



Submitting Testimony
R.E.F.I.T.

Reform Educational Financing Inequities Today

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TESTIMONY BEFORE THE

JOINT LEGISLATIVE BUDGET HEARING

ON

ELEMENTARY AND SECONDARY EDUCATION

FEBRUARY 14, 2017

HEARING ROOM B

LEGISLATIVE OFFICE BUILDING

ALBANY, NEW YORK

Dear State Leaders:

For over a generation, R.E.F.I.T. has advocated for the needs of financially challenged school districts. We appreciate the significant effort you've made to restore funding lost to the Gap Elimination Adjustment. We know that other legitimate state priorities have been frozen to support public education. Thank you! Having brought our schools back from the brink, now is not the time to pull back. In fact, your leadership is needed now, more than ever before. Consider this:

- The Executive Budget is proposing a state education aid increase amounting to roughly half of what is needed to simply maintain existing programs and services in our schools.
- More of our students are living in poverty. For instance, on Long Island alone, there has been a 78% increase in childhood poverty in only the last eight years.
- More of our students are learning English as a second language and we have more unaccompanied minors and other homeless children than ever before.
- The so called 2% local property tax levy cap has succeeded in dramatically slowing the increase in local tax rates, but it has not come with the kind of either mandate relief or state aid that would allow our schools to succeed. Our current approach is unsustainable and the only way schools are currently allowed to adjust to financial stress is to jettison critically needed programs and services to students. Our schools need the flexibility to spend their funds according to student need, not state mandates.

HERE'S WHAT YOUR SCHOOLS NEED TO BUILD A BETTER NEW YORK STATE

- A Foundation Aid Formula that is adequate, recognizes student poverty, the increased costs of educating English Language Learners and unaccompanied minors and increased costs in some regions of the state.
- An approach to preschool that allows all school districts to provide this game changing beginning to a child's education. Research proves that this is the only successful way to overcome learning deficits that so many of our children bring to school.
- A rational and consistent way for school districts to maintain reserve funds. This would allow them to prevent fluctuations in local property taxes. All other forms of local governments keep reserves far in excess of our schools. If local governments kept to the school district limit, they would be deemed "in fiscal distress." At the very least, there should be a reserve fund for all school employees; to offset spikes in retirement system payments that damage educational programming.
- Common sense revisions to the property tax cap. The 2% cap should be just that: 2%. Consumer inflation bears no relationship to school expenses. Consumers buy food and gas and cars at minimal annual increases. Schools buy double digit employee health care insurance and near double digit state retirement system contributions. At the least, last year's direction to change the cap to account for PILOT payments and BOCES projects should be codified (since the Division of the Budget has seen fit to ignore your direction.)

HERE'S WHAT WOULD HARM OUR FINANCIALLY STRUGGLING SCHOOLS

- The proposal to grant the governor unilateral budget reducing authority. History shows that midyear cuts to school aid are incredibly disruptive and damaging to a child's education. If and when catastrophic reductions in federal aid to New York State were to materialize, it is the shared responsibility of the executive and legislative branches to determine how best to respond.
- Repealing the Foundation Aid formula. Simply negotiating state aid according to whatever future leaders might deem fit is a dramatic step backward in the equitable and sufficient funding of our state's public schools. Further, the role of the legislature is undermined in this process. Any semblance of transparency or predictability would be lost and a traditionally inequitable method of distribution would be institutionalized. Our financially challenged school districts require an equitable, adequate, predictable and transparent method of providing aid. Codifying past inequities and shortchanging students is no way to serve our children and build a sound future for New York State.
- Removing authority to protect students from schools. Currently students are protected under the Dignity for All Students Act, the Americans with Disabilities Act, IDEA and the federal Office of Civil Rights. Nonetheless, the Executive Budget seeks to strip authority for dealing with civil rights violations among students from schools and give it to the state's Division of Human Rights. This proposal adds little to student protection and further inserts the Executive into educational issues, in contravention of state constitutional intent. The proposal would also subject schools (and thus, taxpayers) to additional monetary damages as DHR has a regulatory approach of assessing damages, rather than rectifying violations, keeping the needs of all children at the forefront.

HERE'S OUR CHALLENGE

While New York State spends a great deal on public education, it distributes that money in a horrific manner. Stifling both local and state revenue to already financially struggling school districts prevents children from succeeding. The long term impact of this approach will keep New York State from achieving long term economic viability. We owe both our children and our state a better effort than what is presented in the Executive Budget. That's not just wishful thinking, it's a court ordered mandate on state leaders to provide each child their constitutionally protected sound, basic education. Fortunately, we have committed leaders willing to meet the challenge. Thank you for engaging in that vital effort.

Respectfully submitted,

DAVID A. LITTLE, Esq.

Chief Operating Officer