklyn Regent, Dr. Lester Young, to advocate for such a policy. Other options include suing the State government on the illegality of these proposals, or repealing or changing them by post-budget legislation. Long term, the Legislature could put another proposal on the ballot to change the Governor's budget powers, but that could not take place until 2017 at the earliest.

Don't think all is lost. The fight is not over. The budget does contain good things and we have another bite at the apple with the Regents on test scores and teacher evaluations.

Thank you.



Walter T. Mosley
Member – New York State Assembly

For more on this important topic, please visit:

<http://www.uft.org/press-releases/mulgrew-responds-2015-state-budget-agreement>

New Teacher Evaluation System

- The law provides that teachers will be evaluated based on two categories “**student performance**” and “**teacher observations.**”
- “**Student performance**” category is made up of **2 subcomponents**. The assessments that make up the “optional local subcomponent,” which could include assessments other than traditional pen and paper, standardized tests, such as state approved performance assessments, and portfolio assessments.
- **Performance assessments** may include demonstrations, explanations, conducting work and problem solving tasks. After the tasks are administered, teachers and test developers will review the responses using a rubric to determine how well students performed the task items.
- **Portfolio assessments** involve the use of a purposeful and systematic collection of independent student work over time and are scored using well-defined rubric.
- For the **teacher observation** category, independent observations are required, but frequency of their use and weight associated with such observations is at the discretion of the **Board of Regents**.
- **The Regents have discretion in setting** the weight and scoring ranges for the **subcomponents**.
- **The law** requires the Board of Regents to consult with **experts in education, psychometrics and economics**.
- Growth scores would be established by the state, these scores will be fairly applied to teachers, taking into consideration many variables such as student populations, students with disabilities, poverty, class size, and other appropriate factors.