



THE ASSEMBLY  
STATE OF NEW YORK  
ALBANY

RANKING MINORITY MEMBER  
Ways and Means Committee

EDWARD P. RAE  
Assemblyman 19<sup>th</sup> District

May 7<sup>th</sup>, 2021

Mr. Robert Mujica  
Director of the Budget  
New York State Division of the Budget  
State Capitol Building  
Albany, NY 12210

Dear Director Mujica,

We write to you today to urge your support of the 2021-22 tuition rate setting methodology proposal submitted to the Division of Budget (DOB) by the New York State Education Department (NYSED) for 4410 and 853 schools. These schools play a vital role in providing education for preschool and school age children with disabilities in New York State.

As you are aware, the 2021-22 Enacted Budget included several provisions that improved support for these schools, including:

- Allowing the State Education Department to apply an enrollment adjustment factor as part of the reconciliation tuition rate calculation for Special Act districts, 853, and 4410 schools that saw an enrollment decrease of at least 5% as a result of the ongoing Pandemic.
- Holding harmless prospective tuition rate changes to any of these schools that secured Federal relief, whether it be in the form of the Paycheck Protection Program (PPP) or other Federal programs; and
- Continuing to provide funding to offset any impacts from the increase in the minimum wage.

We echo and fully support NYSED's request for the 2021-22 tuition rate setting methodology for 4410 and 853 schools to include the 7% trend factor, as well as the other requests made in their recent letter sent to DOB. Some of these recommendations include:

- The 7% trend factor in the 2021-22 tuition rate methodology is imperative for 4410 and 853 schools across the State. This increase would be proportionate to the Foundation Aid increase school districts received in this year's Enacted Budget.
- Allowing for interim plus growth rates for programs that do not yet have their 2021-22 prospective rate, as this will greatly assist providers with their cash flow needs. Additionally, once these rates are set, we request they include the approved 2021-2022 tuition reimbursement growth.

- The discontinuation of annual reconciliation of tuition rates, and the recommendation that this initiative be revisited for the 2022-2023 school year.
- Allowing the Department to hold harmless prospective tuition rate changes to any of these schools that secured Federal relief, whether it be in the form of the PPP or other Federal programs as included in this year's Enacted Budget.
- Allowing NYSED to apply an enrollment adjustment factor as part of the reconciliation tuition rate calculation that saw an enrollment decrease of at least 5% as a result of the ongoing Pandemic as included in this year's Enacted Budget.

Finally, it is critical that efforts are set in motion to redesign the tuition rate setting methodology for 4410 and 853 schools, as strongly desired by NYSED and echoed by our Conference. The current funding methodology is quite complex and is based on previous years' direct and indirect costs, with little flexibility to support students currently enrolled. The process for obtaining tuition waivers is restrictive for the schools and arduous for all who are involved in this process.

Thank you for your attention to this most urgent request for approval of NYSED's tuition rate setting proposal, and to our support for a redesign of the tuition rate setting methodology for 4410 and 853 schools.

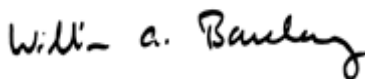
Sincerely,



Assemblyman Ed Ra  
19<sup>th</sup> Assembly District



Assemblyman Doug Smith  
5<sup>th</sup> Assembly District



Assemblyman Will Barclay  
120<sup>th</sup> Assembly District



Assemblywoman Mary Beth Walsh  
112<sup>th</sup> Assembly District



Assemblyman Andrew Goodell  
150<sup>th</sup> Assembly District



Assemblyman Jarett Gandolfo  
7<sup>th</sup> Assembly District

Assemblyman John Mikulin  
17<sup>th</sup> Assembly District

Assemblyman Chris Tague  
102<sup>nd</sup> Assembly District

Assemblywoman Marjorie Byrnes  
133<sup>rd</sup> Assembly District

Assemblyman Phil Palmesano  
132<sup>nd</sup> Assembly District

Assemblyman Karl Brabenec  
98<sup>th</sup> Assembly District

Assemblyman David McDonough  
14<sup>th</sup> Assembly District

Assemblyman Jake Ashby  
107<sup>th</sup> Assembly District

Assemblyman Kevin Byrne  
94<sup>th</sup> Assembly District

Assemblywoman Missy Miller  
20<sup>th</sup> Assembly District

Assemblyman Mike Durso  
9<sup>th</sup> Assembly District

Assemblyman Angelo Morinello  
145<sup>th</sup> Assembly District

Assemblyman Joe Angelino  
122<sup>nd</sup> Assembly District

Assemblyman Steve Hawley  
139<sup>th</sup> Assembly District

Assemblyman Michael Lawler  
97<sup>th</sup> Assembly District

Assemblyman Ken Blankenbush  
117<sup>th</sup> Assembly District

Assemblyman Joe Giglio  
148<sup>th</sup> Assembly District



Assemblywoman Jodi Giglio  
2<sup>nd</sup> Assembly District



Assemblyman Josh Jensen  
134<sup>th</sup> Assembly District



Assemblyman Brian Manktelow  
130<sup>th</sup> Assembly District



Assemblyman Keith Brown  
12<sup>th</sup> Assembly District



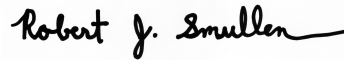
Assemblyman Joe DeStefano  
3<sup>rd</sup> Assembly District



Assemblyman Colin Schmitt  
99<sup>th</sup> Assembly District



Assembly David DiPietro  
147<sup>th</sup> Assembly District



Assemblyman Robert Smullen  
118<sup>th</sup> Assembly District



Assemblyman Mark Walczyk  
116<sup>th</sup> Assembly District



Assemblyman Michael Tannousis  
64<sup>th</sup> Assembly District



Assemblyman John Lemondes  
126<sup>th</sup> Assembly District



Assemblyman Matt Simpson  
114<sup>th</sup> Assembly District



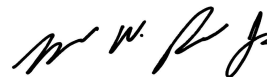
Assemblyman Chris Friend  
124<sup>th</sup> Assembly District



Assemblyman Michael Norris  
144<sup>th</sup> Assembly District



Assemblyman Michael Fitzpatrick  
8<sup>th</sup> Assembly District



Assemblyman Michael Reilly  
62<sup>nd</sup> Assembly District



Assemblyman Jeff Gallahan  
131<sup>st</sup> Assembly District



Assemblyman Brian Miller  
101<sup>st</sup> Assembly District

c.c.: Dr Betty Rosa, Commissioner, New York State Education Department