

TESTIMONY OF THE UNITED FEDERATION OF TEACHERS

MICHAEL MULGREW, PRESIDENT

BEFORE THE NEW YORK STATE SENATE AND ASSEMBLY
FINANCE, WAYS AND MEANS AND EDUCATION COMMITTEES

REGARDING THE PROPOSED FY 2019 EXECUTIVE BUDGET
FOR ELEMENTARY AND SECONDARY EDUCATION

January 31, 2018

Good afternoon Senator Catherine Young, chair of the Senate Finance Committee, Assemblywoman Helen Weinstein, chair of the Ways and Means Committee, Assemblywoman Catherine Nolan and Senator Carl Marcellino, chairs of the Assembly and Senate Education Committees, and honorable members of the State Senate and Assembly. I would especially like to wish Assemblywoman Weinstein congratulations on becoming the new chair of Ways and Means.

My name is Michael Mulgrew, and I am the president of the United Federation of Teachers. My members and I thank you for this opportunity to testify today regarding the governor's proposed education budget. Joining me is Cassie Prugh, special assistant of legislative affairs for the union.

Today, I am representing the concerns of the dedicated teachers, paraprofessionals, school counselors, social workers, secretaries, speech therapists and other professionals who work in New York City's 1,800 public schools.

I want to begin by saying, "Thank you." Thank you for supporting public education, our hardworking members and our school communities. The additional state foundation aid and the extension of the Millionaire's Tax were important steps in the right direction last year, as was the additional funding for community schools and Teacher Centers.

These investments have garnered real results including record high school graduation rates; the creation of expanded pre-K and early literacy programs; and rising elementary achievement rates.

Simply put, our schools are stronger because of you. Again, thank you.

PROTECT PUBLIC SCHOOLS

The current political climate in Washington is obviously casting a long shadow over this current legislative session. There's no question that the Trump administration policies are meant to damage progressive states such as ours.

The new federal tax laws are the latest and biggest salvo so far. Working families across our state will see their property and income taxes rise, possibly up to 25 percent, before it's all over. Of course, it's the opposite for corporations, which will receive huge windfalls. These big-moneyed special interests are allied with the White House to harm working people in favor of the wealthy.

What's more, experts say that federal cuts to health care could translate into an estimated \$5 billion loss for New York in the coming years. Nearly a third of our state budget comes from federal dollars so you can see our state's exposure is significant.

We need your help in the months ahead to insulate our schools and communities from these devastating cuts. We need a state budget that protects our children and public schools. The gain I mentioned moments ago were possible because Albany has provided consistent investment in public education, which helped stabilize schools throughout the state. We ask that each of you continue that commitment to protect that investment.

We need look only as far as Michigan to see what happens when elected officials allow profiteers like Betsy DeVos to drain resources from public schools and weaken the regulations that govern private, religious and charter schools. That laissez-faire attitude left Michigan families with a deeply dysfunctional school system that continues to fail kids as it trends downward.

We can't let DeVos' toxic influence harm our public schools here at home or derail our progress in any way. UFT members are already doing their part by focusing on the positive. When our students walk into school every morning, we're there to help them focus on teaching and learning. We make sure our students feel supported, respected, accepted, and above all, loved. We explore together. We guide and encourage. We praise and applaud. Above all, we inspire them to be the very best they can be.

Next week, our members will send that positive message straight to Betsy DeVos and the Trump administration by sharing stories on social media about the amazing work they do inside of our public schools. It's all part of a nationwide Public Education Week. We'll share our successes and even invite Betsy DeVos to visit our public schools, something she's been loath to do. We hope all of you can be a part of the conversation. Look for the hashtags #PublicSchoolProud and #InviteDeVos.

The UFT will also be engaged in work to protect our members' ability to speak up for our students and to advocate for our own working conditions. By that, I mean working on ways to protect labor unions themselves. The same anti-democratic forces trying to destabilize and defund public education hope to do much the same to labor unions with a court case that will be heard by the U.S. Supreme Court on Feb. 26, Janus v. AFSCME. New York is once again in the forefront by recognizing the role unions play in both creating and sustaining our state's and nation's middle class. We have never backed away from a fight, and won't now. Not when our students' and our own families' futures are at risk.

In the weeks ahead, as this budget season progresses, we will remain vigilant and fight for what's right. We can't compromise when it comes to what's best for kids. In these uncertain and challenging times, public education remains the best investment we can make.

GENERATE NECESSARY REVENUE

With Republicans falling over themselves to line up behind Trump and his tax relief for the 1 percent and corporations, many middle class Americans, especially in blue states, will ultimately see an increase in their personal tax bills to make sure the wealthy get a bigger piece of the pie. The new federal tax law will cost New Yorkers an additional \$14.3 billion per year, a change that simply worsens the existing imbalance - New York State already sends \$48 billion more to Washington D.C. than it gets back in federal dollars.

New York State faces a \$4.4 billion deficit during the upcoming budget year. That's why we all must be highly motivated to explore innovative ways to generate needed revenue to meet the needs of today and tomorrow.

New York State can fight back to protect its citizens. The smart response would be raise taxes and fees on corporations and the wealthy, which are benefitting the most from the Republican largess in Washington D.C. That's a fight most New Yorkers can and should get behind.

We support Gov. Andrew Cuomo's efforts to safeguard New Yorkers from the federal plan to limit how much people can deduct from their state and local taxes. We also strongly support efforts to close the carried interest loophole, which shamelessly allows the top earners – primarily hedge fund managers and private equity bankers – to pay a lower tax rate than my members. Gov. Cuomo's proposed Fairness Fix would address this inequity and generate an additional \$1.1 billion in new revenue. We stand ready to help Gov. Cuomo in his efforts to make this legislation a reality here in New York, as well as in Connecticut, New Jersey, Massachusetts and Pennsylvania so that hedge fund managers can't simply shift their profits across state lines.

These are both great starts. Other strategies include:

Enact a surcharge on high earners Now is a perfect time for the governor and Legislature to enact a tax on multi-millionaires, individuals earning \$5 million or more. Despite the enormous wealth generated by top earners, New York's tax brackets are still based on income distributions first devised during the 1970s and 1980s. By adjusting those brackets upwards to more accurately reflect the obscene income gains by billionaires and millionaires, including big gains from the Republican's new tax plan, the state could raise an additional \$2.3 billion annually.

Hold corporations accountable for broken promises The Republicans gave huge tax breaks to corporations, with the spin that these corporations, in turn, would use their increase in revenue to raise worker salaries and create jobs. This remains to be seen as 2018 plays out. We anticipate that many will simply pass that wealth on to their top managers and stockholders. Trickle-down economics hasn't worked before, and I'm not holding my breath for an economic miracle now. New York should impose a "claw-back" tax on big companies that take tax breaks without using them in a productive way.

Increase estate taxes Estate taxes are a society's effort to ensure that vast wealth does not accumulate in the hands of the few through inheritance, with the resultant out-of-proportion influence on government. The new federal tax law doubles the exemption for the wealthy, up to \$22 million per couple (\$11 million per person). A state surtax on high-dollar estates won't hit regular families or successful entrepreneurs — it would affect only the super wealthy, a small sliver of New York's taxpayers. We stand ready to work with advocates, lawmakers and the governor on this effort.

Explore Income tax payroll swap & charitable contributions The UFT would like more information about the governor's idea to implement an income tax payroll tax swap and his effort to find a new source of revenue through contributions to charitable organizations. The UFT appreciates any efforts to protect middle and working class families from the federal tax law's reduction in state and local income tax deductions.

INCREASE SCHOOL AID

Investing in public education is one of the most effective strategies our state can undertake to ensure a bright future. More specifically, strong investment in high quality programs and services, and proper supports and resources will translate into more students staying in school and succeeding. Substantial long-lasting effects of educational investment are particularly powerful when it comes to disadvantaged students. And that success is meaningful for all of us, because it improves and strengthens the workforce and our state's ability to compete in the national and global economy.

Conversely, the lack of investment in public education can impose a high cost to society and penalize children for life. And make no mistake: Funding cuts do not have an equal effect on students across the board; high-needs students suffer the most. The students in Kansas bore the brunt of this misguided economic plan when the state implemented massive tax cuts in 2012 in an effort to stimulate job creation. The result was a crippled economy. The human toll? Who knows how many students will be lost as a result.

The evidence is conclusive: slashing our way out of an economic crisis will do more harm than good. We cannot afford crisis-led adjustments that reduce the number of teachers or programs or services. We know you, our lawmakers in Albany, know this as well. Even under today's grim fiscal realities, the executive budget continues to invest in its core mission of public education by proposing an additional \$769 million for education, a 3 percent increase, including \$338 million in foundation aid. The UFT supports the governor's goal of sending more funds to the highest-need districts and schools, in line with the court decision in the Campaign for Fiscal Equity.

We join our state affiliate, the New York State United Teachers, in opposing the 2 percent limit on growth in major expense-based categories such as building, transportation and BOCES aid.

We strongly support calls by the New York State Educational Conference Board and other advocates calling for a \$1.5 billion total investment in school aid to ensure that desperately

needed resources continue to flow to our public schools. These investments are a sensible way to counterbalance the harmful policies coming from Washington.

REJECT CHARTER SCHOOL PROPOSALS AND FIX SUPPLEMENTAL FUNDING

Any efforts to protect public schools must also include increased transparency and accountability in the state's charter school sector, from how they spend millions of dollars in private donations to ensuring high-needs students succeed and are not "counseled out" during their school years.

The charter sector has fought against efforts to be held accountable. Until they are, the UFT opposes increased rental aid for charter schools or increased access to co-located space in public schools; opposes any increase in the charter cap or increases to the charter school tuition formula; opposes a direct \$22.6 million grant to boost per pupil charter allocations in New York City; and asks the Legislature and Gov. Cuomo to fix the out-year supplemental funding for charters so additional resources are not drained from financially struggling traditional public schools.

The rental aid proposed for new and expanding charters in private New York City space ignores the reality that charters are sitting on cash and unrestricted net assets approaching half a billion dollars. A 2017 review by the New York State United Teachers found charter management reported at least \$451 million in unrestricted net assets — resources that should pay for rent on school facilities.

Many New York City charters have built these reserves because they have tapped into private donations from Wall Street hedge funders. For example, the Success Academy charter chain raised \$35 million from a single night of fundraising. They, and other New York City charter chains, clearly do not need additional rental funding or a proposed \$22.6 million grant for New York City per pupil funding, especially when those funds come from resource-strapped traditional public schools.

MAINTAIN INVESTMENT IN TEACHER CENTERS

New York City's award-winning Teacher Centers, and Teacher Centers across the state, provided high-quality professional learning to an increased number of educators this past year because of the \$14 million investment from the state Assembly. The Assembly's support over the years has kept these vital centers in operation. The UFT appreciates the governor adding an additional \$5 million to the centers last year. The UFT hopes that the Assembly and the governor will continue this investment.

The state funding provided to the UFT Teacher Center in the current budget has allowed us to reach more than 217,000 educators, administrators and school aides in the 2016-17 school year. It enabled the UFT to provide more professional development in high-need areas such as math, literacy and English Language Learners; and to provide additional support for paraprofessionals, our hard-working teaching assistants who deliver services to students with special needs. Extra funding in New York City also supports our work with Gov. Cuomo's Vital Brooklyn Initiative, with Agriculture in the Classroom to create classroom tools for New York State that link farmer's markets with lessons in nutrition, biology, earth science and environmental conservation.

The UFT Teacher Center staff currently provides professional learning to educators at our 105 Teacher Center school sites, at high-need schools, at citywide conferences, and during individual sessions. Our sessions are designed to align with 21st century skill standards and to support educators in their roles. Whether we're talking about core subjects such as science, literacy and math, or classroom skills such as creating differentiated learning experiences for students or even behavior management and de-escalation techniques, our Teacher Center programs help educators gain the skills they need to support their work. We strongly encourage collaboration and the sharing of best practices among those who participate, and we work hard to empower educators to be the very best they can be.

This kind of professional learning is most effective when it's an ongoing process throughout the school year and beyond. It makes perfect sense, too — the more time an educator spends engaged in professional development, the more likely that person is going to improve their skills and student outcomes.

The UFT's team of experts understands what educators need because they come from the classroom. They work as an integral part of a school community, where they engage with other educators and provide customized and relevant learning opportunities to support the needs of a particular school. They work with educators at all grade levels and in all subject areas. They also facilitate work groups, provide opportunities to practice skills, and create a safe place to try out new teaching techniques. For example, during a recent two-day technology program, teachers learned how to organize a digital classroom to enhance communication and promote independent learning, energize students' creativity as they produce cross-curricular multi-media

presentations, and promote higher order thinking and problem-solving through game design and coding.

The UFT is therefore disappointed that the governor's executive budget did not continue its \$5 million investment. With the financial stress school districts are likely to face, a stable source of high-quality professional development is crucial if New York is to maintain its educational momentum. Teacher Centers are ideally suited to provide the computer science and engineering professional development the governor proposed in his new \$6 million educational investment.

The UFT is asking the governor and state Assembly to maintain the roughly \$20 million for Teacher Centers statewide as part of New York's commitment to public education.

BUILD ON THE SUCCESS OF COMMUNITY SCHOOLS

We also continue to advocate for the expansion of Community Schools, which we believe are helping to revolutionize the way we deliver programs and services to children through integration into a building's normal operations. Community schools build a strong infrastructure of community and business partnerships that provide specific resources and supports needed by the children in a specific school. Those resources include everything from medical and mental health initiatives to breakfast and dinner programs that teach families to prepare nutritional foods as well as provide meals. Social services for students and their parents are also often part of the mix. It's an approach that lends itself to strengthening any type of school community, but particularly those in high-needs areas where families can't easily access programs and services for a variety of reasons.

Community schools are often referred to as community hubs with many buildings open from early morning through night and on the weekends as well. No two community schools are alike, and that's a strategic choice, because each neighborhood has its own unique needs. Community involvement and input is key to shaping the particular "feel" in a building. Community schools also use data to continually refine and redirect their programs.

We applaud Gov. Cuomo's plan to invest \$200 million statewide in Community Schools, including an additional \$50 million earmarked for districts struggling with growing numbers of high-needs students, ELLs and homeless students. Increasing the minimum grant award for

Community Schools from \$10,000 to \$75,000 and funding the three regional technical assistance centers with \$1.2 million also ensures each district can conduct more meaningful work and provide more students with common sense, wraparound services.

The UFT seeks to expand its own Community Learning Schools Initiative, which it began in 2012, with help from the New York City Council, the Partnership for New York City, Trinity Wall Street, State Sen. Jeff Klein and the Independent Democratic Conference. The UFT initiative now features 29 schools where vital medical, social and mental health services are integrated into the school day to the benefit of over 18,000 students and their families.

With state help, the UFT Community Learning Schools Initiative also hopes to open two school-based health centers with vision clinics this year. We are pleased to see funding for these school-based centers was not cut. Going forward, we seek to maintain Medicaid reimbursements and make sure the health centers serve all children in the neighborhood, not just the students in the school in which they are located.

Students are thriving in our UFT Community Learning Schools, so we respectfully ask for \$5 million to hire additional community school directors, maintain high-quality services and add new schools to the initiative.

INVEST IN RESTORATIVE PRACTICES

Among the professional development topics that our members clamor for most are workshops on behavioral management including strategies on managing challenging behaviors and facilitating a student's social-emotional growth. These topics are popular for the same reason that we are having robust discussions here in Albany about discipline and restorative justice: Our schools often need help with crisis intervention and prevention.

Thanks to a model called the Positive Learning Collaborative (PLC), we're seeing schools get on top of these issues. The PLC program, which we jointly operate along with the Department of Education, puts boots on the ground in schools that need help.

In a PLC school, everyone in the building gets trained and coached in Therapeutic Crisis Interventions for Schools (TCIS), a Cornell University curriculum, from office staff that greets students in the morning and cafeteria workers, to educators including administrators. The idea is to not only enhance communication about student needs among the entire staff, but also to teach everyone in the building how to identify social and psychological issues that may be brewing and de-escalation techniques to employ if a problem occurs. Training and support in Positive Behavior Interventions and Supports (PBIS), Response to Intervention (RTI), and Restorative Practices are provided as well as administrative and academic coaching.

PLC is not a one size fits all program. Through a collaborative data collection process, PLC support staff and administrators develop a comprehensive action plan tailored to meet identified school's needs.

Nineteen schools are now using these techniques with clear results: a reduction in school suspensions and violent incidents, and an improvement in school climate. Dozens of New York City schools are on a waiting list to join the program.

Restorative practices help emphasize healthier, safer and more respectful behaviors, which in turn improves the entire school climate. As part of that approach, all students have a voice, and they are encouraged to think of themselves as a community and embrace understanding, tolerance and relationship building as part of their daily lives. As a PLC participating school, they use restorative practices as a way to address conflicts, resulting in fewer incidents and suspensions. When incidents do happen, students that caused harm are held accountable for their actions in restorative ways that infuse learning and growing from experiences, rather than punitive ones. The goal is to repair relationships that were harmed and keep the community whole. Thus, teaching pro-social behaviors to meet the need for belonging in a safe, healthy environment.

A way to expand the successful PLC program would be to allow New York City schools to join with grants from either the governor's \$250,000 community school proposal to enhance school climate, combat bullying and school violence, or the governor's \$1.5 million gang violence prevention program.

ENHANCE SCHOOL LUNCH AND BREAKFAST PROGRAMS

New York City has been in the lead in both expanding breakfast options for students, and this school year, in providing universal free lunch to all students, regardless of family income. As educators, we saw the results when children came to school hungry, or when children refused to eat because they were too embarrassed to take a free lunch.

We hope by the actions New York City has taken that we can put an end to food shaming in our public schools. We are glad to see the Executive Budget addresses this issue in the rest of the state by requiring all public schools, including charter schools and non-public schools that participate in the national school lunch program or school breakfast program, to develop a plan to address breakfast and lunch shaming of students, and share that plan with parents. We are also encouraged to see the Executive Budget requires traditional public schools and charters to offer alternatives for breakfast such as “grab and go” breakfasts and breakfast in the classroom.

SUPPORT FAMILIES WITH AFFORDABLE CHILD CARE

New York State is making significant investments in economic and business development to grow our economy, particularly in struggling upstate communities. Affordable, quality child care is a critical support for both workers and the multitude of businesses that employ them.

New York City’s 15,000 home-based child care providers allow thousands of low-income New Yorkers to work because they provide high-quality affordable care for their children. Family child care providers are our children’s first teachers. Decades of research show children who attend quality early childhood programs are better prepared to enter school, do better in school compared to children who do not attend these types of programs and possess a firm foundation for more successful outcomes in school and life, including greater earning potential.

The more than 40,000 home-based child care providers statewide provide a tangible economic and social benefit to New York’s families. For a working family, child care subsidies can mean the difference between making ends meet and living in poverty. New York thrives when people are working. When unemployment goes up, we see a decrease in tax revenue and an increase in government assistance.

We thank Gov. Cuomo for restoring \$7 million in child care funding. The UFT supports preserving and, if possible, increasing the number of child care slots. We also ask the state to provide resources to pay for federal mandates. Those costs are often picked up by our day care providers who, on an hourly basis, earn below minimum wage. Our providers deserve additional

compensation for the vital work they do and they should not have to pay out-of-pocket for federally mandated administrative services.

It's also worth noting again that the UFT has provided New York City's child care providers with curriculum and professional development, thanks to state funding that went to our Teacher Centers. That training included social-emotional learning with a special emphasis on autism, a Teacher Center-developed curriculum called *Successful Beginnings for Early Literacy Development* (SBELD) that is geared to prepare three-year-olds for kindergarten, and a special embedded coaching program that allows Teacher Center instructional coaches to visit providers' homes to demonstrate lessons.

EXPAND AUTHENTIC MEASURES OF STUDENT LEARNING

New York City's teacher evaluation system gives schools choices about the kinds of student assessments that can be used in teacher evaluation, including essays and other ways that students can demonstrate their skill. We also give schools choices about how to measure student growth. We know our system is more responsive to the needs of individual schools and their students. It is a model that moves away from one-size-fits-all systems mandated by the state. We believe that the city's approach could be a model statewide. The UFT believes we need to avoid a return to the testing craze that gripped New York for too many years.

CONTINUE INVESTMENT IN NEW WORKFORCE DEVELOPMENT

New York has taken the lead by empowering local regions to determine what tactics and investments are needed to create jobs and economic growth. New York City has different needs from the Albany region and both are different from the Adirondacks or the Finger Lakes. We therefore support the new Consolidated Funding Application (CFA) for workforce investments, which enables each region to tailor its work to meet regional businesses' short-term workforce needs, improve regional talent pipelines, expand apprenticeships, and address the long-term needs of expanding industries — with a particular focus on emerging fields with growing demand for jobs like clean energy and technology. The \$150 million investment in flexible resources on top of the \$25 million in existing streams of workforce funding will allow our state to create new jobs and improve the economic security of women, youth, and other populations who have traditionally been denied access to economic career ladders.

ENACT THE WOMEN'S AGENDA

Women across the country in 2017 saw many of their rights under attack from the policies and rhetoric coming from the Republican leadership in Washington D.C. With women making up roughly two-thirds of the UFT's membership, we are particularly attuned to efforts to dismantle health care, education, child care and workplace equity protections. The UFT has taken an active stand against any erosion of hard-won rights. We are encouraged that the Executive Budget outlined steps the state can take to protect and enhance women's rights whether at home, school or the workplace.

We are particularly pleased that the Governor's 2018 Women's Agenda highlights specific supports for girls and young women. In 2015, New York had 3,801 computer science graduates; only 18 percent were female. The governor's Executive Budget provides an annual investment of \$6 million in the Smart Start program. This initiative would provide grants to schools for teacher development in computer science and engineering, as well as a gender sensitivity training. All schools would be eligible for the funds but grants would go to the highest need schools first.

The goal would be to enable elementary school teachers to become in-house experts in computer science. By exposing all children to the wonders of computer science and engineering earlier in their school career, we hope to encourage more young women to see these fields as areas where they can compete and flourish. Schools that receive an award will work with their Regional Economic Development Councils to tailor the program to regional businesses or future employers' needs.

Gov. Cuomo also agreed to convene a working group of educators and industry partners to create model computer science standards for any school that wants them. The UFT Teacher Center, with 105 school-based sites and a 40 year history of providing high-quality professional learning, is in a unique position to provide the Smart Start teacher development in New York City and to provide educators to work on the module.

We also support the governor's efforts to encourage more girls to enter "non-traditional" fields and take on leadership roles through a statewide campaign: "If You Can See It, You Can Be It." By building on the success of the Bring Your Daughter To Work Day campaign, New York will seek to give young women the opportunity to shadow women leaders in non-traditional fields. Outreach will include ways to bring homeless youth, young people in foster care and students in low-income communities into this program. The UFT also believes that a well-organized "If You

Can See It, You Can Be It” campaign will reinforce New York’s successful youth mentoring program, which currently serves 1,766 students in 97 school-based sites across the state.

In addition, the UFT supports Gov. Cuomo’s proposal that the State Education Department and the Department of Health work to create the “Be Aware–Be Informed” learning module to empower young people to forge healthy relationships. According to the CDC, New York students report a higher rate of physical dating violence than the national average, and more than one in six female high school students in New York report being forced into sexual activity. Research has shown that effective education about the prevention of dating violence can lower its incidence by 60 percent.

As outlined in the Executive Budget, such curriculum would include the same definition of consent used in the successful Enough is Enough law to create a common understanding for all students. Other topics would include age-appropriate information on confronting and avoiding sexual harassment and assault, and teen dating violence, and provide students with much needed sexual health information. The UFT respectfully requests that teachers be at the table from the start with the state agencies in developing this module.

The UFT also supported New York City’s 2016 legislation to provide free menstrual products available in the city’s public schools, shelters and jails, and applauds the governor’s proposed legislation to require school across the state to provide free menstrual products, in restrooms, for girls in grades 6 through 12.

FINAL THOUGHTS

Education funding is the greatest and most critical investment we make to empower our people and grow our economy. The challenges confronting our schools are great, but working together, I believe we can overcome them and continue to move our school system forward. The UFT remains committed to strengthening our school communities, and we look forward to the conversations ahead. Thank you again for this opportunity to testify before you today.