

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

2

JOINT LEGISLATIVE HEARING
3 In the Matter of the
2018-2019 EXECUTIVE BUDGET ON
4 ELEMENTARY AND SECONDARY EDUCATION

5

6 Hearing Room B
Legislative Office Building
7 Albany, New York

8 January 31, 2018
9:44 a.m.

9

10 PRESIDING:

11 Senator Catharine M. Young
Chair, Senate Finance Committee

12

Assemblywoman Helene E. Weinstein
13 Chair, Assembly Ways & Means Committee

14 PRESENT:

Senator Liz Krueger
15 Senate Finance Committee (RM)

16 Assemblyman Bob Oaks
Assembly Ways & Means Committee (RM)

17

Assemblywoman Catherine T. Nolan
18 Chair, Assembly Education Committee

19 Senator Carl L. Marcellino
Chair, Senate Education Committee

20

Senator Diane J. Savino
21 Vice Chair, Senate Finance Committee

22 Assemblyman Michael J. Cusick

23 Assemblyman L. Dean Murray

24 Senator Joseph P. Addabbo, Jr.

1 2018-2019 Executive Budget
Elementary & Secondary Education
2 1-31-18

3 PRESENT: (Continued)

4 Assemblyman Edward P. Ra
5 Assemblywoman Ellen Jaffee
6 Assemblyman Matthew Titone
7 Assemblywoman Barbara Lifton
8 Assemblyman Steven Otis
9 Assemblywoman Nicole Malliotakis
10 Senator Gustavo Rivera
11 Senator Patrick M. Gallivan
12 Assemblywoman Deborah J. Glick
13 Assemblywoman Earlene Hooper
14 Senator James N. Tedisco
15 Assemblyman Victor M. Pichardo
16 Assemblyman Jeffrion L. Aubry
17 Assemblywoman Christine Pellegrino
18 Senator Marisol Alcantara
19 Assemblywoman Vivian E. Cook
20 Assemblyman Félix Ortiz
21 Assemblyman David I. Weprin
22 Assemblyman William Colton
23 Senator John E. Brooks
24 Assemblywoman Patricia Fahy

1 2018-2019 Executive Budget
 Elementary & Secondary Education
 2 1-31-18

3 PRESENT: (Continued)

4 Assemblyman Daniel O'Donnell

5 Assemblyman N. Nick Perry

6 Assemblyman J. Gary Pretlow

7 Senator Andrea Stewart-Cousins

8

9

10 LIST OF SPEAKERS

	STATEMENT	QUESTIONS
12 MaryEllen Elia Commissioner		
13 NYS Education Department	11	24
14 Carmen Fariña Chancellor		
15 NYC Department of Education	162	186
16 Andy Pallotta Executive Vice President		
17 Christopher Black Director of Legislation		
18 New York State United Teachers -and-		
19 Michael Mulgrew President		
20 Cassie Prugh Assistant to President		
21 United Federation of Teachers	273	291

22

23

24

1 2018-2019 Executive Budget
 Elementary & Secondary Education
 2 1-31-18

3 LIST OF SPEAKERS, Continued

4	STATEMENT	QUESTIONS
5	Dr. Kriner Cash Superintendent	
6	Buffalo School District Dr. Edwin M. Quezada	
7	Superintendent Yonkers City School District	
8	Everton Sewell CFO	
9	Rochester City School District Jaime Alicea	
10	Superintendent Syracuse City School District	
11	-and- Georgia Ascitutto	
12	Executive Director Conference of Big 5	
13	School Districts	352 368
14	Dr. Bernadette Kappen Executive Director and Chair	
15	4201 Schools Association	388 394
16	Jasmine Gripper Legislative Director	
17	Alliance for Quality Education	397
18	Robert Lowry Deputy Director	
19	New York State Council of School Superintendents	401 407
20	Mark Cannizzaro	
21	President Council of School Supervisors	
22	and Administrators (CSA)	409
23		
24		

1 2018-2019 Executive Budget
 Elementary & Secondary Education
 2 1-31-18

3 LIST OF SPEAKERS, Continued

4	STATEMENT	QUESTIONS
5 Cynthia E. Gallgher Director, Government Relations 6 School Administrators Association of New York State (SAANYS)	415	
7 Julie Marlette 8 Director, Governmental Relations NYS School Boards Association	420	426
9 Michael Borges 10 Executive Director NYS Association of School 11 Business Officials	433	
12 Elliot Garcia 3rd Vice President 13 NYS School Facilities Assn.	441	
14 David A. Little Executive Director 15 Rural Schools Association of New York State	448	
16 Rabbi Yeruchim Silber 17 Director of New York Government Relations 18 Agudath Israel of America	455	464
19 Jake Adler Director of Government 20 Affairs Orthodox Union	466	469
21 James D. Cultrara 22 Director for Education New York State Catholic 23 Conference	470	475
24		

1 2018-2019 Executive Budget
 Elementary & Secondary Education
 2 1-31-18

3 LIST OF SPEAKERS, Continued

4	STATEMENT	QUESTIONS
5 Christopher Goeken Executive Director		
6 Assn. of Public Broadcasting Stations of New York	477	
7		
8 Randi Levine Policy Director Advocates for Children of NY	482	488
9		
10 Lindsay Miller Executive Director New York Association on Independent Living		
11 -and-		
12 Chad Underwood CEO Access to Independence Independent Living Center	491	
14		
15 Helga Yuan Larsen Director QUALITYstarsNY	497	
16		
17 Mike Neppel Director of Government Relations NY Library Association	504	507
19		
20 Mark Bordeau Vice President New York School Nutrition Association	512	
21		
22 Peter F. Mannella Executive Director New York Association for Pupil Transportation	517	523
23		
24		

1 2018-2019 Executive Budget
 Elementary & Secondary Education
 2 1-31-18

3 LIST OF SPEAKERS, Continued

4 STATEMENT QUESTIONS

5 Kyle McCauley Belokopitsky
 Executive Director

6 NYS Congress of Parents &
 Teachers (NYS PTA)

528

7

Marian Bott

8 Education Finance Specialist
 NYS League of Women Voters

536

9

Christopher Treiber

10 Associate Executive Director
 InterAgency Council of

11 Developmental Disabilities
 Agencies, Inc.

12 -on behalf of-

Coalition of Provider

13

Associations

542

14

15

16

17

18

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21

22

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1 CHAIRWOMAN WEINSTEIN: Good morning.

2 Good morning, everyone.

3 Good morning. I'm Helene Weinstein,
4 chair of the New York Assembly Ways and Means
5 Committee, the cochair of today's hearing.
6 Today we begin the seventh in a series of
7 hearings conducted by the joint fiscal
8 committees of the Legislature regarding the
9 Governor's proposed budget for fiscal year
10 2018-2019.

11 The hearings are conducted pursuant to
12 the New York State Constitution and the
13 Legislative Law. And today the Assembly Ways
14 and Means Committee and the Senate Finance
15 Committee will hear testimony concerning the
16 Governor's budget proposal for education.

17 I will now introduce the members of
18 the Assembly who are here. Senator Young,
19 the Senate Finance chair, will introduce the
20 members from the Senate. And in addition,
21 Bob Oaks, our ranker on Ways and Means, will
22 introduce the members from his conference.

23 So we have our Education chair, Cathy
24 Nolan; Assemblywoman Earlene Hooper,

1 Assemblywoman Jaffee, Assemblywoman Glick,
2 Assemblywoman Pellegrino, Assemblywoman
3 Lifton, Assemblyman Cusick, Assemblyman Otis,
4 Assemblyman Pichardo, and Assemblyman Aubry.

5 CHAIRWOMAN YOUNG: Good morning. I'm
6 Senator Catharine Young -- oh, I'm sorry,
7 Mr. Oaks hasn't gone yet. Excuse me.

8 ASSEMBLYMAN OAKS: Thank you.
9 Mr. Murray and Assemblyman Ra are both with
10 us today.

11 CHAIRWOMAN YOUNG: Thank you,
12 Assemblyman.

13 Good morning. I'm Senator Catharine
14 Young, and I'm chair of the Senate Standing
15 Committee on Finance. We're joined by our
16 vice chair of Finance, Senator Savino. We
17 have Senator Liz Krueger, who is ranking
18 member of Finance. Also we're joined by
19 Senator Carl Marcellino, who is chair of the
20 Senate Standing Committee on Education. The
21 ranking member of that committee is Senator
22 Joe Addabbo, who's joining us. We also have
23 Senator Pat Gallivan, Senator James Tedisco,
24 Senator John Brooks, and Senator Marisol

1 Alcantara.

2 So good morning.

3 CHAIRWOMAN WEINSTEIN: Before

4 introducing the first --

5 CHAIRWOMAN YOUNG: Oh, I'm sorry.

6 Excuse me, Chairwoman.

7 CHAIRWOMAN WEINSTEIN: Yes.

8 CHAIRWOMAN YOUNG: Sitting down is

9 Senator Gustavo Rivera. Good morning.

10 CHAIRWOMAN WEINSTEIN: So before
11 introducing the first witness, I want to
12 remind all the witnesses testifying today to
13 keep your statements within your allotted
14 time limit and to keep an eye on the clock so
15 everyone can be afforded the opportunity to
16 speak. And we'd like to end earlier than the
17 10:30 we ended last night.

18 Witnesses are reminded that the
19 testimony has been submitted in writing and
20 it will be made a part of the record of the
21 hearing, so there's no reason to read your
22 testimony. We would very much appreciate a
23 concise summary of the highlights, and that
24 will allow for questions and answers between

1 the members and the witnesses.

2 As I said, keep an eye on the clock,
3 because it's important that we move the
4 hearing along so that the people who are
5 later still have an opportunity to speak.

6 And also I'd just remind members
7 likewise to keep an eye on the clock. And
8 the intention is that the clock is both to
9 ask your question and for the witness to
10 respond. So we'd just ask people to be
11 concise.

12 And we're very happy, that being said,
13 to welcome our first witness of the day, the
14 New York State Education Department
15 Commissioner, MaryEllen Elia.

16 COMMISSIONER ELIA: Thank you very
17 much. And good morning, Chairs Young,
18 Weinstein, Nolan and Marcellino, and members
19 of the Senate and Assembly here today. My
20 name is MaryEllen Elia, and I'm the
21 Commissioner of Education. I'm joined by
22 Executive Deputy Commissioner Beth Berlin and
23 Senior Deputy Commissioner for Education
24 Policy Jhone Ebert.

1 You have my full testimony before you.
2 I'll speak to a few slides and then I'll be
3 happy to address your questions.

4 Before we begin, I want to thank
5 Chancellor Rosa and the Board of Regents for
6 their leadership and the important work that
7 they do to support students across the state.
8 I also want to welcome Regent Beverly
9 Ouderkirk and Regent Nan Mead, who are
10 cochairs of the Regents' State Aid Committee,
11 who are in the audience today.

12 Our 2018 state aid proposal would
13 provide much-needed resources for school
14 districts to maintain their base operations
15 and educational programs while allowing for
16 expansion in policy areas. As you can see on
17 Slide 2, the Board of Regents continues to
18 advocate for the full phase-in of the
19 Foundation Aid formula by providing a
20 \$1.25 billion increase. This increase would
21 include a new \$85 million set-aside for the
22 English language learners within the
23 Foundation Aid formula, similar to the
24 existing Community School set-aside enacted

1 two years ago.

2 Accelerating additional Foundation Aid
3 to districts through an ELL-driven formula
4 would ensure that these funds are spent
5 consistent with Part 154 of the
6 commissioner's regulations that govern
7 requirements for the education of English
8 language learners. If enacted, the
9 department would publish guidance for school
10 districts on how to spend these additional
11 funds.

12 The Regents and I are firmly committed
13 to the English language learner students, and
14 we seek your support of our budget priorities
15 aimed at making sure districts have the
16 resources they need to help these students
17 succeed. The Regents aid proposal would not
18 only maintain their current reimbursement for
19 aid formulas, such as Building Aid and
20 Transportation Aid, but proposes a
21 \$314 million increase for these aids.

22 On Slides 3 and 4, the Regents and I
23 are once again requesting significant
24 investments to expand the Career and

1 Technical Education Pathways. We recommend
2 investment through changes to reimbursements
3 for CTE programs that would support the
4 creation of high-quality pathway
5 opportunities.

6 New York State will continue to face a
7 deficit of workers for mid-level skill jobs
8 which require more than a high school diploma
9 but less than a four-year degree.

10 High-quality CTE programs are a boon to the
11 state's economy as they prepare the workforce
12 of the future with the skills employees need
13 on the first day of work.

14 Several years ago the Regents approved
15 the 4+1 Multiple Pathways Model, which allows
16 all students to substitute one of the social
17 studies Regents exams with approved
18 alternatives. Districts and BOCES need
19 support so that their programming can catch
20 up to the demands of the economic communities
21 that they serve.

22 The State Education Department and
23 Regents support the development of CTE
24 programs by, for example, modifying

1 certification requirements so experts in
2 various fields can teach in these classes.
3 This is only one of the many changes we've
4 made to our teacher certification regulations
5 to support instruction in the classroom.

6 However, efforts to further expand
7 these programs will depend on additional
8 support and funding. Your one-house budgets
9 have included versions of these CTE proposals
10 over the past few years, so let's work
11 together to make sure this is the year these
12 investments come to fruition.

13 In the 2017-2018 enacted budget, the
14 Legislature and Governor included the Regents
15 proposal to begin consolidating the existing
16 multiple pre-kindergarten programs and
17 provided an expanded investment of \$5
18 million. And we thank you for this.

19 In 2017, the board convened an Early
20 Childhood Blue Ribbon Committee that
21 developed a series of recommendations to
22 expand opportunities and improve the quality
23 of all early learning programs.

24 If you turn to Slide 5, you will see

1 as a first step towards implementing those
2 recommendations the board proposes investing
3 an additional \$20 million in pre-K programs,
4 targeting areas of highest need first and
5 phasing in additional funds over the
6 subsequent years until pre-K is fully
7 universal for 4-year-old children in New York
8 State. We were happy to see the Governor's
9 \$15 million pre-K expansion investment.

10 This provision also includes a focus
11 on placing our students with disabilities
12 into inclusion programs, which is another
13 Regents budget priority proposal found on
14 Slide 8.

15 Slides 6 through 27 provide you with
16 an overview of our agency budget priorities.
17 I will speak briefly to a few of the
18 priorities, and I ask that you take some time
19 to review the rest.

20 As you can see on Slide 10, we believe
21 it is critical that the state provide
22 resources for schools to be able to assess
23 and improve their current school climates;
24 establish effective strategies for building

1 healthy, supportive and safe learning
2 environments for students and educators; and
3 encourage strong social-emotional learning
4 skills while providing mental health support
5 for all students.

6 The state should also provide these
7 schools with technical assistance necessary
8 to develop and implement plans for improving
9 school culture, climate and safety.
10 Evidence-based strategies and best practices
11 should guide these plans.

12 Building upon the Executive's proposed
13 \$250 million investment in this area, our
14 \$10 million would establish Regional
15 Technical Assistance Centers to provide the
16 leadership, training and support for schools
17 to build capacity to create a positive school
18 environment. This \$2.4 million investment
19 would include efforts to ensure and enhance
20 compliance with the Dignity for All Students
21 Act.

22 The proposal would also create a
23 \$7.6 million supportive school grant program
24 for school districts that would be used to

1 investment contained in the Executive's
2 proposal to provide technical assistance
3 grants for school districts wishing to
4 provide advanced coursework that currently
5 offer no or few advanced courses.

6 We would also like to thank the
7 Governor for his proposed \$2 million in
8 continued funding to subsidize the cost of
9 both Advanced Placement and International
10 Baccalaureate Exam costs for New York State
11 low-income students. This is an example of
12 the state stepping up to support a critical
13 funding need that our federal government
14 eliminated over a year ago.

15 As you can see on Slide 15, we
16 continue our priority in providing
17 high-quality professional learning for
18 educators with a \$2.9 million funding
19 request. There is almost no predictor as
20 important to the success of students as the
21 quality of their teachers. Having started my
22 career as a teacher, I know the immense value
23 of this profession and the unrivaled impact
24 it has on our students' futures.

1 As you know, we are moving forward
2 with the Next Generation Learning Standards.
3 We need to avoid the mistakes of the past and
4 make sure that teachers have the professional
5 learning support and resources to understand
6 and engage with the standards so they know
7 how to apply them in their classroom
8 instruction.

9 During my travels around the state,
10 many teachers have directly told me that they
11 would like to have more and better
12 professional learning opportunities, and we
13 want to support that.

14 Moving on to Slide 23, we request that
15 you enact the Museum Education Act and
16 provide \$5 million to support students living
17 in low-income communities in urban, suburban,
18 and rural settings. Your students and
19 families would benefit from having access to
20 more than 1500 museums, historical societies,
21 zoos, botanical gardens, aquariums and
22 cultural institutions across New York State.

23 Fair and equal access to these types
24 of institutions will provide enhanced

1 learning opportunities for our students. We
2 want to thank Senator Little and Assemblyman
3 Titone as well as all the other cosponsors of
4 this important legislation for their support
5 on this issue.

6 Support of our state library, regional
7 library systems, and public libraries results
8 in state-of-the-art technology, book and
9 material delivery, shared e-resources,
10 skilled library staff, and resources for
11 library services and programs benefiting New
12 Yorkers of all ages.

13 In order to sustain this critically
14 important library infrastructure, we
15 recommend at a minimum to restore the
16 proposed \$4 million decrease. Our Regents
17 proposal is to bring Library Aid to the
18 statutory level, which would result in an
19 additional \$7 million investment over last
20 year's funding level.

21 As you can see on Slide 24, your
22 investment in the Library Construction
23 Program over the years has leveraged millions
24 more to improve public library facilities

1 throughout the state so that they are safe,
2 accessible and efficient. We recommend, at a
3 minimum, restoring the proposed \$10 million
4 decrease. Our Regents proposal would provide
5 an additional \$6 million over last year's
6 funding level.

7 Finally, on Slide 26, we again ask
8 that you implement a 5 percent set-aside for
9 the administration and oversight of any new
10 education-related programs. This 5 percent
11 set-aside is a common practice at the federal
12 level and in several other states.

13 The set-aside provision would allow us
14 to keep up with our growing responsibilities
15 and support your districts in implementation,
16 whether it be for pre-K, review and approval
17 of Smart Schools investment plans, or the
18 grants and programs you fund in this year's
19 budget.

20 The agenda we have laid out today
21 includes providing adequate resources to our
22 high-needs schools to ensure equity in
23 education for all children, investing in
24 early childhood education and supporting and

1 Nolan, for some questions.

2 ASSEMBLYWOMAN NOLAN: Thank you. And
3 I want to just say again what a wonderful day
4 it is, having spent so many years as a member
5 of the Legislature myself, to have our
6 leader, the first woman from the Assembly
7 majority to chair Ways and Means, Helene
8 Weinstein, here.

9 I'm still a little jealous the Senate
10 made history first with Cathy Young a year or
11 two ago, and Liz Krueger even a year or two
12 before that.

13 But as someone who, when I first got
14 here, there was -- the first woman ever
15 appointed to this committee had just been
16 appointed, our dear colleague, the late
17 Assemblywoman Eileen Dugan -- it makes such a
18 personal difference for me, a happy
19 difference, to be here today with so many
20 women leaders here at the committee.

21 I also want to congratulate
22 Commissioner Elia because the work that
23 you're doing, the work that you've done with
24 your team to get ESSA approved -- which now

1 everyone, in typical New York fashion, takes
2 for granted, like, oh, that was great, she
3 got it approved. We know, we've had so many
4 battles in the past on these issues, and you
5 made it happen, you made a difference, and
6 your team made a difference.

7 I also want to thank Regent Rosa,
8 Chancellor Betty Rosa, for the work that
9 she's doing and what I really think is the
10 best budget submission I've seen in the time
11 I've chaired the committee. And I know that
12 you have Regents Mead and Ouderkirk here, and
13 the work that they've done on this budget
14 submission.

15 And then I just want to say Helene was
16 here late with Cathy because they were at a
17 hearing that went till 11:00. I was up late
18 looking for the word "education" in the State
19 of the Union address, and I didn't see it.

20 (Laughter.)

21 ASSEMBLYWOMAN NOLAN: So now we're
22 going to have to just look to ourselves as
23 state leaders to try to make some of these
24 things happen.

1 I just want to ask quickly whether you
2 could talk a little bit more about the
3 Dignity for All Students proposal. It's been
4 a big issue here. I want to thank
5 Assemblyman O'Donnell, a member of our
6 committee, and Assemblywoman Glick for their
7 leadership on this through the years. But we
8 want to make things happen, so tell us a
9 little bit more about the importance of that.

10 COMMISSIONER ELIA: Yes. Well, I
11 think there's so many opportunities that we
12 have to work with schools to improve what the
13 climate is in their schools. And let me
14 point out to you, when the climate in the
15 school is a positive school climate, that
16 means that students feel safer, they are more
17 open to learning, they interact in more
18 positive ways with their peers, and
19 ultimately what happens in the classroom is
20 setting the stage for how they interact
21 outside of the classroom.

22 So we all know there have been
23 tragedies that have occurred in the State of
24 New York and in other places across this

1 country. And when you drill down to find out
2 what could we have done differently, the
3 challenge really comes with, okay, how can we
4 make sure that our students feel comfortable
5 and that they can in fact deal with issues
6 that come up in their life with other
7 students, with the staff of the school, with
8 their administrators in positive ways.

9 So one of the things that the Regents
10 have taken very seriously -- and I also want
11 to call out that the New York State School
12 Board Association has addressed this issue,
13 they've had a number of conferences relating
14 to school climate and supporting social and
15 emotional learning. This is creating the
16 environment that we need for the movement in
17 academic success.

18 The proposal that we have before you
19 is for \$10 million, and it supports school
20 climate and bullying prevention and the
21 support of the Dignity for All Students Act.
22 It would establish initially an expansion of
23 the Center for School Safety and then develop
24 an RFP for five additional Technical

1 Assistance Centers that could work across the
2 state and provide resources for every
3 district and every school to be trained in
4 those strategies that research indicates to
5 us really make the difference.

6 To get back to -- and Chair Nolan
7 referred to the ESSA plan. That Every
8 Student Succeeds Act federal law was the
9 opportunity for us across New York State to
10 talk about what people want in their schools
11 and how they see them and how they want to be
12 able to judge whether or not they're
13 successful.

14 We had an enormous amount of input
15 from across the state, and I will tell you
16 that consistently both practitioners in the
17 field of education, parents and others,
18 including some of you, weighed in on the
19 importance of having a quality climate in
20 school so that students can be successful.

21 So this opportunity that we have would
22 provide for all of our districts across the
23 state to have access to the kinds of
24 resources that could provide training for

1 them, that could come in and do an assessment
2 of how well their climate is and what they
3 could do to improve it. And we've already
4 been working through our schools, our Safe
5 Schools Technical Assistance Center, to make
6 sure that we have training out there for our
7 staffs and our administrators. But this
8 brings it all together.

9 For those schools that are identified
10 then that have high needs in this area, we
11 would provide a \$7.6 million grant program,
12 working with our Technical Assistance Centers
13 to increase the positive school climates
14 across the page. The ESSA plan calls for
15 surveys that would be done of parents, of
16 practitioners, educators within the school,
17 including teachers and administrators and
18 school staffs, to give us the feedback on how
19 well they think their school is doing. Every
20 administrator could look at that and say, I
21 know there's some things I could improve in
22 my school.

23 And this really gets to, I think, the
24 underlying value that we place on continuous

1 improvement across all areas, including each
2 school and what they can do. That is very
3 individual, and it's important to have
4 feedback, which the survey will provide for
5 us, and then provide resources to them.

6 We're very excited about this, and we
7 really hope that it builds on what was
8 proposed in the Governor's budget.

9 ASSEMBLYWOMAN NOLAN: Thank you.

10 And just real quick, how important is
11 Foundation Aid to everything that you're
12 doing at State Ed and in our 700 school
13 districts?

14 COMMISSIONER ELIA: Foundation Aid is
15 the basis for the funding in New York State.
16 As you know, last year we were very vocal
17 that we think Foundation Aid as the concept
18 and a proposed goal needs to be established
19 and continued, and Foundation Aid is what
20 covers the cost of the bills for our school
21 districts. It allows them then to plan so
22 that they have a projection of how much
23 funding they're going to receive and they
24 know that when they have to go to their

1 voters and talk about that, they can make
2 sure that they have a number in place for
3 their district that's going to be critical.

4 ASSEMBLYWOMAN NOLAN: And how do you
5 feel Foundation Aid addresses the equity
6 issues in the wide variance in our school
7 districts?

8 COMMISSIONER ELIA: Well, that's one
9 of the things we've proposed. We know that
10 there are schools, for instance, that have
11 high numbers of ELL students. And in our
12 Foundation Aid we have proposed an
13 \$85 million set-aside that would be targeted
14 for those students, and it would go to those
15 districts that have high needs in that area.

16 We believe that that's a critically
17 important piece of Foundation Aid, and it
18 does then differentiate specifically on that
19 issue of supporting the ELL students.

20 ASSEMBLYWOMAN NOLAN: And then just
21 quickly -- I know this will come up in so
22 many other areas we could talk about -- but
23 Senator Marcellino and I go back a long way,
24 and many years ago I worked as a tutor in an

1 adult ed program that he was the
2 teacher-leader at in the night school at
3 Grover Cleveland. So we both have had a very
4 lengthy interest in adult ed for a very long
5 time, and I would just like you to --

6 SENATOR MARCELLINO: (Inaudible.)

7 (Laughter.)

8 ASSEMBLYWOMAN NOLAN: I just thought
9 maybe you could comment a little bit; I
10 didn't see too much in the proposal about
11 what's happening in adult ed, which is near
12 and dear to so many hearts.

13 COMMISSIONER ELIA: So we have a
14 proposal in front of you to take the program
15 in fact that you and I have visited together
16 at LaGuardia -- it is a program that we feel
17 is a Bridge Program which bridges where an
18 adult or an student is who may have left
19 school early, who may be an English language
20 learner that's trying to develop skills so
21 they can get into the job market, that it
22 would take those individuals and provide for
23 them the opportunity to have career
24 exploration, career assessment, relationships

1 with employers and colleges.

2 Ultimately, they could learn English
3 at those sites, they can then develop skills
4 in any career that they're interested in.
5 They could be placed in internships with
6 employers and have opportunities for job
7 shadowing, et cetera. And then they could
8 ultimately become productive and have a job
9 in our society.

10 We really believe that those
11 apprenticeships and internships are critical.
12 It's a \$3 million budget request. And we
13 really believe that by duplicating the
14 Bridge Programs -- and we have a wonderful
15 model at LaGuardia that we could use --
16 across the state, it would really give us an
17 opportunity to expand those programs across
18 the state.

19 ASSEMBLYWOMAN NOLAN: Thank you.

20 CHAIRWOMAN WEINSTEIN: Thank you.

21 Senate?

22 CHAIRWOMAN YOUNG: Thank you.

23 Senator Marcellino.

24 SENATOR MARCELLINO: Thank you very

1 much.

2 In the days that Cathy was talking
3 about, I had dark hair, had a mustache,
4 weighed about 50 pounds less than I do now,
5 so things were somewhat different.

6 But I'm just looking at some
7 statistics that came off the State Ed
8 website. We have a district in Monroe
9 County, a school in Monroe County which has a
10 45 percent graduation rate and a 34 percent
11 dropout rate. There's another school in my
12 district which has a 100 percent graduation
13 rate and a zero percent dropout rate.

14 What are we doing -- that's a
15 tremendous spread between the districts.
16 Education is one of the fastest-growing parts
17 of the State Budget. We have been funding it
18 extensively over the years and will continue
19 to. But we still see this discrepancy in the
20 numbers. What are we doing, what is State Ed
21 doing to help a school like the one in
22 Monroe -- I'm not going to name it, but like
23 the one in Monroe County that is obviously in
24 need of help? What are we doing for them?

1 COMMISSIONER ELIA: Well, you remember
2 you passed a law, the receivership law, and
3 we've been very active at State Ed in
4 supporting those schools that have been
5 identified. And if you remember, there's
6 been conversations and of course much
7 coverage of the work that we have done in
8 specific districts with those low-performing
9 schools.

10 Each school has a plan. It's been
11 developed by a group that's made up of
12 parents and community members as well as the
13 teachers and/or the administrators of that
14 school. They have funding that has gone to
15 them to support them.

16 We have -- each year after the data
17 comes in, we look at those schools and
18 determine what it is they're doing, are they
19 making movement forward. We actually have,
20 in fact, moved the agenda even to a -- I
21 would say a tighter control of those schools
22 in several cases.

23 I don't know the particular school
24 that you're talking about in Monroe County,

1 but I would say to you that the focus has in
2 all of those schools been on what they need
3 to do to improve. We've worked closely with
4 the districts. In some cases we have put our
5 staff in there to do improvement plans in
6 specific areas, whether it be for their
7 students with disabilities, their ELL
8 students, or generally to run the district
9 and what they have to do to improve.

10 So we are working extensively with
11 them. And those schools are still -- we have
12 about 70 schools right now across the state
13 that are on that receivership list, and
14 they're at various points. We judge whether
15 or not they have met the criteria that were
16 established in the indicators generally.

17 And as we transition in ESSA, we do
18 have a request for support for our schools in
19 the ESSA plan, and in that plan there is
20 clearly a process involved in establishing
21 who are the lowest 5 percent of the schools
22 in New York State and what are we going to do
23 about them.

24 So I share your concern. We do have

1 wide discrepancies in performance of students
2 across the state in various schools. You
3 represent a district that generally has
4 high-performing schools. Even within your
5 area, there is a discrepancy between the
6 performance of some schools.

7 So as the state education agency, we
8 are out there working with those schools and
9 telling them the things that we see that we
10 believe they could improve. We have a very
11 effective tool that is used by the school and
12 then reviewed with our staff. It is a matter
13 of identifying what needs to be done, making
14 sure it gets done and, if it doesn't, taking
15 a more aggressive action with them.

16 But there's discrepancies across this
17 state in performance of students in schools
18 and districts.

19 SENATOR MARCELLINO: I don't want
20 anybody to misunderstand as I push on this.
21 But in my opinion, Commissioner, you're doing
22 a heck of a job across the state. I've heard
23 nothing but high praise from superintendents
24 all over the state as I visit them. They

1 like what you're doing, they like your
2 approach. So, you know, as far as I'm
3 concerned, you're aces.

4 But I do read these numbers, and I do
5 see the numbers. And I know it concerns you,
6 and it does concern me and I'm sure it
7 concerns the people whose children go to
8 these schools. When you have a school
9 that -- what can you do to a school or for a
10 school if this continues over a period of
11 time? This is not new to this particular
12 school. This has been going on for some
13 time. So what is your tool? And what do you
14 need from us in the Legislature -- forget
15 money, that's a given. But what do you need
16 from us in the Legislature that could help
17 you?

18 COMMISSIONER ELIA: Well -- so let me
19 point out -- and you know this, any of you
20 that have been in education, or you've
21 watched the schools in your own districts.
22 If there's a concerted effort to improve
23 those schools and people are looking at the
24 data that comes out -- so when we look at how

1 well our students are doing in not only our 3
2 through 8 assessments -- but those are state
3 assessments that give you an indication --
4 you also can look at their graduation rates.
5 You've talked about the fact that we have
6 dropout rates.

7 We are targeting strategies in each of
8 those areas to support our schools and our
9 teachers to help students be more successful.
10 But I will tell you this: This is not going
11 to happen overnight. It has to be a
12 concerted effort and there has to be a will
13 by those leaders in the school district, in
14 each of those schools, to address the needs
15 of the school.

16 And we are doing the things that we
17 can do. We have used the authority that is
18 vested in the position of the commissioner,
19 through either the receivership law or in
20 other cases, in other ways to go in and work
21 very closely on improving in every one of our
22 schools.

23 We have a number of things that I
24 think we can come and talk to you. Senator

1 Marcellino, as the chair of the committee in
2 the Senate, we'd love to have you take
3 forward some things that we believe would
4 help us in terms of supporting schools that
5 are not functioning as well. And those
6 things are difficult, because we have to make
7 the decisions so that we can support students
8 in those classrooms.

9 SENATOR MARCELLINO: I would be happy
10 to meet with you --

11 COMMISSIONER ELIA: Great.

12 SENATOR MARCELLINO: -- and talk about
13 these issues, and we can have some members of
14 the committee join us so that, you know, we
15 can get some real good discussion going
16 forward. Because it concerns me, it really
17 does. When you see a discrepancy of a
18 45 percent graduation rate, I mean, that's
19 very difficult to take when you've been in
20 schools and you know what goes on in schools.

21 And I'm sure I've seen it in Buffalo.
22 Buffalo has gotten a new superintendent; that
23 seems to be going in the right direction.
24 They seem to be turning a corner, moving and

1 working with the mayor of Buffalo, Byron
2 Brown, former State Senator. And they're
3 moving in the right direction, so it can be
4 done.

5 And I look forward to working with you
6 and your staff and devising programs and any
7 laws that we can pass, anything we can do as
8 a State Legislature to assist you, and I'm
9 sure my former student Cathy would join us in
10 that endeavor.

11 COMMISSIONER ELIA: Well, I do want to
12 point out that there are some things that I
13 think you need to understand we believe are
14 really helping. And those are things like My
15 Brother's Keeper and the agenda that we have
16 there. We have really targeted high-needs
17 schools. Some of the data that you pointed
18 out would be exactly what would identify a
19 high-needs school. We have gone in with
20 resources and supported those schools
21 particularly.

22 The Community Schools agenda that you
23 have is -- we're seeing some changes that are
24 coming in the approach that administrators

1 and communities are pulling together to
2 support a child in their development in a
3 school. Agencies that are coming forward in
4 the Community Schools model to support the
5 health and the emotional supports that are
6 necessary.

7 Those are things that really we can
8 track back to the work that you've done to
9 support a shift in the use of funds that go
10 into a district. So I think we are on a
11 pathway, but I share with you your concern on
12 every student in New York State. There
13 should be no student that doesn't have access
14 and equity in their educational
15 opportunities, and we are not there yet. And
16 we need to get there, and thank you very much
17 for your offer of support.

18 SENATOR MARCELLINO: Just one last
19 question, if I might.

20 Currently, 180 days is the school
21 year. If a school wishes to start early, is
22 it somehow prohibited from doing that? Would
23 they need a waiver? Is there anything we can
24 do about that, or -- because it's not set in

1 law, as far as I can find.

2 COMMISSIONER ELIA: So what we have,
3 you have a requirement in your law that says
4 that a school cannot begin actual classes
5 prior to Labor Day. So that may have been
6 developed for various reasons, but it's been
7 around a long time. There are some school
8 districts -- superintendents and
9 administrators -- that would suggest to you
10 that maybe we ought to have that flexibility
11 to be able to start our school year earlier.

12 That doesn't mean every school would,
13 because as you well know, every single
14 district does their own calendar. And it
15 should be a local decision, the calendar
16 should be something that reflects that school
17 district.

18 But I would suggest to you that this
19 has been a -- the work that we have done on
20 reviewing the 180-day requirement that's in
21 law and providing what the superintendents
22 across the state have asked for, which is
23 some flexibility in how we judge that, is
24 what you're going to be seeing. The Regents

1 will be taking an action on that; it's out
2 right now for review. We did a number of
3 meetings across the state, we gathered a lot
4 of input. It's out now, we're getting
5 comments back.

6 But providing flexibility for
7 districts so that they can design around
8 their calendar the most instructional time --
9 I want to focus on this. The reason that we
10 have a calendar is to put students in school
11 for instruction. So the focus has to be on
12 the use of the time they're in school for
13 instruction. And we want to make it as
14 flexible as we can, but we also have to focus
15 on the instructional time that they provide
16 for their students. And there's clear
17 research that indicates the longer that a
18 child is focused on educational activities in
19 a school setting, they are more successful.

20 And so instructional time has to be
21 the focus. Our 180-day review, which will
22 come out with new guidance after the comment
23 period. The board will determine, as we move
24 forward, to focus on providing flexibility

1 while still focusing on instructional time in
2 the classroom for every child.

3 CHAIRWOMAN WEINSTEIN: Thank you.

4 Deputy Speaker Hooper.

5 ASSEMBLYWOMAN HOOPER: Thank you,
6 Madam Speaker.

7 And before I proceed, I want to thank
8 my colleague, Chairperson of the Education
9 Committee Cathy Nolan, for bringing to us
10 Commissioner Elia. Thank you.

11 Commissioner, I'm Earlene Hooper. I'm
12 the deputy speaker of the New York State
13 Assembly, but I am also the representative in
14 the Assembly for the Hempstead School
15 District.

16 And I have been chided that I am too
17 emotional regarding the problems that are
18 manifested in that district. But I want to
19 thank you. I thank you for your compassion,
20 your interest, your leadership as we join in
21 our efforts to introduce education in that
22 district. And without your leadership, I
23 don't think that we would even be near
24 resolving the issues there as we are now.

1 So before I ask one other question, I
2 want to just indicate that I look forward to
3 your sharing with me the report that the
4 school district is required to present to you
5 on February 2nd, because time is of the
6 essence as it relates to all of those
7 participants and all of those persons who are
8 affected by what happens in the School
9 District of Hempstead.

10 And now for my questions. Very
11 quickly, I have a group in the Hempstead
12 community comprised of very distinguished,
13 well-educated, well-rounded women who have
14 taken it upon themselves, and with their
15 leadership, to train young women in STEM.
16 And every Saturday, they are being taught how
17 to even program and to work with STEM. And
18 they've been able to acquire donations from
19 very wealthy participants, and even New York
20 State University has participated.

21 And I want to know, I would like to
22 know would you work with me in assuring that
23 that program that is now going on Saturday in
24 a disadvantaged community with at least 12 --

1 I think there are 12 or 25 girls who are
2 there every Saturday morning from 10:00 to
3 12:00 who are being taught so that they can
4 access careers to which you have referred on
5 page 25.

6 And lastly, my question is in
7 reference to the languages that are being
8 taught in the schools for these students who
9 are non-English speaking students. I have a
10 sizable community of Haitians, but the
11 Haitian language sometimes is not necessarily
12 French, it's Creole. So I was wondering if,
13 as I look at your presentation on page 18, in
14 addition to French, that Creole would be
15 incorporated into that curriculum so that
16 they also -- the Haitian students will also
17 have access.

18 Those are my two questions.

19 COMMISSIONER ELIA: Okay, thank you.

20 First of all, I appreciate your
21 support in Hempstead. I think this is a
22 challenge for us. And as we move forward, I
23 can assure you of our focus at State Ed on
24 what we can do to improve the opportunities

1 and the success of the students in Hempstead.
2 So thank you for that support.

3 Secondly, on the Saturday program that
4 you identified, I'd be happy to look at the
5 program and see if there's some way we can
6 continue to support it. Obviously they're
7 getting support in the community, but let me
8 look at it and find out exactly how they're
9 doing it and where they're doing it, so
10 perhaps we can help.

11 ASSEMBLYWOMAN HOOPER: I thank you for
12 that.

13 COMMISSIONER ELIA: And then your last
14 question had to do with the opportunities
15 that we have for students and what we can do
16 to make sure that they have what they need to
17 be successful. And we're looking very
18 closely at that.

19 You referred to earlier the report
20 that is due to me on February 2nd. Of course
21 we all know that is the beginning of the
22 report. It doesn't mean -- it is the plan
23 that they have. The most important thing is
24 the implementation of the plan.

1 establish a blended online learning program
2 statewide. There was a group that got
3 together, experts in the blended online
4 learning came up with a plan. And it's been
5 a little frustrating since that time because
6 it hasn't been implemented.

7 So I appreciate your support, because
8 as you know, a lot of the more rural
9 districts especially, but the high-needs
10 districts in general, don't have access to
11 these type of enrichment opportunities, the
12 Advanced Placement courses for the students.
13 And it puts them at a real disadvantage.

14 So I think that establishing such a
15 program finally this year would be a major
16 step in the right direction to deal with some
17 of the districts that struggle to be able to
18 even provide the basics.

19 COMMISSIONER ELIA: So we totally
20 support that. And the fact that there was
21 funding -- a funding issue related to the
22 bill that you're referring to, we believe
23 that the \$3 million that we're asking for
24 here is a great foundational piece to move

1 the agenda forward.

2 The reality is, when students walk out
3 of our schools and no matter what kind of
4 programs they're going into, online learning
5 and access to digital experiences are a
6 wonderful opportunity for us to be able to
7 get them ready for what they're going to face
8 when they leave here. When they go to SUNY
9 schools, CUNY schools, any of our independent
10 schools, all of those things are just a
11 reality for them. This, we believe, will
12 give them the opportunity to expand the
13 higher-level coursework while we're giving
14 them opportunities in online and digital
15 learning.

16 So we're very pleased that we put this
17 budget proposal together, and we hope that it
18 can move forward, Senator Young.

19 CHAIRWOMAN YOUNG: I hope so too.

20 And a few years ago, as you know, the
21 Legislature and the Governor passed the Smart
22 Schools Bond Act referendum. The voters of
23 the state decided that it would be wise to
24 invest in technology. And I know the

1 Governor has included a competitive grant
2 program again this year in his Executive
3 proposal. And obviously there are winners
4 and losers when you have a competitive grant
5 program. And I believe that that funding
6 should be repurposed for really worthy
7 endeavors such as this.

8 So that's where I'm going to push at
9 the negotiating table, just to let you know.
10 And again, I appreciate your support.

11 COMMISSIONER ELIA: Well, related to
12 the proposal that the Governor put in to
13 focus on computer science and science
14 standards, we have not just been focused on
15 establishment of our English language arts
16 and mathematics standards, New York State
17 Next Generation Standards. That's not all
18 we've been doing, we've just already adopted
19 our science standards.

20 And what is absolutely critical is
21 that nothing of this becomes a silo and that
22 in fact it really is an integrated program.
23 So when you're talking about science and
24 you're talking about online work and you're

1 talking about computer science, all of those
2 things should be joined. That's why there is
3 power in the concept of STEM or STEAM, if you
4 will, so that we can move forward and as
5 teachers are teaching this work, it's infused
6 across all of the work that they're doing.
7 So we're very supportive of that.

8 I actually believe that the \$6 million
9 competitive grant refers to the fact that it
10 would be for everyone, but it would go
11 initially, in the beginning part of that,
12 specifically for high-risk districts.

13 But you're absolutely right. I mean,
14 there is so much to do in this area. And we
15 have a lot of support and training to do for
16 teachers so that we can take full advantage
17 of this unique opportunity in New York to
18 fund the infrastructure that has come from
19 our \$2 mill of money.

20 CHAIRWOMAN YOUNG: Thank you,
21 Commissioner, for that answer.

22 COMMISSIONER ELIA: Thank you for
23 bringing that up.

24 CHAIRWOMAN YOUNG: Now, just switching

1 gears, I would associate myself with my
2 colleagues who spoke very articulately -- and
3 you also -- about Foundation Aid, making sure
4 that there's operating aid available to the
5 districts, they can use it the way that they
6 see is best to meet their students' needs and
7 help them excel.

8 One of the questions I have, however,
9 has to do with the part of the Executive
10 proposal that would limit the growth in the
11 aids -- cost-driven or expense-driven aids --
12 to no more than 2 percent above the 2018-2019
13 aid levels. And the reason I bring that up
14 is that as you know, these expense-driven
15 aids are just that; they're based on expenses
16 to the schools for things like BOCES,
17 Transportation Aid. And basically when you
18 apply it, it would result in a loss of over
19 \$120 million just in BOCES and Transportation
20 Aid for over 300 school districts.

21 So that really has me alarmed, because
22 it's obviously going to take resources away
23 from our school districts. These are costs
24 that they have to incur. When you look at

1 Transportation Aid, for example, obviously we
2 have to get the kids to and from school, and
3 we should be reimbursing the districts for
4 those costs.

5 So my question is, in your opinion as
6 commissioner, how would this affect school
7 districts' ability to afford these services
8 that they provide?

9 COMMISSIONER ELIA: As you pointed
10 out, I think this is a serious issue. I
11 would tell you that having the experience of
12 running a large district, those are expenses
13 that are very difficult to control, if you
14 will. Even if you're trying to control them,
15 we have a payment system that you incur the
16 expense and then you get reimbursed. So how
17 would they in fact, if they have student
18 growth, if they have increases in their costs
19 for transportation, the other things that you
20 pointed out -- we want to provide the very
21 best for our students. Putting a 2 percent
22 cap on expenses in areas where it's very
23 difficult to control is a -- is really
24 forcing districts then to look at other areas

1 to pull funding from to cover those expenses.

2 I'm equally concerned about that in
3 the budget. And I think it's going to be a
4 major issue for our districts, and I
5 certainly understand why.

6 CHAIRWOMAN YOUNG: Thank you,
7 Commissioner.

8 And, you know, obviously the money has
9 to come from somewhere. So in my opinion,
10 and I'd like to get your take on it, the
11 districts will be faced with either having to
12 cut services and/or raise taxes. And as you
13 know, the tax issue, the property tax issue
14 is a big one in New York, and obviously it's
15 contributed to people leaving the state. So
16 I'd like to get your thoughts on those
17 thoughts.

18 COMMISSIONER ELIA: So I think you've
19 pointed out exactly what the problems are.
20 And, you know, you are taxed with making --
21 and I hate to use that term, but taxed with
22 making some very difficult decisions on that.

23 You're absolutely right. You noticed
24 I'm sure that our Foundation request from the

1 Regents was less than the educational
2 entities that you've gotten other requests
3 from, and proposals. We know the difficulty
4 that is facing both the Governor and the
5 Legislature in making these decisions. And
6 as you pointed out, there's a give and a
7 take.

8 But I would suggest to you that
9 Foundation Aid is an absolutely critical
10 thing as we move towards just maintaining
11 programs. Many districts are still coming
12 back from having less funding than they
13 actually need, and we're seeing that a number
14 of districts that have been able to move to
15 reinstate some of the cuts that had been
16 taken during the recession are still not
17 there, and a number of them, based on the
18 Foundation Aid formula, are backed up as
19 well.

20 So there is no question that the
21 provisions of new federal tax Law are going
22 to affect New Yorkers more heavily than
23 others -- we've heard our Governor speak very
24 eloquently about that -- and we have to do

1 something.

2 I'm suggesting to you that I
3 understand the problems that are going to be
4 faced in districts, but the bottom line is
5 the funding is going to be to take and try to
6 control those expenses that are going to be
7 hard expenses for them. The bus
8 transportation, some of the other requests
9 that they have that are reimbursable aids,
10 those are very difficult to keep under a 2
11 percent cap. In some areas it's been close
12 to 2 percent over the last two to three
13 years, but it has been over the 2 percent
14 cap.

15 But then when you get to the other
16 programs that are required in districts, it's
17 a challenge for districts to be able to
18 figure out how they can make it happen,
19 especially when we have not really fully
20 funded the Foundation Aid formulas, as we
21 well know.

22 So I concur, and I think that those
23 are all difficult decisions. And it is
24 putting a strain on the taxpayers in New York

1 State, who are going to have additional
2 strains that we haven't even tried to control
3 yet.

4 CHAIRWOMAN YOUNG: Exactly. And I
5 fully agree with everything that you just
6 said.

7 Just one final comment or question.
8 You know, the BOCES are cost-driven aid too,
9 the BOCES program. And you've heard me speak
10 in the past about the importance of BOCES,
11 especially -- obviously they provide
12 special-needs students with opportunities,
13 but also as we look at career development and
14 making sure that our young people can stay
15 after they graduate, BOCES I believe is a
16 tremendous resource that hasn't been fully
17 developed yet as far as providing career
18 development.

19 And, you know, BOCES still has a
20 stigma, I believe, unfortunately in many
21 cases, where we just like shove the throwaway
22 kids, the kids that can't excel, when
23 actually we should be finding out what
24 ignites a student's passion, where they could

1 go as a career. We know that not everybody
2 is college-bound or some people need to go
3 into, you know, some of the trades and that
4 sort of thing.

5 And we need to make BOCES cool again.
6 We need to make it -- rebrand it. We need to
7 actually expand on some of the successes that
8 we've had recently; for example, the P-TECH
9 program that you talked about, the STEM and
10 the STEAM and the technical skills that
11 students need to be exposed to and they need
12 to develop.

13 And, you know, I think that BOCES is a
14 real opportunity to take that on and really
15 start to have a connection between what the
16 labor market's needs are locally, for
17 example, and to let students know they don't
18 have to move out of New York, that they can
19 have a great career right here, they can have
20 the development that they need, and there are
21 jobs in the community that aren't being
22 addressed right now that students could
23 actually be directed toward.

24 And I just would like to have you

1 comment on that.

2 COMMISSIONER ELIA: I am a great
3 believer in the power of BOCES. And I will
4 tell you that the district superintendents
5 have been the reason that the State Education
6 Department has been able to move forward on a
7 number of issues that we've had to face.

8 There is no question that they are a
9 real hand of State Ed out across the state
10 working. And every one of their BOCES
11 centers that I've been to -- and I've been to
12 many -- I would suggest that you're
13 absolutely online, that those are the
14 programs that in many cases students leaving
15 the career/technical opportunities that
16 they've had at BOCES and moving out into the
17 job market are going into jobs where they
18 have great opportunities.

19 And the reality is in the millennial
20 environment that we are in, students will go
21 into a job and they will change careers. It
22 is a reality. It's different than what -- I
23 was in education, I've been in education now
24 for over 40 years, and I probably will stay

1 education until my dying day. So the bottom
2 line is people in my generation and yours
3 stayed in jobs. Our millennials don't. They
4 need to be able to go out and to change jobs
5 if they want to, but move up that ladder as
6 they go.

7 The opportunities that are provided in
8 BOCES to go into some of the best-paying jobs
9 that are available right now are only
10 available, in many cases, through BOCES.

11 So I totally agree with you. We have
12 proposals in front of you that support BOCES.
13 We are paying experts in a field to come in
14 to teach in a BOCES, and the salaries have
15 not gone up. We've requested it multiple
16 times, it's in the packet that you have, and
17 we believe that that should be addressed.

18 We also believe that there should be
19 funding specifically in the BOCES, we've
20 requested \$25 million for College and Career
21 Pathways. It will support expansion in
22 BOCES, expansion in the Big 5 districts for
23 career and technical programs. And the major
24 issue, and you pointed it out, we have to tie

1 that to the regional economic development
2 that's going to be spurred by having people
3 in the pipeline to go into jobs.

4 So that connection is something that
5 we've been working on. We're going to
6 continue to work on it. We want the local
7 economic development institutions that are in
8 place across the state, we want them to work
9 with the BOCES and with the school districts,
10 identifying the areas that they need to have
11 workers in, identifying what the pipeline
12 required skills are, and making sure they're
13 available. Whether they're in an individual
14 school district, in a high school, middle
15 school/high school, whether they're in a
16 BOCES program, that has to be our focus. And
17 the BOCES are the people that can make that
18 leadership occur.

19 We talked about this whole image of,
20 oh, that's a tech center and it isn't really
21 getting people prepared for lots of
22 opportunities. That is not the reality of
23 the workplace in New York nor across this
24 country, and we have to become smart about

1 and the Regents for your compassion and real
2 efforts in understanding what we need in our
3 education system.

4 And I want to thank you as well for
5 the work that you have done in support of
6 East Ramapo, following up on the issues that
7 we have focused on that really are so
8 necessary to be of assistance. And you've
9 been very helpful in that way.

10 And I truly appreciate the recognition
11 of the challenges that our districts face at
12 every level, especially our struggling
13 schools, and the support that you are noting
14 and have provided as we're moving forward.

15 I agree, you know, in so many of the
16 issues regarding the Foundation Aid, which we
17 need to provide real support for our schools;
18 it just doesn't cut it for them. And it is a
19 major issue regarding the 2 percent cap,
20 especially now with so many of the challenges
21 that there are within the school districts in
22 assuring that our children are prepared for
23 the future.

24 You know, and especially the support

1 for kindergarten and pre-K programs. We need
2 to continue that, providing the funding, so
3 that we can have full-day kindergarten and
4 pre-K for all of our children, so that they
5 are prepared. As a former educator, you
6 know, I understand the true need of providing
7 that early education. It prepares them in a
8 way that really provides them the opportunity
9 to be successful rather than failing if they
10 are not given the pre-K programs and
11 education and social interaction. For so
12 many, that is so essential, and it is
13 something that we need to continue to focus
14 on and provide additional support for.

15 You mentioned -- and also BOCES, I
16 agree. I'm not going to go down that road.
17 I was going to mention everything that was
18 discussed because it is so essential, and
19 especially now with the workforce and what is
20 occurring. I have met many young boys and
21 girls, young women and men who are working
22 through BOCES to be able to seek positions
23 and jobs, and it has been very successful for
24 them. So we need to continue to support and

1 really need more support for BOCES, actually,
2 and working with the Economic Development
3 Councils is a good point.

4 I had a question regarding -- you had
5 mentioned about mental health programs, which
6 is another major issue, especially for our
7 youth as they mature, recognizing that there
8 may be issues that they face. If we are able
9 to respond to it quickly, we then will be
10 able to provide them the opportunities to be
11 more successful in school in many ways.

12 One of the concerns that I've heard
13 over and over again from our school districts
14 and in our communities is a lack of
15 counselors, mental health providers,
16 psychologists in our state. And it is a
17 major issue in terms of, you know, really
18 suggesting and encouraging our high school
19 students to go into college and go into those
20 fields.

21 Is that an issue that you have been
22 noting?

23 COMMISSIONER ELIA: Well, actually,
24 Assemblywoman Jaffee, that is just one piece

1 of that issue. We are in fact very concerned
2 by the long-term presentations we've seen
3 related to the number of teachers that we're
4 going to need, particularly in some of the
5 fields that right now we're already facing
6 shortages in.

7 So we've been working with our
8 colleges and universities who provide
9 education programs to focus on making sure
10 that those that are already in the pipeline
11 to be teachers understand what fields they
12 can immediately get jobs in because we have
13 shortages.

14 But also, as you know, we have been
15 working on the Teach NY agenda. So Nancy
16 Zimpher, our recently retired chancellor of
17 SUNY, and I have been very involved in
18 establishing programs and working across the
19 state to hear exactly what needs to be done
20 to expand the teacher pool, if you will. And
21 we're working to make sure that across the
22 state that issue doesn't get lost.

23 Now, I will say to you that we have a
24 lot of things that we have to do within the

1 profession of teaching so that people want to
2 be teachers. And when you talk right now to
3 teachers and ask them, Would you suggest that
4 you be a teacher to your child, most of them
5 tell you no. So the stresses that are on
6 teachers and the issues that relate and
7 they're concerned about, we have to work
8 with.

9 And I think that generally -- Senator
10 Young talked about we need to do a PR
11 campaign. The reality is we do need to do a
12 PR campaign, and we have to make sure that it
13 is based on the truth of what the wonderful
14 position of being a professional teacher
15 actually is, and how that can bring, for the
16 person who's the teacher but also for the
17 students that they have, the incredible
18 supports that are necessary for those
19 students' success.

20 So I would say to you that we really
21 need to address the bigger issue of teaching.
22 But within that, yes, there are fewer
23 guidance counselors, we have fewer media
24 specialists and librarians. We have --

1 certainly within the field right now, we have
2 a real problem relating to our teachers for
3 students with disabilities as well as our ELL
4 teachers, some of our sciences at the high
5 schools particularly. You know, we're
6 looking at all of those certification areas
7 to see what we can do to maintain the quality
8 of the people going in our classrooms but
9 also take down any unnecessary barriers for
10 people to go into the field.

11 But I share with you your concern
12 about that. And I think that we are starting
13 to change that paradigm in New York. But it
14 exists, and it's in people's minds and it's
15 not going to turn around quickly.

16 The major issue is making sure that
17 the environments in the schools where those
18 teachers are -- and that gets back to the
19 work that we're doing on school climate.
20 It's school climate for students, but it's
21 also school climate for the teachers that
22 work in those settings. We've got to make
23 sure that we're doing the right things there.

24 CHAIRWOMAN WEINSTEIN: Thank you.

1 ASSEMBLYWOMAN JAFFEE: And that was --
2 I have one more question.

3 CHAIRWOMAN WEINSTEIN: It's the
4 Senate's turn. The clock has expired some
5 time ago.

6 SENATOR KRUEGER: Thank you.

7 Senator Joe Addabbo, ranker in
8 Education.

9 SENATOR ADDABBO: Thank you,
10 Commissioner Elia, for your time and
11 testimony today, as well as the deputy
12 commissioners for their time and efforts
13 throughout the year. And for your advocating
14 for, obviously, additional school aid, so
15 thank you very much.

16 My initial line of questioning is a
17 concern that I have in the Executive Budget
18 proposal, and that's the individual school
19 funding reports. So the initial school year
20 2018-2019 for the Big 5, and then expanding
21 it to the other districts in the following
22 years.

23 What necessitated this requirement for
24 a report that could affect, obviously, direct

1 school funding for our school districts?

2 COMMISSIONER ELIA: So you're
3 referring in the Executive Budget to the
4 requirement for the reporting and then the
5 approval process that was suggested?

6 SENATOR ADDABBO: We'll get to the
7 reporting, yeah.

8 COMMISSIONER ELIA: Yeah, I'm very
9 concerned about that. Let me put this in
10 context.

11 The Every Student Succeeds Act plan
12 that was submitted to the federal government
13 had a requirement for financial transparency
14 for every school in the state. That is
15 included in our plan. We are in the process
16 of developing the template for how that will
17 look for every school that will be requiring
18 them to provide information to their
19 communities on all state, local, as well as
20 federal funds that are in that school. So
21 there is a report that in the next two years
22 is going to be required by every school.
23 That includes all districts, our largest
24 districts and our smallest districts, to

1 provide that.

2 This step that was proposed in the
3 Executive Budget is beyond that. And I think
4 you're getting to the point where a budget
5 has to be proposed by the school board, it
6 has to go out very often -- I mean, we've
7 got -- people are voting on their budgets for
8 their school districts. And taking the
9 funding that is currently in place, looking
10 at it, and having a decision made on whether
11 or not that's appropriate I believe is a
12 local decision.

13 I think that schools and communities
14 are a reflection of what that community
15 wants. I think that it's important that we
16 have transparency in that and we provide that
17 and will be providing that under the new ESSA
18 plan for every school. But the decisions on
19 the funding are a reflection of what they
20 want. And they are elected by their
21 communities, and that local control I think
22 is important.

23 Now, I will say to you if we are
24 walking in as State Ed and we're looking at

1 budgets in a particular school that is having
2 a lot of trouble and we see that we don't
3 believe that, based on what they've reported,
4 that school needs some additional resources,
5 I have no problem saying that. But the
6 process that is proposed I think would be
7 very, very difficult, and ultimately I do
8 believe local control should be in place.

9 SENATOR ADDABBO: I appreciate that.
10 And knowing that the ESSA federal
11 requirements are somewhere a little bit down
12 the line, I don't mind our state being
13 slightly ahead of the curve. But in forming
14 that template, hopefully the State Department
15 of Ed can work with our colleagues here as we
16 look to formulate, again, that template.

17 My concern -- and you alluded to it a
18 little bit in the sense that according to the
19 Executive Budget proposal, both the State
20 Department of Ed and the Division of Budget
21 would have to approve this report. And my
22 concern was that both would have to approve
23 it? Or what if one didn't, you know, approve
24 it? And if the deadlines were missed by the

1 submission of these reports, is there a
2 penalty? Because we're already crying out
3 for additional school aid.

4 COMMISSIONER ELIA: So let me point
5 out to you right now, we do not have
6 resources to be in the mode of approving what
7 would be probably 16 to 18 various budgets.
8 The timelines and the sequence of that would
9 be extremely difficult.

10 As I pointed out, I believe it should
11 be local control. And we do have the ability
12 to go in, particularly for schools that are
13 in trouble, having difficulty, to give
14 feedback on a budget. And if they're in
15 receivership, we have even more control to do
16 that.

17 The big issue here is we are using a
18 model -- we've got individuals that are
19 helping us design that template that will be
20 in place. They are from parent groups,
21 they're from other groups that represent
22 practitioners across the state. When we get
23 the model in place, that's what will be in
24 place for every district. And it will be

1 available online for parents and anyone else
2 in that community to see how every school in
3 their district is being funded.

4 SENATOR ADDABBO: Quickly, it was
5 alluded to by Chairwoman Young about the
6 Smart Schools Bond Act that we voted for in
7 2014 as, you know, the voting public, the
8 Legislature approved -- can you just give a
9 quick update? That was \$2 billion for school
10 technology. What kind of programs or
11 infrastructure has been approved?

12 COMMISSIONER ELIA: So we have right
13 now, with reviews -- 226 of them are with us
14 for review. We have -- the review board and
15 their staff are ready for five of those. We
16 have zero that are ready right now to be
17 acted on. But I want to say we've already
18 approved 467 of those that have been
19 submitted to us, which is 67 percent of all
20 submittals have already been approved.

21 SENATOR ADDABBO: In your professional
22 opinion, are you happy with that time frame
23 or the work that has been done since the
24 referendum has been approved?

1 COMMISSIONER ELIA: Well, let me point
2 out this is public money. We have to be
3 responsible for how it's being spent. There
4 are guidelines in place. That doesn't mean
5 every plan that comes to us follows every
6 guideline.

7 So it does take time for us to make
8 sure that there is -- that when we're
9 approving it and it moves forward, that that
10 funding is going to the right things and what
11 has been approved by all of you to be part
12 that agenda.

13 But I would say to you that given --
14 we have constraints. Given that the
15 constraints that we have, the scheduling of
16 this -- there are three agencies that are
17 part of that -- I think we're moving forward.
18 And when there is a lag on time, whether it's
19 in a review or whatever, we are trying to
20 move it as quickly as possible.

21 SENATOR ADDABBO: Greatly appreciate
22 that, and I look forward to working with you.
23 Thank you, Commissioner.

24 COMMISSIONER ELIA: Thank you.

1 CHAIRWOMAN WEINSTEIN: Thank you,
2 Senator.

3 I just want to remind members to leave
4 enough time for answers during their time
5 slots, because we do have a lot of people
6 today and we want to make sure they all get
7 an opportunity to be heard.

8 Assemblywoman Pellegrino.

9 ASSEMBLYWOMAN PELLEGRINO: Good
10 morning.

11 COMMISSIONER ELIA: Good morning.

12 ASSEMBLYWOMAN PELLEGRINO: Good
13 morning, Commissioner. I want to thank you
14 very much for your testimony this morning.
15 And I would --

16 CHAIRWOMAN WEINSTEIN: Can you just
17 pull a mic a little closer?

18 ASSEMBLYWOMAN PELLEGRINO: I would
19 very much like to thank you for your
20 presentation and for your thoughtful remarks,
21 particularly as it relates to your thinking
22 about the work that goes into -- from a
23 teacher perspective.

24 As you know, I was a teacher, most

1 recently -- for the last 25 years, that was
2 my career. I dedicated my life of service to
3 the teaching of students in elementary
4 school, and I left that profession to join my
5 colleagues in the New York State Assembly
6 most recently, and now I'm joined here. And
7 this is a great honor to think about this
8 work that we're going to do in this critical
9 time.

10 And we talked about a PR campaign and
11 we're facing a budget crisis and we're also
12 facing a teacher shortage, as we know. And,
13 you know, I want to point out that I think
14 that the best PR campaign that we can provide
15 is to support the work that our teachers are
16 doing by way of advocating and talking about
17 the stress the teachers are under and the
18 children are under.

19 We have put an enormous amount of
20 pressure on them by way of high-stakes
21 testing in the last few years. We're talking
22 about it today in terms of accountability.
23 And we have acknowledged in certain terms
24 that districts have performance rates that

1 may or may not be in relative terms to their
2 levels of poverty. So -- and a lot of what
3 happens inside a classroom and as it relates
4 to a student's performance has nothing to do
5 with the teacher's ability.

6 So as we talk to teachers and future
7 teachers about whether or not they would
8 become teachers, I think that for me the
9 glory of being a teacher and the gloriousness
10 of being with children is something that I
11 would recommend to any person who thinks
12 about wanting to come into the classroom.
13 But there is an undue amount of stress.

14 So I thank you for your compliments
15 and for your acknowledgment of that, and I'm
16 happy to see that we're sort of moving away
17 from the times where we're advocating for
18 increased testing, because we know that the
19 narrowing of the curriculum is a disadvantage
20 to our students.

21 And I would like to congratulate you
22 particularly in the area of our effort to
23 reengage students in access to
24 multilingualism and multiculturalism. I know

1 from experience -- and I come from a family
2 of teachers -- that this particular area, as
3 we disengaged from Regents examinations in
4 world cultures and world languages, that this
5 was a -- there was real sadness around this.
6 So I'm very happy to see this.

7 But I would also like to expand this
8 idea and ask how we can support this effort
9 in not just the elementary school, because we
10 know as best practices that the acquisition
11 of language happens most definitively in the
12 earliest stages. But how can we couple that
13 with our advocacy in pre-K? And how can we
14 drive more concerted efforts to link
15 vertically, through pre-K and elementary
16 education, that effort so that, when students
17 reach their testing years in high school,
18 that they are proficient?

19 You know, we look to overseas and
20 other countries, they're not just -- you
21 know, they're not just expecting to learn
22 languages in fifth and sixth and seventh
23 grade, they're exposed to languages
24 throughout their lives.

1 that, I think, is an important part of it.

2 However, I think the biggest thing
3 that we can do is support our teachers in
4 acquiring support and understanding of how
5 they can best deal with the requirements that
6 students have that are sitting in front of
7 them. And that will come from the
8 professional development that we've put in
9 our proposal. We think that that's a really
10 critical part of it. And when I say
11 "professional development," even though it
12 may not specifically say that this is
13 professional development with ELLs --
14 although we do have that in the proposals --
15 any professional development that we give on
16 standards that are implemented would be
17 supporting how you deal with special
18 situations in your classroom.

19 So the special situation is a group of
20 ELL students, a group of students with
21 disabilities -- and how do you teach those
22 standards to all of the students that are
23 sitting in front of you? And I think that's
24 a critically important part of that. And

1 you'll see it throughout our proposals,
2 specifically for the English language
3 learners and our students with disabilities.

4 ASSEMBLYWOMAN PELLEGRINO: I would
5 agree with you. Thank you so much.

6 COMMISSIONER ELIA: Thank you.

7 CHAIRWOMAN WEINSTEIN: Thank you.
8 Senate.

9 SENATOR KRUEGER: Thank you.
10 Senator Jim Tedisco.

11 SENATOR TEDISCO: Hi, Commissioner.

12 COMMISSIONER ELIA: Hi, there.

13 SENATOR TEDISCO: Thank you for being
14 here. The button's red.

15 Hi, Commissioner. Thank you for being
16 here, and thank you for your testimony.

17 I know we have limited time, and
18 before I ask you to weigh in on something,
19 there's a lot of questions I'd like to ask
20 you but we don't have a tremendous amount of
21 time. I'd really like to ask a question and
22 have everybody in the room weigh in on it
23 before I tell you what I want you to weigh in
24 on.

1 I'd like to ask everybody in the room
2 who clearly cares about education, our kids,
3 the system itself, if your child was being
4 bullied in school, raise your hand --
5 I've got my colleagues here and all the
6 staff -- raise your hand if you would not
7 want to be notified of a case where your
8 child has been bullied in school,
9 psychologically, emotionally or physically.
10 Just raise your hand. I just want to know.

11 Okay, I think you know where I'm going
12 probably with this, Commissioner. I think
13 you'll agree with me parents count. It's
14 their tax dollars we're talking about. They
15 love their children more than probably any of
16 us could imagine, and we love our own
17 children. They're the ones who are
18 accountable, they're the ones who are
19 responsible. They're the ones who want to
20 see them get a great education.

21 We could have great bricks and mortar,
22 the best teachers in the world -- and I spent
23 10 years, as you probably know, in a
24 classroom. I was an educator, did all the

1 standardized tests, got my degree from the
2 College of St. Rose, special education, ran a
3 resource room, did team teaching -- great
4 administrators, great commissioners; you
5 mentioned it earlier, if they don't feel
6 safe, comfortable and respected in school,
7 we're failing. They're simply not going to
8 learn.

9 We're at a point now where we do think
10 parents count. I hear educators, I know you
11 as the commissioner, the Regents, all of us,
12 we want parents involved. They did get
13 involved with that Common Core with the
14 standardized tests, and I'm happy we're
15 moving in a little bit of a different
16 direction. We're making a lot of
17 improvements here, and I really appreciate
18 that.

19 We want them to come and meet with the
20 teachers, we want them to help with
21 educational plans, curriculum, join the PTA.
22 But we have that Dignity For All Students Act
23 which you talked about, which I think
24 you're -- if there was 10 million and another

1 7 million, that's about 17 million -- you're
2 going to work to try to improve that Dignity
3 For All Students Act.

4 The one thing I didn't hear, and the
5 guidelines are not, I believe -- if there is
6 bullying in a school, the main reporter has
7 to report that to the State Education
8 Department. They are not mandated to report
9 it to the parents. That absolutely boggles
10 my mind. And I know why none of my
11 colleagues in the Senate raised their hand,
12 because they voted 62 to zero for Jacobe's
13 Law.

14 Do you know the case of Jacobe Taras
15 in this Capital Region?

16 COMMISSIONER ELIA: I don't.

17 SENATOR TEDISCO: Jacobe Taras was
18 12 years old. He was bullied in school,
19 bullied excessively. And by the way, I think
20 you and I understand, this has evolved, what
21 bullying has been for me and for you -- I
22 mean, you're a youngster, but it was a little
23 bit different for me when I was there. It
24 doesn't end at the gates of the school or the

1 doors of the -- it's 24/7. It's
2 psychological. It's emotional. And it is
3 physical. It goes on and on and on and on.

4 Jacobe Taras, 12 years old, the
5 parents weren't notified that he was being
6 bullied in school. Jacobe Taras committed
7 suicide, took his life. Lived in the Capital
8 Region.

9 I fully believe if their parents were
10 notified -- I know if I was notified, I'd be
11 at that school, just like I want to be a part
12 of the curriculum in other educational
13 aspects of my child, I think the parents here
14 and the parents in New York State want to be
15 a part of protecting the environment that
16 their kids are in. I'm not only talking
17 about Jacobe, I'm talking about that poor kid
18 and those kids who did the bullying. Their
19 parents needed to be notified too.

20 That's what Jacobe's Law does. It
21 would say that schools are required, when
22 bullying takes place -- pretty simple: I'm
23 going to contact the parents.

24 And just like I want you to come in

1 and talk to me about the curriculum of your
2 child, how he's doing on those or she's doing
3 on those standardized tests -- by the way,
4 not to stigmatize the child, but give us
5 guidance on how to move forward with those
6 standardized tests -- I want you to help me
7 develop a plan, I want the parents of the
8 child who's doing the bullying and I want the
9 parents like Jacobe Taras's parents to come
10 in.

11 I can't understand why we're going to
12 spend \$17 million -- and don't get me wrong,
13 I think you're doing some good things there.
14 But we're not required to tell a parent when
15 their child is being bullied at school? I
16 believe Jacobe would probably be alive today
17 if his parents had known, they would have
18 weighed in.

19 And I don't know what your position is
20 on this, but I hope you would support the
21 concept that we would notify the parents on
22 an important issue like this, just like we
23 want them to be involved with other aspects
24 of our educational system.

1 COMMISSIONER ELIA: So let me weigh in
2 very clearly. I think parents should be
3 involved in everything that happens to their
4 child. All of the work that we've done in
5 State Ed since I've been here has included
6 parents as key contributors to whatever we're
7 working on.

8 I would agree with you that parents
9 need to know when there's issues happening
10 with their child, and they also need -- the
11 other group of parents that needs to know is
12 the one who is causing the issues.

13 Those are the things that are good
14 practice, that is supported in research, that
15 is also -- we also know that when we have
16 surveys, it comes out clearly. The surveys
17 that I mentioned earlier, Senator,
18 specifically have a component that gets
19 information from parents, gets it from
20 students, and gets it from teachers and
21 practitioners.

22 SENATOR TEDISCO: I know getting
23 information from parents is good. I'm asking
24 you, do you support notifying parents? Your

1 child, if he or she is bullied in school. I
2 don't know if you have any.

3 COMMISSIONER ELIA: So let me just say
4 that real clearly. I thought I said they
5 should be involved in everything. So that's
6 what it is. But yeah, I support that.

7 But I will say this to you. We also
8 have to have parents understand that when
9 they get a call from a school about what
10 bullying is, they need to get in there and
11 address that and they need to work with the
12 school.

13 What I'm suggesting is \$10 million
14 that would support a program that not only
15 would help schools to understand the
16 importance of having input and notification
17 to parents, but also how to deal with that in
18 the school environment. Because as you know,
19 that is an important part of that. It's not
20 just your child was bullied, it's what are
21 the issues that are causing this to happen.

22 And I would suggest to go even
23 further. In the environment that we are in
24 with social media, this is a major issue.

1 Because parents don't even know --

2 CHAIRWOMAN WEINSTEIN: Thank you,
3 Commissioner.

4 COMMISSIONER ELIA: -- parents don't
5 even know that these things are happening on
6 social media and carried into the school.

7 So I'm very focused on making sure
8 parents are part of all of that. I would
9 support parents being notified. But it's
10 much more than that, and I think we have to
11 make sure we have resources for schools so
12 they can really address the issue. It's not
13 17, it is \$10 million, and it specifically is
14 to support positive school climate and
15 bullying prevention.

16 SENATOR TEDISCO: Thank you for your
17 support for that, Commissioner. Appreciate
18 it very much.

19 CHAIRWOMAN WEINSTEIN: Thank you.

20 Now, Assemblyman Ra.

21 ASSEMBLYMAN RA: Thank you, my
22 colleagues, for the assistance there
23 (referring to mic).

24 Commissioner, thank you for your

1 testimony this morning.

2 I just had a couple of issues that I
3 wanted to bring up, one of them being each
4 year the Legislature, through the leadership
5 of several colleagues from Long Island -- and
6 Senator Phillips has been very involved in
7 this in the two years she's been here -- the
8 Henry Viscardi School in Albertson on Long
9 Island, which services disabled students,
10 does tremendous work, and there is an
11 allocation that the Legislature puts in each
12 year directly to them for \$903,000 that the
13 Executive takes out in the Executive Budget
14 proposal.

15 I think it's clear to everybody that
16 that funding is needed. It helps them do
17 what they need to do at that institution.
18 And I know that, you know, the department has
19 tried to be supportive of the 4201 schools at
20 large. But we appreciate your continued
21 support with regard to that allocation,
22 because we all know there are things that get
23 taken out in the Executive Budget proposal
24 that is kind of just known that the

1 Legislature is going to fight for it, and
2 this is certainly one of them.

3 But we appreciate the department's
4 support to ensure that that funding remains
5 and in future years is there. And it
6 shouldn't really be something that needs to
7 be the subject of a political negotiation.

8 COMMISSIONER ELIA: We have a number
9 of schools that serve special-needs students
10 in this state. They are absolutely critical
11 for students that need those resources, they
12 need that special setting. And we've been
13 very supportive of establishing appropriate
14 opportunities for them to have the resources
15 that they need in those settings. And they
16 clearly are different, and they need to be
17 reviewed that way.

18 ASSEMBLYMAN RA: Yes. And somewhat
19 along those same lines, I thank you for this
20 past fall when you were down on Long Island
21 and we had the Long Island Pre-K Initiative
22 Conference, and you were nice enough to come
23 down and meet with a group of educators and
24 me and a couple of my colleagues present as

1 well. And, you know, so I appreciate your
2 attention to the pre-K issue.

3 And as you're well aware, many of us
4 on Long Island and other parts of the state
5 are trying to push to expand these programs
6 in our neck of the woods. There's been a lot
7 of focus, obviously, on the programs in
8 New York City, but we want to make sure that
9 gets out there.

10 And I think a critical component of
11 that, as well as the involvement -- I was
12 wondering if you can just comment in terms of
13 your proposal how the 4410 programs would fit
14 into your proposal in terms of pre-K.

15 COMMISSIONER ELIA: Right. So in the
16 big proposal, we asked for increased numbers
17 of seats and expansion of that program. The
18 Executive Budget does include a \$15 million
19 allocation for additional spaces, if you
20 will, across the board.

21 And as I mentioned last year, we are
22 now moving towards -- approval came for us to
23 move towards a single model for that, which
24 prior to that time we had seven different

1 models across the state, every one of them
2 different with different components. So
3 we're very pleased with that. There were a
4 number of other recommendations with lesser
5 amounts required to support them. This all
6 came out of a Regents Blue Ribbon Committee
7 that was established on early childhood and
8 pre-K programming. It included experts from
9 across the state, advocates as well as
10 practitioners.

11 I will say that I think it's extremely
12 important for us to understand that when
13 you're talking about pre-K children, you're
14 not talking in separate buckets for students
15 who may have been identified early on as
16 having some developmental issues and
17 therefore they get identified as special ed,
18 and you have regular students who aren't
19 identified as special ed.

20 The most powerful programs are those
21 that have inclusion where it's appropriate.
22 And we are very supportive of that. In fact,
23 we had a request for \$6 million to establish
24 a pilot program that specifically would work

1 to create models, there are some in the state
2 already to duplicate those and create models
3 that would be responsive to the inclusion
4 program of students who have been identified
5 as special-needs being able to access pre-K
6 programming with their chronological peers.

7 We also are very interested in
8 establishing a indexing system to fund
9 special education sites that serve some of
10 our most at-need students. This is the most
11 at-risk students, and we don't have a stable
12 way to fund it. And it needs to occur.

13 And I would say to you that in the big
14 picture, pre-K, as we're expanding, we right
15 now support 66 percent of the 4-year-olds in
16 New York State. We know that New York City
17 has a huge program. You're talking about
18 Long Island, which has a much smaller program
19 but great need. Our goal is to ultimately be
20 able to support our 4-year-olds across the
21 state.

22 But I will say to you that it also
23 requires quality in all of those programs,
24 and the infrastructure to support having

1 multiple people or groups support them.
2 Whether it's a school district, whether it's
3 a private vendor, whether it's a federally
4 funded program, that there is consistency and
5 quality across all of them. So it's not a
6 simple answer, but our focus is making sure
7 that our students have inclusionary programs
8 that can support them.

9 One of the things that we've included
10 that you supported last year in a \$2 million
11 budget support for us was a database that
12 would allow us to actually know what
13 providers are out there that do have programs
14 that support our special-needs students.
15 We've moved forward on that, and that will
16 help us immeasurably as we need to deal with
17 the need of that particular population and
18 the programs that are available in geographic
19 areas to support them.

20 ASSEMBLYMAN RA: Thank you.

21 CHAIRWOMAN YOUNG: Thank you.

22 Our next speaker is Senator Brooks.

23 SENATOR BROOKS: Thank you.

24 And thank you, Commissioner, for being

1 here and helping us with the school
2 situation.

3 I really have two areas I'd like to
4 briefly address, one associated with aid and
5 the other associated with the stigmatizing of
6 children getting assistance with the school
7 lunches.

8 As we know, given the changes in the
9 federal tax law and the cap on SALT
10 deductions, and recognizing the high
11 percentage school districts are funding
12 education through property taxes -- many in
13 excess of 75 percent, many of those districts
14 with very limited commercial property -- in
15 your opinion going forward, are we going to
16 be able to continue funding education the way
17 we do today in this state?

18 And the second question on the funding
19 would deal with the situation where many of
20 the districts that we have in this state,
21 particularly with the changing demographic
22 profiles, are seeing significant additions of
23 students midyear. And how can we better fund
24 those expenses too?

1 COMMISSIONER ELIA: So that's a very
2 big question, isn't it?

3 SENATOR BROOKS: Yes, it is.

4 COMMISSIONER ELIA: Right? So it's
5 not just little tweaks. Because when you do
6 the little tweaks, ultimately they have to be
7 re-tweaked. Because as you pointed out,
8 things are changing across the state and the
9 profiles of districts are very different.
10 And the way that we fund them is not as much
11 of a challenge in some districts as it is in
12 other districts. And particularly we have
13 large urban centers that are a challenge.

14 I would say that that is something
15 that over a period of time, if we're going to
16 look at that, it would require an enormous
17 amount of will from the Legislature, the
18 Governor, and all of us that are involved in
19 education. Because we'd have to think very
20 differently about what we -- so if that is
21 something that the Senate, the Assembly, and
22 the Executive are interested in, I think that
23 is something that could be established as a
24 commission to review possibilities.

1 We have looked at, at State Ed, some
2 components that could be changed that would
3 affect putting the funding in different
4 places just by changing formulas. We know
5 that when that happens, that affects
6 everyone. Right? And so as I said, I think
7 that is a long-term goal that may be
8 something that the Assembly, the Senate, and
9 the Executive want to do, and we would be
10 certainly willing to work that through and
11 have a commission on that.

12 But it isn't something that's going
13 happen easily or quickly.

14 SENATOR BROOKS: No, I recognize that
15 it's not going to happen easily, it's not
16 going to happen quickly.

17 I also recognize in the community I
18 live in, as an example, our taxpayers are
19 funding 75 percent of the cost of education,
20 basically. There's no commercial property.
21 And we're in a situation, given the changes,
22 that it's going to present some significant
23 hardships to people. And I think that's
24 going to be echoed in many areas of the

1 state.

2 And I wouldn't expect you to have an
3 answer -- it would be great if you did -- in
4 terms of what we should do, but just whether
5 you think we can continue down that road of
6 change.

7 COMMISSIONER ELIA: I think it
8 definitely should be looked at. And I think
9 that some of the most recent changes in tax
10 structures at the federal level and at the
11 local level are going to perhaps necessitate
12 it.

13 SENATOR BROOKS: In terms of the
14 midyear additions, I've got one school
15 district that's picked up almost 300 students
16 already this year, and it's a very-low-wealth
17 district.

18 COMMISSIONER ELIA: Right. And so
19 those are things that I think we would have
20 to study and review. There are some
21 experiences that I've had where, halfway
22 through the year, there's a review of the
23 number of students there.

24 We right now are facing over 2,000

1 students who have come to us from Puerto
2 Rico, and they're in over a hundred
3 districts, primarily in Rochester, Buffalo,
4 and New York City. But that's a situation
5 that you're talking about. Right now there's
6 no extra resources for those districts that
7 have certainly an additional influx of
8 students.

9 And I think it certainly is something
10 that is a possibility. It would require us
11 to be working closely with you.

12 SENATOR BROOKS: Okay. And you've
13 done some work addressing the stigmatization
14 of students that are getting assistance with
15 the lunch in terms of paying. You want to
16 just address that a little bit?

17 COMMISSIONER ELIA: Yeah. So the
18 Executive has put forth a group of proposals
19 relating to school lunches, et cetera. I
20 will tell you that I am very much in favor of
21 the work that's being done there, that's
22 being suggested there, and the approach.

23 I think we do need to make sure that
24 our students have nutrition. Nobody can

1 learn if you're hungry. I mean, that's a
2 reality. It's really a requirement. We need
3 to make it easy for districts. We need to
4 support them. And we have a very proactive
5 school lunch staff that works closely on all
6 of the federal programs.

7 And, you know, this is one of those
8 areas. To do this in the state I think is a
9 great thing to do. I think we should be
10 teaching about good nutrition and using the
11 resources of New York State to support our
12 lunch programs. All of those things are
13 positive. We have to make sure that we can
14 help districts to do that from the State Ed's
15 position.

16 So the requirement on shaming that I
17 think you mentioned and is part of that, no
18 child should feel like they are at fault,
19 that they're less than anyone else. That all
20 gets back to that bigger issue of school
21 climate and how you make students feel in
22 your school. I don't think that should
23 occur, and I think we have to work very
24 closely with school districts.

1 We did, several months ago, put out a
2 guidance document specifically to school
3 districts about that. And we -- and I know
4 many of our districts came back and said, We
5 have never done anything on that, and we're
6 not. And I think what we have to do is make
7 sure that's not happening in our state.

8 SENATOR BROOKS: Thank you.

9 CHAIRWOMAN WEINSTEIN: Thank you.

10 Assemblyman Murray.

11 ASSEMBLYMAN MURRAY: Thank you.

12 Thank you, Commissioner. First, let
13 me make a statement. I want to commend you
14 and thank you for your obvious dedication
15 towards the BOCES and CTE programs. I think
16 it's an invaluable resource and we need to be
17 not limiting what we're doing, but we need to
18 be expanding the kind of help and resources
19 we put into it.

20 But moving on to a different subject
21 that you and I have discussed in years past,
22 and that is the standardized testing. Now,
23 recently, as part of ESSA, I believe the feds
24 had launched a pilot program allowing some

1 states to use alternative methods or ways of
2 assessing the students without using the
3 standardized tests. And I'm wondering why
4 we're not kind of jumping on board. We said
5 we're not going to do it.

6 But the second part of the question
7 is -- and we discussed this last year -- we
8 currently have in place more than 40
9 consortium schools in New York City that
10 already do not use the standardized tests.
11 They use their alternative methods for
12 graduation and for assessment such as written
13 essays and verbal presentations, things like
14 this.

15 We've had schools on Long Island that
16 have requested to go that path and been
17 denied. And I'm wondering why aren't we, as
18 part of this pilot program, at least allowing
19 some of our schools that want out of this to
20 take that path? As you know, I'm from
21 Suffolk County. Long Island was the absolute
22 and has been the absolute epicenter of the
23 opt-out movement, not just in New York State
24 but nationally. And they are -- it's not

1 going to die down.

2 COMMISSIONER ELIA: So let me just
3 point out, I've been to Long Island very many
4 times. As you know, I tried to go to where
5 it was hot. Right?

6 And so let me point out to you --
7 because I'm not sure you know, but I can just
8 run down all the changes that we've made in
9 assessments so you're aware of it and then
10 review for you exactly what the innovative
11 assessment pilot was so that you understand
12 our position on it.

13 First of all, we have made major
14 changes in our assessment protocols. Number
15 one, right now we have, over the last two and
16 a half to three years, increased teacher
17 involvement and teachers are writing the
18 questions that are on the assessments.
19 New York State teachers are writing those
20 questions.

21 We have changed the requirement for
22 timing on the test. That has let some
23 children who were nervous to calm down a
24 little bit.

1 We've included parents all the way in
2 all of these changes that we've made by
3 having them be part of committees and talking
4 about the changes and getting feedback from
5 them.

6 We have communicated much more to
7 teachers. In fact, there are people that I
8 talk to that don't know any of this -- I'm
9 sure you do, but many people don't know the
10 changes that we've made.

11 Not only that, last April our
12 Regents have moved to go from a three-day to
13 a two-day test. Which, when I went to
14 Long Island, was one of the major issues for
15 Long Island.

16 ASSEMBLYMAN MURRAY: Yes.

17 COMMISSIONER ELIA: Now remember,
18 these are only the three Grade 3 through 8
19 assessments. When you talk about the
20 innovative assessments, that is the only
21 project that they were accepting a change
22 from.

23 The requirement of the innovative
24 assessment grant -- which by the way brought

1 no money with it -- the reason that we have
2 decided, with the Regents and a subcommittee
3 that is led by Regent Chin and Regent
4 Norwood, the reason that we've decided to not
5 do that is that it would be a major
6 expenditure to change the 3-8 assessments
7 when we've made multiple changes over the
8 last three years that included teachers all
9 the way, that included changes in the length
10 of the test and changes in the administration
11 of the test.

12 So all those things have been changed.
13 The innovative would require us within a
14 seven-year period to put out changes to the
15 assessments and cost millions of dollars each
16 of those years. There is no money coming
17 from the federal government to support that.

18 ASSEMBLYMAN MURRAY: Commissioner,
19 we're down to a minute. Can I --

20 COMMISSIONER ELIA: I know, but --

21 ASSEMBLYMAN MURRAY: -- and then I'll
22 let you answer.

23 COMMISSIONER ELIA: -- I think
24 everybody's really interested, and if I could

1 ask the chair if I could just have a moment
2 to finish this comment.

3 ASSEMBLYMAN MURRAY: I just have a
4 quick follow-up, that's why I don't want to
5 get cut off.

6 COMMISSIONER ELIA: But I have to
7 finish your other comments, because I think
8 you have a little bit of a confusion and I
9 want to straighten it out.

10 ASSEMBLYMAN MURRAY: Sure. Sure.

11 COMMISSIONER ELIA: You talked about
12 the schools that in fact have --

13 ASSEMBLYMAN MURRAY: The consortium.

14 COMMISSIONER ELIA: They don't have
15 waivers off of anything 3-8. We're talking
16 only -- there, you're only talking about high
17 school programming.

18 ASSEMBLYMAN MURRAY: Correct.

19 COMMISSIONER ELIA: And we have put in
20 place changes to requirements for graduation,
21 and we're expanding that.

22 So I would suggest to you that we have
23 changed enormous numbers of the things
24 related to assessments and graduation

1 requirements in New York State. We continue
2 to look at all of those things. But it's
3 important to know that if we were to take
4 that grant -- that is not money, by the
5 way -- if we were to take that, within seven
6 years every child would have to be assessed
7 that way and it would be probably, as I
8 pointed out, \$7 million to \$10 million per
9 year for us to do that.

10 So that's the reason that the Regents
11 subcommittee decided to not do that. But we
12 are interested in doing other types of
13 creative assessments, and we'll be working
14 with teachers across the state to implement
15 those in areas possibly like science, like in
16 writing, like something that is a finishing
17 product of --

18 ASSEMBLYMAN MURRAY: The portfolio
19 type?

20 COMMISSIONER ELIA: Right.

21 So all those things are on the page,
22 and we examine them all the time.

23 ASSEMBLYMAN MURRAY: And we're open to
24 allowing some of these schools that if they

1 requested, to allowing them to maybe do that,
2 such as Patch-Med has requested to do that?

3 COMMISSIONER ELIA: So I want to make
4 it really clear. We have requirements for
5 graduation, and we have requirements from the
6 federal government. So I can't answer that
7 as saying yes, I'm open to anything, because
8 I can't be open to everything.

9 But I just want to point out, we have
10 never said to anyone "We won't talk to you,"
11 and particularly in the area that you
12 represent, because I'm very open to working
13 very closely to make changes, and we've done
14 it.

15 ASSEMBLYMAN MURRAY: Great. Thank
16 you.

17 COMMISSIONER ELIA: You're welcome.

18 CHAIRWOMAN WEINSTEIN: Thank you.
19 Senate?

20 SENATOR KRUEGER: Thank you.

21 Hi. I'm Senator Krueger.

22 COMMISSIONER ELIA: Hi, Senator.

23 SENATOR KRUEGER: How are you?

24 COMMISSIONER ELIA: Good.

1 SENATOR KRUEGER: Good.

2 So some of us were here till almost
3 10:45 last night, and the last group of
4 testifiers were a group of victims of sex
5 abuse as children urging us to pass the Child
6 Victims Act, which the Senate has not done
7 but the Governor has included in his budget.
8 But they talked about you never forget, you
9 didn't even understand what was going on
10 because you were a child, and you didn't know
11 who to tell or whether they would listen.

12 And then last week we had an event up
13 here around the fact that -- and I had asked
14 you a little bit about it in Higher Ed, that
15 we have mandatory reporting if you work with
16 children in almost any setting in New York
17 State except the private schools, where we
18 don't have the same rule.

19 This morning I woke up and watched
20 Simone Biles, the great Olympic athlete, on
21 TV talking about the 157 women who came
22 forward to tell their stories about the
23 horrible things that happened to them. And
24 then I opened up my laptop and read a

1 phenomenal editorial basically calling for us
2 to have healthy sex ed for children that
3 included making sure children know if they're
4 being abused -- because they might not even
5 understand what it is -- and knowing what to
6 do about it.

7 So I'm asking you and the Regents,
8 even though some things need to be
9 legislated, such as the Child Victims Act,
10 what we can do more throughout our schools,
11 public and private, to make sure we do not
12 allow predators to be there and continue to
13 attack our children -- and we help children
14 learn that if this is happening to them, that
15 it's wrong, it's not their fault, they have
16 someplace to go, and that we the adults will
17 make sure that they are taken care of?

18 COMMISSIONER ELIA: Well, there's a
19 number of things that I think both of us can
20 do. I know that Chair Nolan has already put
21 a bill together that would address this
22 loophole that we have.

23 And I would say to you I'm very
24 focused on making sure that anyone who deals

1 with children in New York State, whether it's
2 a public school, a nonpublic school, a
3 charter school, any environment where that
4 child is, that that should be reported and it
5 should be required by law to report it. So
6 whatever we need to do together, we will do
7 it.

8 The other thing that I think is really
9 critical is for us to review -- as you
10 pointed out, particularly in young children,
11 how can we make sure they understand the --
12 who is the adult in their life that they can
13 talk to about issues that they maybe don't
14 know about or they have questions about.

15 That all really gets to this issue of
16 providing a safe and secure environment at
17 their schools. Because the way that comes up
18 can be in a question that a teacher may have
19 in their classroom, and they see something
20 that comes out from a child that is a
21 spontaneous response that might alert them.

22 Those are all things that we need to
23 be very sensitive to. They require training,
24 very often, of staff to understand what that

1 would be. And it's not just teachers, but
2 it's also the support staff of the school.
3 And then what is the process for that, and
4 what do we do about it?

5 I think that it needs to all be either
6 through law, where we know there are some
7 loopholes, or through regulation. And we
8 will work very closely to make that happen in
9 New York State.

10 SENATOR KRUEGER: Thank you. I look
11 forward to working with you and with everyone
12 here to get this done finally this year.

13 So I had a teacher, a constituent, she
14 had moved from Pennsylvania to New York, she
15 had gotten a job with the New York City
16 Department of Education. She filed for the
17 paperwork with the State SED, and then she
18 never heard back. And then she finally, in
19 frustration, contacted my office. And
20 working with my office and intergovernmental
21 with SED, it still took nine additional
22 months to get her paperwork done, with our
23 having to help her refile paperwork multiple
24 times with SED and being told by people in

1 the agency, Well, we have such an incredible
2 backlog, it just takes over a year to
3 complete this process.

4 We got the City Department of
5 Education to agree to extend her temporary
6 approval because she was doing an extremely
7 good job in our schools and we certainly
8 didn't want to lose her. I just don't
9 understand why we have such an incredible
10 backlog. We hear about teacher shortages.
11 We hear about wanting to encourage people to
12 participate and be public school teachers.
13 What's the story?

14 COMMISSIONER ELIA: Well, certainly I
15 don't think it should take us nine months. I
16 don't know all the circumstances of it. And
17 I'm glad that you got over to us and we could
18 respond, but it's not acceptable that it's
19 taking nine months.

20 As I said, I don't know the
21 circumstances. It could be that the
22 paperwork came in multiple times incorrectly,
23 and when we got to it in a long -- you know,
24 we opened up certification for people who had

1 three years of successful teaching experience
2 and had been certified in another state to
3 come into New York as a teacher.

4 I'm also glad that New York City took
5 the initiative to say we do have a provision
6 to ask for extension on getting paperwork
7 completed. So that was a good thing.

8 You're absolutely right, Senator, it
9 shouldn't take that long. We're trying to
10 make sure that we have systems in place that
11 can make it as quick as possible. But we
12 have -- and I don't think this is any
13 surprise, we are short on staff.

14 SENATOR KRUEGER: So just to follow
15 up, we were actually told that the
16 applications couldn't be taken out of order,
17 and I get that. But that there was actually
18 such a long backlog that this was a normal
19 time frame. So I don't --

20 COMMISSIONER ELIA: We'll check it.
21 I'll check it.

22 SENATOR KRUEGER: All right. Because
23 you and I agree, we don't want to discourage
24 good teachers from being able to participate

1 in the system.

2 COMMISSIONER ELIA: Right. And let me
3 point out, in defense of the staff, we are
4 inundated with changes that are coming in
5 because we've opened up certification
6 requirements.

7 We have some strategies that we're
8 establishing to try to make that quicker, and
9 hopefully that will address the issue. But
10 I'll check on it, clearly.

11 SENATOR KRUEGER: My time is up; I may
12 have to come back. Thank you.

13 COMMISSIONER ELIA: You're welcome.

14 CHAIRWOMAN WEINSTEIN: Thank you.

15 Assemblywoman Lifton.

16 ASSEMBLYWOMAN LIFTON: Good morning,
17 Chancellor.

18 I want to start just by echoing the
19 comments of many of my colleagues about what
20 a terrific job you're doing, and your staff
21 also at SED, with your leadership, in helping
22 get us through a very, very tough time, a
23 time of great transition and change. And
24 mostly by listening and really understanding

1 that there were serious problems that had to
2 be dealt with. And you're still working on
3 them, I see, and working very
4 collaboratively.

5 I was very pleased, we were talking
6 about the edTPA and the assessments for
7 teacher certification, and you and the
8 department did a great deal of work, working
9 collaboratively with teachers and other
10 representatives on that, and I'm very, very
11 appreciative of all of your efforts there.

12 I don't know if that's all quite
13 resolved in terms of the edTPA. I know there
14 were concerns about people doing student
15 teaching while they were doing the edTPA.
16 I'm not quite sure where that all stands --

17 COMMISSIONER ELIA: We have ongoing
18 committees that are addressing each of those
19 issues, so there are things that will require
20 some changes in regulation, et cetera.

21 ASSEMBLYWOMAN LIFTON: Great. Because
22 I know that I was hearing -- SUNY Cortland,
23 as you know, is our foremost teacher
24 education school, and they were seeing a

1 tremendous drop in people going through the
2 teacher education program, people coming out
3 of it. You know, precipitous drops, a 40,
4 50, 60 percent falloff. And it seemed like a
5 direct correlation with these test issues and
6 the edTPA, that it was just -- the hurdles
7 were just unbelievable.

8 COMMISSIONER ELIA: So one of the
9 largest correlations I can make there is when
10 we went through the recession in New York
11 State, many, many districts were firing
12 people and laying them off; they might have
13 been great teachers. And the real issue got
14 down to, Am I going to go into a field in
15 college and pay for a degree in something
16 that I can't get a job?

17 So those things all contributed to
18 that environment, I think.

19 ASSEMBLYWOMAN LIFTON: I think there
20 were multiple hurdles there, multiple
21 problems. A perfect storm, if you will. A
22 disastrous storm, if you will.

23 So whatever those issues are around
24 teacher shortage -- and I know we have issues

1 around diversity, the need for diversity in
2 our teaching profession that I assume you're
3 also looking at.

4 I want to say that on the -- I'm glad
5 that the teachers are involved in the testing
6 and curriculum work. I'm hearing that maybe
7 they'd like to be a little more involved than
8 they are, a little more at the table,
9 perhaps, than they currently feel they are.
10 I'm hearing from master teachers who say
11 they've asked to be on panels and aren't
12 getting a positive response. And I guess
13 you're still in this transition where perhaps
14 they're not fully integrated into the
15 curriculum and testing regimen.

16 COMMISSIONER ELIA: Well, as you know,
17 we have to have representatives from across
18 the state. So our committees have
19 representatives from across the state, so if
20 we get a lot of requests from one particular
21 area, we can only take so many from that
22 area.

23 But you're absolutely right,
24 everywhere we can, we need to expand the

1 opportunities for teachers to be part of the
2 decision-making.

3 ASSEMBLYWOMAN LIFTON: I think that's
4 really important. So thank you for looking
5 at that.

6 On the issue of professional
7 development, I think, you know, we talk about
8 making the profession better for teachers. I
9 think it's a really -- having taught high
10 school for eight years, I think it's a really
11 critical issue. And again, especially
12 through this time when we've thrown so many
13 changes at schools and at teachers very
14 directly.

15 How do you see that relationship,
16 given our strong tradition of local control
17 in New York State? And I often tell this
18 story about one of the things that drove me
19 out of teaching in the end was that -- and
20 you know, I'm a strong supporter of local
21 control, but there are times I'd sort of like
22 some guidance from the state on certain
23 requirements.

24 I'll never forget the days of saying,

1 well, we're going to have a Superintendents
2 Day for teacher development and professional
3 development and we waited and waited -- we
4 were saying, Well, we'd like to work on
5 curriculum, we'd like to work across grades
6 and work on the writing curriculum together,
7 let's spend our day that way. And unh, unh,
8 unh, couldn't get an answer, couldn't -- and
9 we ended at the end of it all sitting
10 together, English teachers sitting around a
11 room reading our required reading list to
12 each other, and that was our Professional
13 Development Day.

14 Now, mind you, this was quite a few
15 years ago. That leadership isn't there
16 anymore. So I'm not casting personal
17 aspersions here. But, you know, it was very
18 discouraging. You know, I hear teachers very
19 often say "We want to be better teachers, we
20 understand we've got enormous challenges, we
21 want to try to understand the new standards
22 and do a good job." But I hear that they
23 feel sometimes that there's less creativity
24 in the classroom, they feel bound up.

1 support groups that support teacher training,
2 our universities as well as State Ed -- are
3 all on one page on what needs to occur so
4 there's consistency about what the standards
5 are, and that local control then allows them
6 to develop -- whether it's with a single
7 district, a consortium of districts that are
8 organized through the BOCES, whether it's
9 provided through BOCES -- that everybody is
10 talking the same kind of language around
11 standards and helping teachers within those
12 school districts to support the development
13 of their curriculum.

14 I have been very emphatic with
15 superintendents, and I have said this for my
16 career and as a leader in education: Your
17 biggest resource are the teachers that are in
18 your classrooms. They should be used to
19 develop curriculum, to work together to
20 change the curriculum, and your job should be
21 to support them.

22 And I think that's an extremely
23 important value for our education leaders
24 across the state to have. And I know many of

1 them do that naturally, and we have to make
2 sure that we support all of them to see the
3 importance of teachers being included and
4 having the time to get together and work on
5 curriculum development. And then being able
6 to review it, share it, talk about it, and
7 then make changes as necessary.

8 So I'm very supportive of teachers.
9 We hope that the high-quality professional
10 learning proposal that we have in front of
11 you, that we are able to get some support for
12 our teachers in that way.

13 CHAIRWOMAN WEINSTEIN: Thank you.

14 I want to just acknowledge that we've
15 been joined by Assemblyman O'Donnell.

16 Senate, for a question.

17 CHAIRWOMAN YOUNG: Thank you.

18 Senator Savino.

19 SENATOR SAVINO: Thank you, Senator
20 Young.

21 Good morning, Chancellor, good to see
22 you again. I just want to ask you to explain
23 something, maybe you can shed some light on
24 it. Because your PowerPoint slide by slide

1 shows that the Board of Regents proposal for
2 state aid to schools is -- you're requesting
3 \$1.6 billion in additional spending --

4 COMMISSIONER ELIA: 1.25 in Foundation
5 Aid. And then there's additional
6 opportunities that we're looking at that are
7 proposals.

8 SENATOR SAVINO: Let me just start
9 from the top line, 1.6, how you break it
10 down. I understand -- it's explained on the
11 rest of the page.

12 COMMISSIONER ELIA: That's correct.

13 SENATOR SAVINO: The question I'm
14 asking, though, is it seems that we've all
15 been working off of this proposal when in
16 fact we're -- this is the Governor's budget
17 proposal, which is about \$800 million less
18 than the request that you have.

19 So I'm just curious if you can explain
20 to us, if we were -- unless we can find
21 \$800 million in the seat cushions
22 somewhere -- that's always possible in
23 Albany -- we're more likely going to be
24 working off the Governor's budget proposal.

1 How would imposing his budget proposal affect
2 the programs that you have outlined as
3 important and the commitments that you
4 believe State Ed should make to the various
5 programs, whether it's UPK or, you know,
6 Careers to Colleges or BOCES or any of the
7 wonderful programs that we all want to
8 support, including the English language
9 learners? How would we accomplish that based
10 off the Governor's proposal?

11 COMMISSIONER ELIA: Well, I think
12 there's a major issue there, isn't there?
13 Because we're talking about different -- I'm
14 here to talk about what our proposal is. And
15 when anybody's asked a question about how
16 that fits given the Governor's proposal, I've
17 responded with my opinion and the opinion
18 that we've discussed with the Regents and
19 with my staff.

20 But when you're looking at Foundation
21 Aid, the Executive Budget is for
22 \$338 million, and ours is for 1.25. So the
23 documents that you have that are in your hand
24 now that are the slides that I presented are

1 the budget that we are proposing. It is
2 different than the Executive's, as you know.

3 SENATOR SAVINO: Obviously.

4 COMMISSIONER ELIA: And as you move
5 forward, that's the process that you're
6 involved in. Right? So he proposes, we
7 propose, you get proposals from other
8 individuals and groups that are very
9 supportive of education. Theirs are
10 different than ours as well. And I would
11 suggest to you that much of the work that
12 we're talking about is not going to occur to
13 the extent that we're talking about unless we
14 have some resources to do it.

15 SENATOR SAVINO: I appreciate that
16 answer. And I'm just wondering --

17 ASSEMBLYWOMAN NOLAN: (Applauding.)

18 SENATOR SAVINO: Thank you, Cathy.

19 Has there been -- have you been able
20 to convey that sentiment to the Executive?
21 Because somehow or other they arrived at this
22 decision that 3 percent above last year's
23 spending was sufficient to meet the needs of
24 the students around the State of New York.

1 process in New York. I mean, I think this is
2 part of the process. I absolutely understand
3 the Executive is determining and coming up
4 with a number for education purposes, given a
5 bigger picture. I'm coming to you as the
6 commissioner of education and saying these
7 are the things that we think are pretty
8 important.

9 There are a number of Executive
10 proposals that relate to education that
11 aren't in ours, and there are certainly some
12 here that are in ours that are not in the
13 Executive's. That's the proposal and the
14 process that needs to include all of you
15 giving feedback so that it works out in the
16 end and we have what ends up with a budget on
17 April 1st that is including the agendas you
18 have and including the agendas that he has.
19 And I don't have a vote.

20 I have the opportunity to come and
21 tell you what I think, and that's what you
22 have in front of you.

23 SENATOR SAVINO: Hopefully we'll find
24 some -- some of the money.

1 I just want to ask you one specific
2 question.

3 COMMISSIONER ELIA: Sure.

4 SENATOR SAVINO: I was at Curtis High
5 School over the weekend, they had a --

6 COMMISSIONER ELIA: I'm sorry, what
7 high school?

8 SENATOR SAVINO: Curtis High School on
9 Staten Island. And they had a college fair
10 there.

11 And the principal of Curtis told me
12 that they're having a problem now with the
13 International Baccalaureate testing, because
14 some of the school districts are being told
15 that only Advanced Placement courses are
16 eligible for funding, so they're having to
17 pick up the cost of these IB tests. It's
18 going to cost the school about \$25,000.

19 The principal said it's something with
20 respect to the -- how some agencies are
21 interpreting the term "advanced placement"
22 and limiting it only to Advanced Placement
23 tests, not advanced testing. They're being
24 literal about the term.

1 COMMISSIONER ELIA: So the
2 Staten Island high schools are obviously
3 controlled by New York City.

4 SENATOR SAVINO: Right.

5 COMMISSIONER ELIA: But I would say to
6 you the federal government a year ago took
7 out the funding that they had in place.

8 You have a proposal in the Governor's
9 budget that would support IB and AP, and that
10 is clearly in here for all students who are
11 at risk and would have challenges in paying
12 the fees, the costs of those fees. So that
13 is included, in fact, in both of ours.

14 We want to expand access to
15 high-quality coursework, and there's a
16 proposal in there on ours and there's also a
17 proposal from the Executive.

18 SENATOR SAVINO: Thank you.

19 COMMISSIONER ELIA: You're welcome.

20 CHAIRWOMAN WEINSTEIN: Thank you.

21 Assemblyman Otis.

22 ASSEMBLYMAN OTIS: Commissioner, nice
23 to see you again, and thank you for all your
24 good work.

1 The question that I wanted to focus on
2 today was to get a sense from you, SED and
3 the Regents about where you are in terms of
4 the teacher evaluation process. We're in a
5 moratorium period now. The moratorium is
6 going to end. There was lots of concern
7 about where we were before we started the
8 moratorium, which is why we did the
9 moratorium.

10 But really there was unanimity between
11 school districts, teachers, parents that the
12 system that we were about to embark on had
13 real problems. And so -- and I believe the
14 Regents are studying this at some level.

15 So where are we going, what is the
16 current thinking? And that would be a great
17 update, I think, for all of us.

18 COMMISSIONER ELIA: Great. So when I
19 came to New York almost three years ago, one
20 of the things that was identified for me is
21 the level of tension and stress in the state.
22 It wasn't just about teacher evaluation,
23 although I would say that that was a key
24 lever. It also included issues relating to

1 standards, and a number of you shared your
2 concerns about standards and the involvement
3 of others, of teachers and other
4 practitioners in what those standards would
5 be. It also included the issue of
6 assessments, and we talked a little bit about
7 assessments.

8 Since I've been here as the
9 commissioner, I've worked with the Regents
10 and we have been very purposeful in seeking
11 opportunities to get feedback from the
12 community. The development and then the
13 ultimate adoption of the Next Generation
14 New York State Standards took about two
15 years. We included everyone from across the
16 state, all the -- we had teachers, we had
17 surveys that went out, got thousands of
18 responses, took that and we ultimately came
19 up -- after teacher committees met and gave
20 us feedback, we developed the Next Generation
21 Standards, and they were ultimately approved.

22 So the process was established that we
23 seek a lot of input and we take what we get
24 and we establish then what needs to move

1 forward, ultimately to get reviewed by our
2 Regents -- and in some cases, legislators --
3 to make any necessary changes.

4 We did the same thing on assessments.
5 So we took the opportunities to hear from
6 everyone across the state, I had meetings,
7 our district superintendents had meetings, we
8 had parent groups that came in and gave us
9 feedback. And we made multiple changes as we
10 moved through the last two years on that that
11 were approved by the Regents and moved us
12 into a very different setting with
13 assessments.

14 The third area had to do with
15 curriculum that everyone was stressed about.
16 And we said that's a local decision. We have
17 guidelines for you and supports for you to
18 make those local decisions, but curriculum is
19 really developed off the standards and
20 teachers need to do that work. And we put in
21 place a timeline that will give them plenty
22 of time to do that in the next two to three
23 years before the assessments are tied to the
24 new standards.

1 The fourth area, I think the largest,
2 was the evaluation of teachers and our
3 educational leaders. Caused an enormous
4 amount of stress. As I went across the state
5 and got feedback, there were individuals that
6 said there's some good things about the
7 evaluation, but one thing -- we didn't have
8 really say in how this evaluation was going
9 to be structured and how it would work,
10 ultimately, to support continuous improvement
11 for teachers and be a productive instrument.

12 So that's where we are right now.
13 That's the area that we have not really made
14 the shifts in yet. We are now instituting a
15 process that will be very thoughtful and
16 inclusive and have people from across the
17 state give us feedback on what we have in
18 place, anything that's good about what we've
19 done in evaluation, and what we need to have
20 as we move forward. And it is a -- in my
21 mind, it's a process that will establish that
22 teachers should be collaborating on the
23 evaluation that will be most productive for
24 them, as will the education leaders across

1 the state.

2 This isn't going to be a fast process.
3 Because if you do things too quickly, then
4 you don't give yourself time to listen and
5 hear the issues that relate to it.

6 So we have a survey that will be going
7 out to individuals across the state. All of
8 our teachers will get it individually. We
9 also will have our educators and various
10 practitioners get the opportunity to fill
11 that out. We're taking the information that
12 comes in on that, we're establishing focus
13 groups across the state to probe on some of
14 the feedback that we get in the survey.

15 Then we're having groups of meetings.
16 We'll have a targeted kind of leadership
17 group that will help us move through this
18 process. It will include various
19 stakeholders, including the leadership from
20 AFT and the leadership from NYSUT and School
21 Board Association and our superintendents
22 group -- all of those individuals will be
23 part of it as we move forward in the process.
24 We'll take that information and ultimately

1 we'll start putting together what we think
2 will be a collaborative, well-developed
3 evaluation that will support teachers to get
4 better.

5 The purpose of teaching and giving
6 evaluation is to give feedback. That's why
7 it's so powerful when people who understand
8 what you're doing in your classroom come in
9 and talk to you about it. And a lot of work
10 needs to be done to get us there, but that's
11 really going to be the way that we can
12 improve teaching and learning across the
13 entire State of New York, with an
14 instrument -- not just that instrument, but
15 other factors that are going to be really
16 critical in this.

17 CHAIRWOMAN WEINSTEIN: Thank -- thank
18 you.

19 COMMISSIONER ELIA: This is -- let me
20 just -- if you don't mind. Thank you.

21 I think that that process that we've
22 used for other things, being very inclusive
23 in who can give us feedback and then taking
24 that listening and then developing as we go,

1 I think that will be an extremely important
2 part of this process. There's no question
3 teacher evaluation, principal evaluation was
4 a hotspot in New York; we have to address
5 that. And we need to have this be a
6 collaboration with teachers, not having it be
7 something that's done to teachers.

8 So that's the approach that we're
9 going to take, and it will be time-consuming,
10 but that's the way we want to move.

11 ASSEMBLYMAN OTIS: Thank you. And I
12 appreciate the methodology and open process
13 that you're describing, and hopefully we'll
14 get a good result. So thank you.

15 COMMISSIONER ELIA: Thank you.

16 CHAIRWOMAN WEINSTEIN: Thank you.

17 CHAIRWOMAN YOUNG: Thank you.

18 Commissioner, I just had one final
19 topic to ask about, and that has to do with
20 penalties on building projects where the cost
21 reports are filed late.

22 And as you know, in the 2012-2013
23 enacted budget the Legislature worked with
24 the Governor to set up an amnesty program for

1 schools that actually had failed to submit
2 final cost reports prior to July 1, 2010. So
3 the Legislature took action then. And prior
4 to the enactment of the amnesty program, the
5 penalty for a late-filed final cost report
6 was a total loss of state aid on a project,
7 even if all the aid had previously been paid.

8 So that particular statute that exists
9 in law has put terrible burdens on school
10 districts that made a mistake.

11 In the 2017-2018 enacted budget, a
12 provision was included whereby school
13 districts who are facing building aid
14 penalties from late-filed final cost reports
15 could opt into a 10-year recovery program,
16 provided that the penalties exceeded a
17 specific percent of their total General Fund
18 expenditures for a given year. So again, the
19 Legislature acted, in conjunction with the
20 Governor, to help some of these districts.

21 I guess I raise that point because we
22 still hear about other districts that are
23 still getting into issues with their cost
24 reports being filed late, not being filed at

1 all, uncovering it later down the road. And
2 so I think that there's an issue here that
3 maybe we have to rethink how we're
4 communicating with school districts. And I
5 know you're frustrated about it. But there's
6 got to be a better way in dealing with this.

7 And I don't know if you had any
8 thoughts on what we could do. I know you and
9 I have discussed that you are proactive at
10 State Ed. But what can we do differently?
11 Because it just seems like it keeps
12 happening.

13 COMMISSIONER ELIA: Well, I think
14 there's no question when the legislation
15 changed, we have implemented what was put in
16 the legislation. All right. We cannot go
17 back. And what's happening, I think, is some
18 districts that prior to the date of the
19 legislation being put in place -- we can't
20 back it up and allow somebody that 10 years
21 before that time or even eight years or six
22 years, got in trouble then and didn't submit
23 it and now wants to have a claim on
24 something.

1 So we're happy to work with you on
2 changing legislation, but we don't have the
3 flexibility to make those decisions. We are
4 pleased that in fact -- what is it, two years
5 ago, I think, or a year ago you gave us the
6 opportunity to spread out what the payments
7 are so it would make it less devastating for
8 districts. I certainly understand the
9 frustration, and we'd be happy to work on any
10 changes in the legislation. But that would
11 need to be done by the Legislature and the
12 Governor to support that change in law.

13 CHAIRWOMAN YOUNG: Right. But is
14 there anything that State Ed can do, like
15 through an auditing process, you know, on the
16 completion of a building project, for
17 example, just to triple check to make sure
18 that the districts are filing all the proper
19 paperwork? Because this seems to come up
20 after the fact -- and oftentimes it's a
21 previous superintendent who failed to do it
22 or whatever, and then a new superintendent
23 comes in and then all of a sudden it's like,
24 oh, my God, this is devastating to the school

1 district.

2 So is there anything that State Ed can
3 do through, like I said, an auditing process
4 or triple checking so that the districts have
5 the technical assistance that they need to
6 ensure that they've filed everything
7 properly? And I think that would avoid some
8 of the issues that we see now.

9 COMMISSIONER ELIA: In my previous
10 life I was in charge of the building program
11 in a very large district. I would say to you
12 that the districts have professionals that
13 they hire, both their architects, engineers,
14 and oversight for their projects. Those
15 individuals have oversight and they're very
16 technically oriented.

17 One of the things we can do is provide
18 a guidance document so that districts know
19 these are the things that you should put in
20 your contracts with any of the individuals
21 you're hiring to make sure that they follow
22 through and that in fact they provide all of
23 the documentation to the districts themselves
24 so that then the districts can make sure it

1 comes in to us.

2 I think you've hit on a point that's
3 very important. When you have changes that
4 occur in the staffs at districts, and it's in
5 one of these timelines and someone who comes
6 in is not aware of what has previously been
7 put in place and been submitted or not, then
8 that's where it gets lost. And a number of
9 these individuals may not be aware of all of
10 the requirements related to this.

11 So we can do the guidance document,
12 but I would suggest to you that districts
13 themselves who call our staffs all the time,
14 we point out to them how this is occurring
15 and what they need to do. But if you're not
16 familiar with exactly what needs to be done,
17 you have to rely on those individuals who are
18 experts that you've paid to do this to make
19 sure they get everything exactly right.
20 Because then you would eliminate or at least
21 lessen the opportunities for these things to
22 occur.

23 CHAIRWOMAN YOUNG: I think that
24 anything that you can do through State Ed to

1 give that guidance, give that technical
2 assistance -- and I know you do talk to the
3 school districts all the time. But if
4 there's anything additional we can do to help
5 solve this problem, I think we should,
6 because all it does is penalize kids, at the
7 end of the day. And I know that's not what
8 you want, and it's certainly not what we want
9 either. So if there's a way we can figure it
10 out, that would be fantastic.

11 COMMISSIONER ELIA: And we'll look at
12 the legislation again, and if there's any
13 suggestions we have on possible changes to
14 the legislation to clarify it or perhaps to
15 give a little bit more leeway to some of the
16 districts, we can certainly suggest that to
17 you and then you can take it from there.

18 CHAIRWOMAN YOUNG: Thank you.

19 CHAIRWOMAN WEINSTEIN: Assemblyman
20 Félix Ortiz.

21 ASSEMBLYMAN ORTIZ: Thank you, Madam
22 Chairman.

23 And good afternoon, Commissioner.
24 Thank you for being here. I have just -- I

1 have a couple of follow-up quick changes, and
2 one of them has to do with the bully
3 situation.

4 I would like to know if you have any
5 kind of procedures in place where a school
6 district should report to the New York State
7 Department of Education about any bullying --
8 any incident that takes place at the local
9 level.

10 COMMISSIONER ELIA: Yes. So we have
11 the VADIR report that has recently been
12 revised, and it's -- right now we're training
13 all districts and they're using that for the
14 data for this year.

15 And it took the data points related to
16 the Dignity for All Students Act and combined
17 them with the issues related to security and
18 safety in the schools. And that reporting
19 document is what is required by school
20 districts to report to State Ed any of those
21 incidents that occur.

22 To be very honest, it's critically
23 important for us to make sure the districts
24 understand exactly what is required for them

1 to report. We are doing that, and then we're
2 providing guidance specifically on make sure
3 that you do these things.

4 So that is the report that comes in to
5 us, and bullying is included in that. We
6 have a budget request of \$10 million
7 specifically to support the issues related to
8 school climate and related to the Dignity for
9 All Students Act as well as bullying, which
10 is included in that. This would allow us to
11 put in Technical Assistance Centers across
12 the state to support districts, making sure
13 that they're doing the things that are
14 necessary for establishing a positive school
15 climate.

16 And then for those districts that are
17 identified as persistently dangerous and
18 having issues related to safety and security
19 for students, as well as the data that comes
20 off of our VADIR report, those districts
21 would have the availability of a grant
22 program to support instituting the particular
23 strategies that would be helpful for them to
24 establish that positive school climate.

1 ASSEMBLYMAN ORTIZ: Regarding sex
2 assault in the schools, do you have any
3 procedures, any -- and how does that work if
4 the districts are reporting some sex assaults
5 are taking place, what type of action does
6 the New York State Department of Education
7 take and put into place?

8 COMMISSIONER ELIA: If there is sexual
9 assault in the school, it should be reported
10 to the police. That should be a definite
11 thing. It should also be reported in their
12 VADIR report as one of those actions that is
13 against the law that occurred at their school
14 site. So that should all be part of that
15 report.

16 ASSEMBLYMAN ORTIZ: Now, would you
17 support a hotline phone number in order for
18 people to -- students or parents to report
19 any incidents of bullying -- of incidents
20 that take place in the school?

21 COMMISSIONER ELIA: Yes.

22 ASSEMBLYMAN ORTIZ: Thank you.

23 CHAIRWOMAN YOUNG: Thank you.

24 Senator Brooks.

1 SENATOR BROOKS: Thank you.

2 Commissioner, just a quick question.

3 In December the Board of Regents adopted
4 emergency regulations to expand the diploma
5 options for students with disabilities.

6 Could you just give us an update on where you
7 are with that?

8 COMMISSIONER ELIA: Yes. So this
9 December we had a group of parents that I've
10 been meeting with and several of my staff
11 members have had multiple meetings with, and
12 we expanded the opportunity for a
13 superintendent's determination on students
14 that they would have a request from their
15 parents to review their transcripts.

16 We have in place the opportunity for
17 some waivers on the passing grade for Regents
18 exams. Any student who is in a track to take
19 the Regents exam that doesn't get the
20 required passing score, they would have the
21 ability to take it a second time. If they
22 still didn't get it, then the
23 superintendent's determination could look at
24 the transcript that they had, whether they

1 had passed the course but not passed the
2 Regents exam, and then as a second
3 opportunity, be able to give them and look at
4 whether or not they had participated in the
5 CDOS program, which is a skills-based program
6 so you can go directly into the workforce.

7 Superintendents can make that decision
8 and make that available to students in their
9 district.

10 SENATOR BROOKS: Thank you.

11 ASSEMBLYMAN OAKS: Assemblywoman
12 Jaffee.

13 ASSEMBLYWOMAN JAFFEE: Thank you,
14 Commissioner.

15 The Governor is proposing an increase
16 in nonpublic school aid of at least
17 \$5.4 million, which takes it to about
18 \$186 million, a little more than that, plus
19 an additional \$15 million for safety
20 equipment, \$5 million for science,
21 technology, engineering and math teachers,
22 almost another million for academic
23 intervention services.

24 And in previous discussions the

1 concerns that I have is whether or not
2 there's any oversight at all with these
3 private schools as to whether actually they
4 are providing education that's appropriate,
5 the academic education equivalent to the
6 school districts in their areas, which is
7 part of the law.

8 COMMISSIONER ELIA: Yes. So in
9 New York State law, there is a provision for
10 substantial equivalency.

11 ASSEMBLYWOMAN JAFFEE: Right.

12 COMMISSIONER ELIA: We are in the
13 process of reviewing our guidance on
14 substantial equivalency. It's been
15 distributed for several decades. It's the
16 same guidance, and we're reviewing that
17 guidance right now.

18 We're doing that in conjunction with
19 some of our nonpublic schools as well as with
20 our superintendents. In the law that is on
21 the books of New York, it requires that the
22 superintendent and the school board determine
23 substantial equivalency of the schools that
24 are located in the area that they are in

1 charge of.

2 So I think that is -- the important
3 thing is that that guidance that we're
4 reviewing is being done with a process that
5 is allowing feedback from both the nonpublics
6 and the superintendents, so we can have them
7 have guidance as to how they can identify
8 whether or not substantial equivalency has
9 occurred.

10 ASSEMBLYWOMAN JAFFEE: Because
11 unfortunately, as we are aware in the
12 conversations we've had, the roundtable
13 discussions that we had recently, there are
14 many schools -- many, too many of our schools
15 are not providing any education whatsoever in
16 academics. And now the students are leaving
17 those schools without even speaking English,
18 and having no academic opportunity at all,
19 but they're still receiving funding from the
20 state.

21 COMMISSIONER ELIA: I have been in
22 some nonpublic schools; I have not found
23 that.

24 However, I think that we need to make

1 sure that from State Ed's perspective we are
2 providing appropriate guidance for our
3 districts, superintendents and school boards,
4 and that that is done in the context of a
5 respect for different schools.

6 I mean, I would say to you that it's
7 very clear public schools and nonpublic
8 schools are different. Parents have opted to
9 have their children attend nonpublic schools.
10 But we have in law and there is support for
11 nonpublic schools in New York State. We need
12 to make sure that we are following the law.
13 So our guidance is being updated to do that.

14 ASSEMBLYWOMAN JAFFEE: I appreciate
15 that. And it's something that I will be
16 following up on, because there is very real
17 concern in our communities regarding that.

18 COMMISSIONER ELIA: This is a process.
19 Okay? It's important to have input from
20 people across the board. And then as we do
21 this implementation, we'll be training across
22 the state both our nonpublic and our public
23 partners. And then as we move forward, it
24 will be done with pilots in different places

1 to make sure that we can -- we've given clear
2 and helpful guidance for them.

3 ASSEMBLYWOMAN JAFFEE: Well, this new
4 department for the private schools, are they
5 engaging in this effort?

6 COMMISSIONER ELIA: In which
7 department?

8 ASSEMBLYWOMAN JAFFEE: In the
9 Education Department, there's a new private
10 school --

11 COMMISSIONER ELIA: Yes. Yes. Our
12 office is leading the effort.

13 ASSEMBLYWOMAN JAFFEE: Okay. Thank
14 you very much.

15 COMMISSIONER ELIA: You're welcome.

16 CHAIRWOMAN WEINSTEIN: Thank you.

17 Mr. O'Donnell for our last question
18 for this witness.

19 ASSEMBLYMAN O'DONNELL: Why, thank
20 you, Madam Chair.

21 You brought up the Dignity for All
22 Students Act, which is why I pushed the
23 button. I wasn't going to talk.

24 First of all, I would be remiss if I

1 didn't thank you for all the work you've
2 done, the cooperation you've showed me. As
3 you may remember, I'm the author of the
4 Dignity for All Students Act and have spent
5 all these years spending a lot of time
6 looking at this issue.

7 So I have two very quick questions.
8 The first one is that in surveys in schools
9 what we learn is that the training that
10 occurs often is mostly about lawsuit aversion
11 and not really training to address the
12 problem. And so that, we believe, is
13 partially reflected from the lack of teacher
14 training in the higher education system.

15 So what can be done to assure that the
16 goals of dignity and the tolerance of
17 difference, which is what the purpose of it
18 was, is taught better to prospective
19 teachers?

20 COMMISSIONER ELIA: Well, as you know,
21 we have a committee that is reviewing what is
22 exactly required right now, and whether or
23 not that is appropriate. And whether that is
24 really addressing this in the context of

1 school climate and the very critical
2 components of that.

3 So that, I think, is an important
4 part. We would anticipate -- we've had four
5 or five meetings now. I think a member of
6 your staff is on that committee.

7 ASSEMBLYMAN O'DONNELL: Yes, indeed.
8 Yes.

9 COMMISSIONER ELIA: And we will be
10 getting some recommendations back from them.
11 So that will drive kind of where we need to
12 then review what regulations we may have in
13 place that need to be reviewed and/or
14 changed.

15 I do want to bring this back to the
16 whole bigger issue, and I think that really
17 is what you're talking about. It's not just
18 this aversion of lawsuits, it is what can we
19 do to create a climate in our schools that is
20 supportive of students, whatever their
21 differences are, and respectful of students
22 and teaching our students the importance of
23 that.

24 We put in a proposal for a \$10 million

1 allocation that we believe will really
2 address these issues and support schools in
3 doing the very training you're talking about.
4 Because there's lots of people that are
5 already in our schools. They're not going to
6 go through the higher ed programs, but
7 they're in our schools now and they need to
8 be thinking about how important school
9 climate is for all students. It addresses
10 the issues of bullying that were brought up.
11 It also addresses the issues of dignity for
12 all students.

13 And so the issue of the training,
14 which I think clearly came out in the
15 oversight review of the schools -- that we
16 had provided information from SED, but
17 whether that got translated to the staff was
18 a bigger issue.

19 And so we believe that the model that
20 we're putting in place, if we get the funding
21 to do it, that we'll have Technical
22 Assistance Centers reviewing and working with
23 schools based on the feedback that they're
24 getting from the surveys that are required

1 under our ESSA plan, and then providing
2 grants particularly for school districts that
3 are identified as having major issues in
4 these areas so that they can implement the
5 kinds of strategies, the training for staff,
6 and the overall approach that's necessary to
7 ensure that we have supportive school
8 environments that address the issues of
9 dignity for all.

10 ASSEMBLYMAN O'DONNELL: Thank you for
11 all that. And I do appreciate it, and I am
12 paying close attention to the work that's
13 going on, and I think it's terrific.

14 My last question is, there has been
15 sadly a rash of suicides among children who
16 attend nonpublic schools, and some of these
17 parents have come to my office, clearly
18 beyond distressed, and want to know why I
19 excluded their child's school from the
20 bullying reporting and the training and the
21 tolerance that Dignity was supposed to
22 correct.

23 And so I have a bill in that would
24 expand Dignity to all schools in the State of

1 New York, and I was just curious to know
2 whether or not you think that's a good idea.

3 COMMISSIONER ELIA: Well, I certainly
4 think that the value is extremely important.
5 From the State Education Department's view,
6 as you know, this has to be something that a
7 school or district sees as very critical and
8 then does the work that's necessary to
9 establish the appropriate culture and the
10 climate. I would think that that would
11 happen in schools. And certainly training
12 that we have should be available to nonpublic
13 schools that are interested.

14 I think where we can perhaps be more
15 directive is in the idea of the reporting.
16 Which, as you pointed out, is not part of the
17 nonpublics' environment right now.

18 ASSEMBLYMAN O'DONNELL: Thank you very
19 much. I appreciate it.

20 COMMISSIONER ELIA: You're welcome.

21 CHAIRWOMAN WEINSTEIN: Thank you,
22 Commissioner, for being here and spending so
23 much time with us. And we appreciate your
24 response to all of the questions asked.

1 Thank you.

2 COMMISSIONER ELIA: And thank you all
3 very much. Anything that we can do to
4 clarify any of the proposals that you have in
5 front of you, or talk through some proposed
6 legislation that you think is extremely
7 important, please feel free to call us.

8 And I want to thank my staff -- I have
9 a great group of people supporting me across
10 SED -- and the Regents for their work.

11 CHAIRWOMAN WEINSTEIN: Thank you.

12 CHAIRWOMAN YOUNG: Thank you,
13 Commissioner.

14 CHAIRWOMAN WEINSTEIN: Our next
15 witness is the chancellor of the New York
16 City Department of Education, Carmen Fariña,
17 who's been patiently sitting out waiting for
18 school to start.

19 (Discussion off the record.)

20 CHAIRWOMAN WEINSTEIN: Thank you so
21 much, Chancellor, for being here and your
22 patience. And please begin.

23 CHANCELLOR FARIÑA: Well, first of
24 all, good morning. For me this is a --

1 CHAIRWOMAN WEINSTEIN: We're barely in
2 the afternoon session now.

3 (Cross-talk.)

4 CHANCELLOR FARIÑA: Good morning.
5 It's bittersweet for me to be here, my fifth
6 and final testimony before all of you. And I
7 have enjoyed coming to Albany and actually
8 getting to meet some of you on a one-to-one
9 basis. So officially, this is my testimony
10 and I'll be happy to answer questions at the
11 end.

12 Good morning, Senate Finance Committee
13 Chair Young, Assembly Ways and Means
14 Committee Chair Weinstein, Education
15 Committee Chairs Marcellino and Nolan,
16 ranking members Senator Krueger and
17 Assemblyman Oaks, and all the members of the
18 State Senate and State Assembly here today.
19 Thank you for the opportunity to speak before
20 you on the 2018-2019 Executive Budget and the
21 experience of leading the New York City
22 public school system.

23 With me is Raymond Orlando, chief
24 financial officer for the New York City

1 Department of Education.

2 As you have heard, I will be leaving
3 my position as chancellor of the New York
4 City school system. This will be my second
5 time retiring from the school system that I
6 have devoted 52 years to and that I believe
7 in so deeply. I am proud to leave knowing
8 that New York City public schools are the
9 strongest they have ever been, and under this
10 administration's vision of Equity and
11 Excellence for All, we are on the path to
12 becoming even stronger.

13 Our four-year graduation rate for the
14 Class of 2016 was 72.6 percent, up 6.6 points
15 since 2013. We expect this trend to
16 continue. ELA and math scores are also on the
17 rise, and we are outpacing the state in
18 English. More of our students are graduating
19 ready for college and careers.

20 And just this month I was proud to
21 announce that the number of New York City
22 juniors taking the SAT increased by
23 51 percent in just one year. And thanks to
24 our SAT School Day initiative, this gives

1 students the opportunity to take the test for
2 free during the school day. These gains were
3 especially high for black and Latino
4 students, who saw a 57.9 percent increase in
5 participation and a 65.1 percent increase in
6 participation, respectively. This means
7 15,000 more black and Latino students took
8 the SAT.

9 We did some extra interviews on some
10 of the students who took the test. Some of
11 the reasons for the increase were having it
12 during the school day meant that they didn't
13 have to leave their neighborhoods and try to
14 figure out where the test was being given.
15 Because we paid the fees, it means they
16 didn't have to figure out how to get a money
17 order and other ways to do it. We have tried
18 to simplify this as much as possible.

19 But one of the things that the numbers
20 don't show is also that teachers now
21 anticipate that every child in their 11th
22 grade is eligible to take SATs. So your game
23 is upped when you know all the students are
24 eligible for the test.

1 Under AP for All, one of our Equity
2 and Excellence for All initiatives, we have
3 increased the number of students taking AP
4 courses by 9.9 percent, and the number of
5 students passing at least one AP test by
6 7.5 percent, again with outsize gains among
7 black and Latino students. In one particular
8 high school we went from one AP course over
9 the last few years to 15 in just the last two
10 years. So that offers the students many more
11 opportunities.

12 We are also increasing the training of
13 teachers for these courses, we are raising
14 the bar on good instruction. We've also
15 increased fee waiver assistance to students.
16 And I was glad to see that the Executive
17 Budget includes a provision to increase state
18 assistance.

19 Our campus initiative also helped AP
20 participation rates. By encouraging schools
21 in shared space to work together and share
22 resources, students gained access to
23 offerings and opportunities in the collocated
24 schools. We pride ourselves on collaboration

1 over competition. We now have 25 collocated
2 schools in the City of New York -- actually,
3 in all your represented districts -- and a
4 combination of 154 high schools.

5 Lehman High School, which is our first
6 high school that we did this in, now has
7 after-school programs shared by everyone on
8 the campus, AP courses by everyone on the
9 campus, arts programs shared by everyone on
10 the campus, and we feel this has really made
11 a big difference.

12 I know that many of you visit your
13 local schools regularly, attend school
14 events, and meet with principals, teachers,
15 parents, and students. I am grateful for
16 your commitment to public education and
17 creating the leaders of tomorrow. You know
18 that what makes a school community special
19 goes beyond test scores. Of course, students
20 must make tangible, measurable progress, but
21 we also want schools to be places where they
22 make friends, experience new things,
23 cultivate hobbies, overcome obstacles, and
24 feel safe. In many ways, these elements go

1 hand in hand with improved academics.

2 Over the last four years we have
3 implemented key initiatives that have helped
4 students grow academically and also prepared
5 them to become responsible citizens of the
6 world. I have always believed that both arts
7 and social studies are so important to
8 creating well-rounded adults, and I am proud
9 that we have strengthened those subject areas
10 in schools. We have the highest number of
11 full-time certified arts teachers in
12 12 years, and partnership grants focusing on
13 the arts have more than doubled.

14 We are paying for schools where a
15 middle school and an elementary school work
16 together, sharing arts teachers, so what
17 starts in the elementary school can then
18 continue into the middle school, and also
19 raises the level of what middle-school arts
20 looks like.

21 Already the DOE has increased our
22 school level arts spending by \$17 million, on
23 top of the \$23 million already allocated by
24 the mayor's budget this past year.

1 For social studies, we have developed
2 a new extensive curriculum -- which we
3 actually have offered to share with the rest
4 of the state -- called Passport to Social
5 Studies that is now used in over 70 percent
6 of our schools in New York City. This past
7 week I visited PS 150 in Queens, and we
8 visited a school that has totally adopted the
9 Passport. And you have children talking
10 about Brazil, China, American history. This
11 is all part of bringing history alive and
12 cultural studies to our elementary schools.

13 We have taken major steps to increase
14 access to unique learning opportunities and
15 options that fit students' specific needs.
16 Career and Technical Education, CTE programs,
17 are a key part of this work, and of our
18 broader strategy to put students on the path
19 to college and careers. Over the 2016-2017,
20 2017-2018, and 2018-2019 school years, we are
21 investing in 40 new high-quality CTE programs
22 while strengthening our numerous existing
23 programs.

24 Let me be clear. CTE is not

1 vocational education. It is an understanding
2 that vocational education, in and of itself,
3 is a dead end. You learn a skill, you go out
4 and you go to work. CTE offers multiple
5 pathways. You can learn skills, but then you
6 can also continue to college. And for many
7 of our students, there are multiple pathways
8 for getting jobs -- so they can go to college
9 at night but they can go directly into
10 college.

11 A prime example of something that has
12 changed in the last few months is something
13 that's happening at Thomas Edison High School
14 in Queens. We can now, due to federal
15 guidelines, start CTE programs in 7th grade
16 in middle school. And Thomas Edison has now
17 started a drone program, a nationally
18 certified program, where 7th graders in the
19 local middle school, 217, start, the teachers
20 from Edison go and teach some classes. And
21 we're using this as a model for many more
22 parts of the city where we can start CTE in
23 middle school and use it also as an entry
24 point to the local high school, such as

1 Aviation High School and some of the other
2 ones that are really growing and graduating
3 students for the careers of the future.

4 We have another program with jet
5 simulators in one of the middle schools in
6 the Bronx, and now Bronx Aerospace also has a
7 jet simulator and those students will be able
8 to graduate with many more opportunities.

9 Last year we implemented new
10 initiatives to support the academic, social,
11 and emotional needs of our students living in
12 temporary housing. We hired more social
13 workers, implemented literacy programs in
14 shelters, and provided school-based health
15 services. Additionally, we provide Yellow
16 Bus service to their home schools for
17 students in Grades K-6 so, although the
18 shelter may be in one neighborhood, they can
19 stay in the school where they began their
20 educational life in, and it helps with some
21 continuity.

22 We are continuing these initiatives
23 this year, including providing social workers
24 in schools with the highest concentrations of

1 students in shelter and after-school tutoring
2 at the shelters themselves. We are working
3 to ensure that school can remain a constant,
4 stabilizing force in these students' lives.

5 We have focused on our most struggling
6 schools through our Renewal program. These
7 schools have been supported over the last
8 three years as part of the largest turnaround
9 effort in the country. They received a range
10 of resources and supports, and I am happy to
11 report that 21 of these schools have made
12 enough progress to move out of the program
13 and become Rise Schools, where they will
14 continue to receive additional supports to
15 ensure that their progress continues.

16 Many of these schools continuing in
17 the program are on an upward path, and I
18 expect many more of them to become Rise
19 Schools in the near future. We continue to
20 evaluate the schools regularly and to make
21 decisions about their future based on what is
22 best for children.

23 As a first-generation American and
24 former English language learner (ELL), I know

1 firsthand the benefits of being bilingual.
2 As chancellor, I have made sure that the ELLs
3 have access to rigorous instruction and the
4 full range of educational opportunities.
5 This school year, we have more than 500
6 bilingual programs across every borough, and
7 150 are new during my tenure. These include
8 the first-ever Urdu program and more Bengali
9 programs at elementary and high schools.
10 This month, we announced 33 new dual language
11 pre-K programs, more than double our current
12 number.

13 We have also made tremendous progress
14 with our Language Access services. The DOE's
15 Translation and Interpretation Unit currently
16 offers over-the-phone interpretation services
17 in over 200 languages. And by the way, these
18 are almost run 24/7, including weekends, when
19 parents are more likely to use them and need
20 them.

21 We also have made major investments in
22 students with disabilities, including hiring
23 more staff, opening new programs, and
24 expanding partnerships with providers. I am

1 particularly proud that we have redoubled our
2 focus on inclusive classrooms, including the
3 expansion of programs such as the ASD Nest.
4 Students with disabilities are making
5 academic progress: The four-year August
6 graduation rate increased to 44.8 percent
7 from 30.5 percent, and the dropout rate
8 decreased to 14 percent from 19 percent in
9 2011-2012.

10 We must continue to work on this.
11 Students with disabilities have a lot to
12 offer our system, and we need to be able to
13 provide for them.

14 Providing students with safe,
15 nurturing learning environments is at the
16 heart of our Equity and Excellence for All
17 agenda. As part of this work, we have
18 implemented important school culture reforms,
19 and invested \$47 million annually in school
20 climate and restorative justice initiatives.
21 In partnership with the First Lady's
22 ThriveNYC initiative, we are offering mental
23 health supports to equip schools with the
24 critical resources to effectively manage

1 incidents and address underlying issues. We
2 also work hand in hand with the NYPD to
3 provide safe learning environments in all
4 schools.

5 Earlier this year, we announced the
6 launch of new anti-bullying initiatives,
7 including ways to support families in
8 reporting bullying incidents, mental health
9 first aid training and community workshops,
10 anti-bias and anti-bullying training for
11 staff, increased bullying protections for
12 students, and funding for student-led clubs
13 that promote diversity and equity.

14 This year -- actually, last week, we
15 had our first LGBTQ forum with students at
16 Stuyvesant High School, where students shared
17 their experience and also support for each
18 other.

19 We are also targeting supports for
20 300 schools across the city with high rates
21 of incidents and bullying. One of the things
22 we've also started is workshops with parents
23 on how to identify bullying, how to have
24 conversations with your children around

1 bullying, and then how to be able to ensure
2 that your child is comfortable telling you
3 things that perhaps in the past they may not
4 have been.

5 The environment children learn in
6 profoundly impacts their experience. We have
7 undertaken several different initiatives to
8 improve and upgrade space in our schools. We
9 have dedicated funding to creating more than
10 44,000 seats in overcrowded areas across the
11 city. We have made great progress in
12 removing and replacing the TCUs. Since
13 2014-2015, we have removed 159 of -- I knew
14 you were going to laugh at that, Cathy -- we
15 have removed 159 of 354 total TCUs and have
16 plans for the removal of 75 more. These
17 remaining trailers will be removed with
18 funding supported by the Smart Schools Bond
19 Act, which we thank the Legislature for and
20 look forward to receiving.

21 I know this is an important issue for
22 many of you, and it has been a priority of
23 this administration as well because we know
24 children learn best in an environment that is

1 safe, that is supportive, and that provides
2 them with the resources they need to grow
3 socially and academically. For this reason,
4 we also announced two other initiatives last
5 year. One will provide every classroom with
6 air conditioning by 2022, and the other, our
7 Universal Physical Education initiative, will
8 provide every student with adequate physical
9 education space by 2021.

10 Our work to make New York City's
11 schools more diverse and inclusive is
12 critical to the success of our broader
13 agenda. In June, we released New York City's
14 first citywide school diversity plan, Equity
15 and Excellence for All: Diversity in New York
16 City Public Schools. Building on this plan,
17 we were proud to announce our first-ever
18 district-wide school diversity plan in
19 Manhattan's District 1, and have launched a
20 diversity working group in Brooklyn's
21 District 15, with the aim of announcing a
22 District 15 middle school diversity plan by
23 the end of the current school year. Our
24 citywide School Diversity Advisory Group has

1 also kicked off and will be hosting town
2 halls in all five boroughs starting this
3 month, to solicit more ideas and feedback on
4 our ongoing work.

5 There are many proposals in the
6 Executive Budget that are in line with our
7 goals. Community Schools, expanded pre-K,
8 increased computer science, increased
9 after-school programming and Universal School
10 Lunch -- these initiatives are very similar
11 to the ones that we already have trail-blazed
12 under my leadership.

13 I am particularly proud of our Pre-K
14 for All expansion. Under Pre-K for All,
15 nearly 70,000 4-year-olds enrolled in our
16 schools, thanks in no small part to the state
17 funding provided by all of you. As many of
18 you know, we rolled out 3-K for All in
19 September, which looks to bring high-quality
20 early childhood education to 3-year-olds
21 across the city.

22 We started with two school districts,
23 District 7 and District 23, both high-need
24 districts in the city. 3-K for All classes

1 opened in those two districts, and they are
2 serving more than 1,500 children this year.
3 I attended the opening day of one of the 3-Ks
4 in District 7 and spoke to several of the
5 moms. Two of the moms were crying. No child
6 was crying. And most of the parents told me
7 that for them, this is a game-changer,
8 because for the first time they can go to
9 work all day and raise their family's
10 economic status without worrying about where
11 their children are.

12 And I visited the same school
13 recently, and the teachers are telling me
14 that it's amazing how fast the kids are
15 growing in self-confidence. And many of you
16 know self-confidence is the first step in
17 being really successful in school.

18 I would like to thank the Legislature
19 for always supporting additional funding for
20 our public schools. I particularly want to
21 thank you for your advocacy for the My
22 Brother's Keeper initiative.

23 And by the way, one My Brother's
24 Keeper initiative -- I saw Senator Savino

1 there this Saturday, in Staten Island -- held
2 their eighth annual. And this year they were
3 able to upgrade it even more through some
4 funding from My Brother's Keeper, and they
5 had historically black colleges come to
6 present to the students. They hosted over
7 600 students from Staten Island at the fair
8 that day.

9 And I am actually meeting with the
10 presidents of historically black colleges, I
11 believe next week, two weeks, to talk about
12 how we might work more clearly together,
13 particularly to raise the level of the
14 teacher education programs. I spoke to a lot
15 of the Jackson State people. We need more
16 teachers to come out of these schools so that
17 we can really have a diverse teaching body.

18 Additional state funding has allowed
19 us to do more for students, including
20 addressing inequity in funding to our schools
21 through Fair Student Funding, FSF. The FSF
22 formula is an equitable, transparent way for
23 us to distribute funding to our schools and
24 to ensure that our neediest schools receive

1 the greatest resources.

2 We are committed to a funding process
3 that is fair and easily accessible, which is
4 why our budget information, both systemwide
5 and at an individual school level, is
6 publicly available on our website -- any
7 parent who wants to know how their school is
8 funded has access to it through the internet.
9 And we believe that the proposed budget
10 reporting mandate that would allow the state
11 to veto our budget is unnecessary and a
12 violation of the principle of local control
13 of education decisions.

14 This year, every school got at least
15 87 percent of their Fair Student Funding, up
16 from 81 percent in 2014. And certain
17 schools, like those in our Community and
18 Renewal School programs, are guaranteed 100
19 percent of their Fair Student Funding. On
20 top of this, we also commit funding to our
21 schools through many of our central
22 initiatives. They're initiatives that
23 schools get that are paid for out of the
24 central budget.

1 We have -- in 14 of our school
2 districts, we now have literacy coaches in
3 the early grades, paid for by the DOE,
4 specifically so we can do the training of the
5 teachers -- we choose the teachers, and then
6 we send them to schools where the greatest
7 need is.

8 We have also paid the Single
9 Shepherds. These are guidance counselors and
10 social workers who are assigned to schools to
11 follow families from 6th grade right through
12 graduation in 12th grade. We have found them
13 to be very helpful to the families as well as
14 the students.

15 And many of our arts programs are now
16 funded through us and not part of the school
17 budgets, to ensure that no school does not
18 have arts due to their own not choosing to do
19 it.

20 We want to continue to increase the
21 Fair Student Funding. This would rely on an
22 investment from the state in Foundation Aid
23 that wasn't absorbed by an equal amount of
24 mandated expenses and revenue reductions that

1 directs funding away from schools. The
2 proposed budget cuts other funding streams
3 from us, including eliminating basic charter
4 supplemental tuition reimbursement and
5 capping the amount of funding we can receive
6 from the state for charter facilities aid
7 reimbursement.

8 We believe that if these are enacted,
9 these cuts would cost us \$144 million. That
10 would really absolutely take us backwards
11 from the amount of successes we've been able
12 to do in the last four years. Not having
13 this critical funding makes it all the more
14 difficult for us to achieve what we want: a
15 sound, basic education for every single child
16 in New York City.

17 I want to thank so many of you for the
18 work we have done together these last four
19 years. We have met here in Albany -- this is
20 my fifth budget testimony -- visited schools
21 together, and held events in your local
22 school communities. I see several of you
23 that I'm actually going to be seeing over the
24 next few weeks on issues relevant to your own

1 communities. Your insights into local
2 issues, the legislative process, and our
3 schools have been invaluable. You are making
4 the lives of New York City kids better.

5 I am very proud of the work we have
6 done to engage communities. Our rates of
7 family engagement have never been higher,
8 with a 40 percent increase in attendance at
9 parent-teacher conferences and our parent
10 satisfaction rate in the high 80 percent in
11 New York City.

12 I truly believe that you can only be
13 successful if you can get people to buy into
14 your vision, and you can't do that without
15 speaking to them, strengthening community,
16 and establishing trust. As public officials,
17 we know it's not about ourselves, it's about
18 students and families.

19 I have attended town hall meetings,
20 Saturday meetings with our CEC members,
21 received a perfect attendance plaque from
22 CPAC -- which means I never missed their
23 monthly meetings where their voice is heard
24 -- and I think most importantly, for the

1 first time in many, many years we held a
2 Title I meeting for all districts in the City
3 of New York and we had 100 percent perfect
4 attendance of a parent representative this
5 past Saturday.

6 We're moving a lot of our meetings to
7 Saturdays. Actually, it means we work a
8 six-day week, which is fine, but it also
9 means that parents come to meetings when we
10 do it on their schedule.

11 An educator's work is never done. And
12 I believe that anything is possible for
13 children, and my 52 years has only
14 strengthened that core belief. Even in
15 retirement I will be unable to resist keeping
16 my hands in projects that are most important
17 to me, and I have already chosen two of them.
18 Because of these changes we have made to
19 empower superintendents and local leadership,
20 I am confident that there are many strong and
21 passionate individuals in charge of our
22 schools who will continue this work.

23 I am also proud of bringing back joy
24 and dignity to educators in New York City.

1 There is no greater honor and satisfaction
2 than to be of service, and it has been my
3 great honor and pleasure to be of service to
4 the children and families of New York City.

5 I look forward to your questions.

6 Thank you.

7 CHAIRWOMAN WEINSTEIN: Thank you,
8 Chancellor, for being here and for your
9 remarks and commenting on the proposals in
10 the Executive Budget that would impact the
11 city school system.

12 And I know many members who are here
13 would like to thank you for your service, so
14 I'll take the prerogative to do that and
15 leave some time for them to ask some
16 questions.

17 Before we go to our Education chair,
18 without revealing any secrets, I did the math
19 after we last met, and I think you were
20 student-teaching at P.S. 114 when I was
21 attending it.

22 CHANCELLOR FARIÑA: That was a long
23 time ago.

24 CHAIRWOMAN WEINSTEIN: It was a long

1 time ago. I think both our hair was a
2 different color at that time.

3 And now on to our Education chair,
4 Cathy Nolan.

5 ASSEMBLYWOMAN NOLAN: You know,
6 everyone says that Carmen Fariña knows
7 everyone, but even I didn't think she knew
8 Helene when she was a kid.

9 (Laughter.)

10 ASSEMBLYWOMAN NOLAN: So I understand
11 that sets the topper for the five years.

12 We all -- I think I can speak for so
13 many members of the Legislature -- the
14 chancellor's professionalism, the dedication,
15 the vision and most of all, the comprehensive
16 improvements that she has brought to the
17 New York City school system have made a
18 difference in the lives of every child in our
19 city. And certainly made our jobs easier as
20 legislators, because the deluge of complaints
21 lessened just a little bit, and that makes a
22 big, big difference to us.

23 But anybody who's had an experience
24 with the system knows the kind of dedication

1 that you brought to it, and the
2 comprehensiveness of your knowledge, but also
3 your work ethic. So it's been a great
4 pleasure.

5 I just have a couple of quick
6 questions. One is one that I asked
7 Commissioner Elia, because our job, as she
8 pointed out earlier, is to look at the
9 Executive proposals and weigh in on what we
10 think should be, and how to then come up with
11 the funding.

12 How important is Foundation Aid to the
13 City of New York's Department of Education?

14 CHANCELLOR FARIÑA: It's crucial. I
15 mean, everything we've done, we've done based
16 on the budgets that we've gotten in the past.
17 And the reality is -- and I say this over and
18 over again -- education is not a charity,
19 it's an investment. The money that we put
20 into our schools means that the students will
21 be the better citizens of tomorrow and will
22 increase our economy. The more students go
23 out into the workforce as educated citizens,
24 the better jobs they have, the more taxes

1 they'll pay. To me, this is an investment.

2 And I really think it's crucial that
3 to start thinking that where else you might
4 cut, but not education -- and I don't want to
5 hurt anybody else -- this is very, very
6 important.

7 And also, to some degree, foundational
8 aid is also giving money to the people who do
9 not have the power to advocate for
10 themselves. If you look at the amount of
11 money that we need on -- certainly to keep
12 our improvements on English language learners
13 and special education -- and even, you know,
14 for so many of our Gifted and Talent
15 Programs, we must have the money to be able
16 to do the programs.

17 So to have major cuts in this area,
18 which is foundational, really, for everything
19 we do I think is crucial.

20 ASSEMBLYWOMAN NOLAN: I'm going to
21 take the liberty of making sure that every
22 member of the Legislature, even those not
23 here, gets a copy of your testimony, because
24 you listed so many different things. And as

1 chair, I've had the opportunity to work with
2 you, I could comment on every one of them.

3 But I will not do that, just because --

4 CHAIRWOMAN WEINSTEIN: Thank you.

5 ASSEMBLYWOMAN NOLAN: -- Helene will
6 yank that mic right from me.

7 (Laughter.)

8 ASSEMBLYWOMAN NOLAN: But we've had
9 the opportunity to talk extensively, and I
10 appreciate that.

11 Just one quick thing about the
12 trailers. We still have 200 of them, or just
13 under. I say it not so much for you but for
14 my colleagues in other parts of the state who
15 don't realize that still in the City of
16 New York we have thousands of children
17 learning in a -- I hate to call it a
18 firetrap, God forbid, but in a very
19 substandard setup. And, you know, no one
20 will ever convince me that there's any value
21 in having kids put their coats on and walk to
22 a trailer to attend classes.

23 So we appreciate the efforts on that,
24 but I hope you go back and tell Mayor de

1 Blasio, even if you are retiring, that we
2 want him to keep that a priority.

3 But I would like you also then to talk
4 a little bit about -- the Executive has
5 proposed a number of caps on expense-based
6 aids, and also a new system that would
7 require the city to I guess have the State
8 Department of the Budget or the Governor
9 himself, perhaps, allocate every penny that
10 every individual school gets. We have 1600
11 of them in New York City; I can't keep track
12 of the 35 or so in my own Assembly district,
13 no matter how hard I work. So it's pretty
14 miraculous that State DOB thinks they have
15 the time and the energy to review each
16 individual school allocation.

17 But that's just my opinion; I'd like
18 yours.

19 CHANCELLOR FARIÑA: No, no, no, it's
20 my opinion too.

21 Let's be very clear: We can either
22 educate our kids or we can spend our time on
23 paperwork and bureaucracy. And I think we've
24 done a very good job of proving that we know

1 how to handle budgets. And it's really
2 important that we don't add another layer of
3 paperwork to what we already have available.

4 I'm sure MaryEllen said the same
5 thing. ESSA is already putting certain
6 requirements on us. So to have three
7 different bosses when we're already on the
8 path to getting this done the right way the
9 first time I think is important. And to add
10 another bureau of people who are going to
11 look at paperwork that will probably never be
12 reviewed, versus the initial instance, is
13 going to put a burden on us. And it's not
14 just a burden on us, it's time that's going
15 to take away from running schools. Which is
16 where administrators should be, it's where
17 teachers should be.

18 So I would say it's fundamentally not
19 necessary, and it's also to some degree --
20 you know, I'm leaving, I can say this --
21 disrespectful, because you're also saying you
22 need another bureaucracy to oversee the other
23 bureaucracy who are already overseen by
24 another bureaucracy. So to me, it's money

1 wasted and not necessary.

2 ASSEMBLYWOMAN NOLAN: And one quick
3 thing, it's one thing that you didn't
4 address. I have a great interest, as you
5 know, in adult education. I asked MaryEllen
6 this question too. Can you just give the
7 committees an update -- because most people
8 do not know that the city has some
9 responsibilities for adult ed as well -- and
10 maybe just give us a little update.

11 Under former Chancellor Klein, the
12 number of hours went down dramatically, and I
13 know that both you and Dennis Walcott have
14 spent a lot of time building those hours back
15 up. That was a loss for the city, but I know
16 we're in a better place. But maybe you can
17 just comment a little bit.

18 CHANCELLOR FARIÑA: Well, our adult
19 education program right now is an
20 award-winning state program. We have
21 actually received a little extra money from
22 the state but also have received a
23 distinguished award for the way we run our
24 programs.

1 The programs have been increased
2 dramatically. Any district who wants more
3 GED programs, wants more ESL programs, simply
4 needs to apply. We have a superintendent in
5 charge of adult education, and we have
6 several thousand adults in these programs,
7 many of them immigrants to this country who
8 are trying to better themselves.

9 So we're very proud of that particular
10 program. And I believe last year, for the
11 first time, it became the number-one program
12 in the State of New York. And we continue to
13 expand that as the need comes up.

14 ASSEMBLYWOMAN NOLAN: We may continue
15 at some point to have some type of a hearing
16 on adult ed. But I hope that you'll be
17 around a lot longer and perhaps advise us on
18 that area as we go forward.

19 And then the last question, you know,
20 not to save perhaps the most difficult for
21 last, but I am satisfied with the progress of
22 the two Renewal Schools -- or the main
23 Renewal School in my district, P.S. 111. I
24 want to thank you for your extensive visits

1 to the school, and your team's visits. And I
2 appreciate the effort that our community has
3 made in walking with the principal, who's
4 done a marvelous job.

5 But there has been a lot of criticism
6 of Renewal Schools, and in this budget there
7 are lots of other things that perhaps would
8 penalize -- I don't agree with the penalizing
9 approach, a penalty approach, but the city
10 has lost funds in the past because we could
11 not stop that from happening when the DOB did
12 that. So it's a concern of mine, and I
13 wondered if you would talk a little bit more
14 about how you see the Renewal Schools moving
15 forward in tandem with State Ed and other
16 requirements.

17 CHANCELLOR FARIÑA: Well, let me put
18 the Renewal work in a certain perspective.
19 We really started the Renewal work about
20 three and a half years ago. And for any of
21 you who have any knowledge of education, you
22 don't turn schools around on a dime. And you
23 certainly don't do it in one or two years.

24 So we started with a very important

1 premise that the most important thing in any
2 school turnaround is to have a good
3 principal, and that those principals had to
4 be able to be dynamic enough to encourage
5 people to come and make people excited.

6 So in order to start looking -- it
7 certainly didn't happen day one. I would say
8 into the first six months -- and then after
9 time, who was the right principals for those
10 schools became a very important part of how
11 we began the Renewal work.

12 In all our Renewal Schools there are
13 certain things that we have in common. They
14 all have extended learning time. Every
15 single Renewal School has an additional hour
16 per day of instructional time. They all
17 looked at it a little differently, and about
18 two years ago we started looking at which
19 schools were more successful. So now we're
20 doing a much more uniform approach to
21 extended learning time, what it should look
22 like.

23 They're all Community Schools, which
24 means each of them has a partnership, some of

1 them with more than one ongoing organization,
2 but that they're embedded during the school
3 day. The difference between an after-school
4 program and Community Schools and the Renewal
5 work is that we expect whoever the provider
6 is to be working there all day long, sitting
7 in classes with students, seeing students in
8 the classroom before they work with them in
9 after-school programs.

10 The other thing -- and this is for
11 those of you from the Bronx -- we made sure
12 that all these schools were able to hire what
13 we call highly effective teachers. So all
14 these schools have at least one, some have at
15 least three master teachers who do the kind
16 of professional development for other
17 teachers in the building. But it was also a
18 recruitment tool, so we were able to
19 encourage teachers from other parts of the
20 city to move to schools that were Renewal
21 Schools. And that has been very successful.

22 I think what we're also looking at is
23 what were the common things across all
24 schools that we could move to the other

1 schools. So now we have 21 Rise Schools; I
2 was just at their opening professional
3 development yesterday. And I want to put a
4 little spin on this a little differently.
5 These schools are not schools that are
6 failing in every way possible. A lot of
7 these schools have students that may not be
8 on the highest level but have other things
9 that are wonderful.

10 The city champions for debating across
11 the entire city happens to be a Renewal
12 School. One of the schools with the highest
13 number of new enrollments happens to be a
14 Renewal School.

15 We have now taught principals how to
16 rebrand their schools, what are some of the
17 things that make sense, what are some of the
18 programs that parents are looking for in
19 schools, and how do you put them in a school
20 that perhaps parents stopped looking at. And
21 again, sometimes what happens to schools,
22 they get a bad reputation from 10, 15 years
23 ago, and nobody walks into their buildings to
24 see how really we have improved.

1 So I think there's a lot of work
2 happening in the Renewal Schools. I'm
3 anticipating that a good majority of the ones
4 that are not in Rise will be within a year.
5 But there may be some, for whatever the
6 reason, that don't make it, and that's where
7 we come up with mergers, consolidations, and
8 in some cases also closures.

9 But the difference between what we've
10 done and what was done prior -- and I was
11 here prior -- is that if there's a school
12 that's closing, we give parents a choice of
13 three other schools of their choice that are
14 more successful than the school that we're
15 closing. Parents have choice. There will be
16 an enrollment person in the school taking
17 them through the choices, and they make the
18 choice.

19 Same thing with teachers. Teachers
20 are not let go so they have to find their own
21 positions. We are having an HR person at
22 every school interviewing teachers. Some of
23 them will go to neighboring schools or the
24 schools are in the same building -- many of

1 the teachers will stay within the same
2 building -- but we will be doing counseling
3 so everyone who's in one of these schools has
4 a better opportunity.

5 When I became deputy chancellor, we
6 had 1200 schools in New York City. We now
7 have 1600-plus. Just by the law of economy,
8 that may be a little too many. I mean, how
9 many resources and how much can you do when
10 somehow the resources are limited to begin
11 with?

12 So I am very proud of the schools
13 we've done. I think the Renewal work has
14 been successful. Anything that you try
15 new -- and by the way, national -- if you
16 look at any of the turnaround experts, the
17 only thing they all agree on is that you need
18 a great leader in front of the building. And
19 after that, there's all kinds of arguments
20 about what works.

21 So I am really confident that we're
22 moving this in the right direction.

23 ASSEMBLYWOMAN NOLAN: Thank you.

24 I want to congratulate you on the

1 graduation rates, on all the wonderful
2 programs, the pre-K, the dual language
3 programs, the emphasis on CTE, the renewed
4 renewal of that or reinvigorization of that,
5 I guess would be the best way to say it.
6 You've reinvigorated so many aspects of our
7 city schools. You know how I feel about you.
8 It's been a great pleasure and an honor to
9 work with you. Thank you.

10 CHANCELLOR FARIÑA: Thank you.

11 CHAIRWOMAN WEINSTEIN: Thank you.

12 Senate?

13 CHAIRWOMAN YOUNG: Senator Marcellino.

14 SENATOR MARCELLINO: Thank you.

15 Let me agree with my colleague

16 Assemblywoman Nolan: You will be missed.

17 You've done a great job, as far as I'm

18 concerned, with the schools. You're direct,

19 you're forthright, and you don't pull any

20 punches. I like that. Some have referred

21 that sometimes I'm a little bit blunt and

22 perhaps I should use a little more tact, but

23 I do appreciate some people who give you a

24 direct answer when you ask them a question

1 and don't diddle around the edges. And
2 that's been my experience working with you,
3 and it's been a pleasure. And as I said
4 before, you will be missed. And if we can
5 talk you out of leaving, let me know, we'll
6 have that conversation later. But I don't
7 think that's going to happen.

8 Has Mayor de Blasio or your office
9 taken any steps to allow for more public
10 input into the selection process for your
11 successor?

12 CHANCELLOR FARIÑA: I believe strongly
13 that the selection of the chancellor, just
14 like the selection of a police commissioner
15 and, you know, other big jobs, cannot be done
16 by committee. I'll be very honest about
17 that. I think that this is a job also that
18 if people have to apply publicly and be
19 scrutinized publicly, a lot of people just
20 won't apply.

21 So I think the process that is being
22 used right now is actually a good one. I
23 think that when the time comes, you know, I
24 think you will find that the one thing he has

1 I'm particularly proud of is the creation of
2 strong superintendents and going back to
3 geographical boundaries. I think for too
4 long people didn't even know schools that
5 were right across the street from each other.
6 I think moving the spirit of collaboration
7 versus competition is very important.

8 I think also, as a former teacher and
9 very proud of having been a teacher for
10 22 years, bringing joy back to the classroom.
11 You know, test scores are important, but so
12 is learning. I'm bringing the arts back,
13 social studies, science. To me, our joy of
14 learning is why kids want to come to school.
15 And I think also respecting teachers. When I
16 announced my retirement, I would say the
17 majority of my emails were from teachers who
18 said you make us proud to be a teacher, you
19 always speak toward the heart, you always get
20 what's the really important thing.

21 So I think having people feel that the
22 leader of their system is someone that they
23 can relate to and really has them in mind is
24 important. I think for principals, the same

1 thing, a tremendous amount of respect. I
2 think also, given the national tone on
3 things, working respectfully with our unions.
4 I mean, I was a member of both of the unions
5 at one time. We don't always agree, but I
6 think having mutual respect so when we come
7 to the table to do what's best for children,
8 we start from a positive point. Those are
9 all things I'm very, very proud of.

10 And I think also having gone to some
11 degree to the areas which I thought were the
12 least served in the city -- you know, Senator
13 Addabbo knows that I have a particular
14 fondness for the Rockaways, and I plan on
15 staying involved with them way beyond my job.
16 The same thing with our collocated high
17 school campuses -- going into high schools
18 and saying to them, sit around the table,
19 talk to each other about what you can share.

20 So I think anything that touched
21 people personally is what I'm proudest of. I
22 think you cannot be a leader of a system, of
23 any system, without leaving a personal as
24 well as a professional connection. So ...

1 SENATOR MARCELLINO: You talked about
2 master teachers in the schools. It was
3 always my opinion that -- or my understanding
4 that the principal was the master teacher
5 whose function was to help the other teachers
6 and help them move along and improve their
7 skills and the like.

8 So now you're talking about additional
9 master teachers, what? Explain this program,
10 please.

11 CHANCELLOR FARIÑA: Well, I think,
12 first and foremost, the last teachers
13 contract that we worked on provided for an
14 additional 80 minutes per week for teacher
15 professional development. And that is
16 actually handled, in most cases, by the
17 principal.

18 But now we've really even encouraged
19 that teacher leaders in buildings actually
20 work peer-to-peer with each other. You know,
21 teachers -- especially those that have been
22 working in a school for a while, are
23 sometimes the people who the other teachers
24 listen to.

1 But I do believe that principals
2 should be educators, most importantly, before
3 anything else. They should visit classrooms
4 on a regular basis. They should have a
5 really good sense of what's happening in
6 their own schools.

7 And I think one of the things you
8 asked me that I didn't answer, but I will
9 answer it now, is one of the things that I
10 think we need to do better or more of, we
11 need to have a better connection with
12 institutes of higher learning where they're
13 preparing the teachers of tomorrow for the
14 classrooms of today.

15 And I think, you know, getting
16 certainly more collaboration and more work
17 with CUNY and SUNY I think is crucial to the
18 success of the future of any kind of public
19 education -- or any education, because we
20 need to have teachers that are well-prepared
21 when they go into our classrooms.

22 SENATOR MARCELLINO: Thank you very
23 much. And God bless, and good luck.

24 CHAIRWOMAN WEINSTEIN: Thank you.

1 Assemblyman Weprin.

2 ASSEMBLYMAN WEPRIN: Thank you, Madam
3 Chair.

4 Once again, I want to join in the
5 chorus of thanking you for your service and a
6 big change from prior city administrations
7 that I've worked with with non-educators.
8 It's great to hear that you're committed
9 to -- or the mayor is committed to having an
10 educator replace you as well, because you
11 remember all those years of fights we had
12 with waivers and what have you. So that's
13 terrific.

14 I'm very happy you just visited
15 P.S. 115 in Glen Oaks, which has a very large
16 South Asian population, which goes along with
17 your adding Urdu and Bengali to the languages
18 that you testified to. And I have a very
19 large South Asian population in my district,
20 and I also have Richmond Hill and Jamaica
21 Hill, with a very large South Asian
22 population. So we look forward to that.

23 And I was very happy to visit that
24 program you referred to in Thomas Edison High

1 School with you, and I think it's a great
2 school and really a gem that's kind of -- not
3 everybody knows about, but it's really
4 terrific. As you know, the principal, Moses
5 Ojeda, is also a graduate of the school and
6 traveled to the school from a great distance,
7 and he's really done a lot with the school.

8 Wearing my committee hat -- I chair
9 the Corrections Committee in the Assembly,
10 and I've personally visited a number of the
11 Department of Education GED programs at
12 Rikers Island. We're actually transitioning,
13 it will take probably a couple of years till
14 the Raise the Age is fully implemented and
15 there are no longer 16- and 17-year-olds, you
16 know, in the traditional correctional
17 facilities but, you know, will be in youth
18 facilities. I just want to make sure that
19 it's a priority still for the Department of
20 Education to continue that program.

21 CHANCELLOR FARIÑA: Well, I should
22 have said, in one of the things I'm proudest
23 about, I've been to Rikers about four times.
24 After my first time, we totally revamped the

1 curriculum there. We actually put in a new
2 master principal to make sure that things
3 such as classroom instruction was improved.
4 We put in a library. We actually nominated
5 one of the teachers from Rikers to become a
6 Daily News Heroes in Education award winner.

7 And this year, talk about the SATs,
8 was the first time that students at Rikers
9 were able to take the SATs. Because just
10 think about the way the SATs have been done
11 in the past. It's a Saturday in a place far
12 away. We took the SAT to Rikers. Kids took
13 it, and two of the students who took it got
14 scholarships when they leave Rikers to go on
15 to college.

16 So those are the kinds of things that
17 we're looking at in Corrections. Also I went
18 to visit one of the Passages programs, which
19 is students who come off Rikers and what
20 happens when they go to group homes and then
21 have to serve out their probation time.

22 And those are all programs that we're
23 really putting more rigorous education in,
24 because to me the answer to a lot of these

1 issues are better instruction, more -- higher
2 expectations, and then making sure students
3 have the counseling they need to make the
4 right decisions as they go forth.

5 So I'm particularly proud of the work
6 we've done in Rikers, and I expect it will
7 only get better when we have it done in a
8 different way.

9 ASSEMBLYMAN WEPRIN: That's great.
10 I'm glad to hear that.

11 Just one last topic. I've had a
12 problem with a lot of schools in my area with
13 substitute teachers. Now, a lot of the
14 principals don't have, in their budget, money
15 for substitute teachers, which is becoming a
16 problem. Do you have any suggestions? Do
17 you anticipate any change on that?

18 CHANCELLOR FARIÑA: I will certainly
19 look into it. I've heard that from some
20 schools. Sometimes people have to get more
21 creative on how they have teachers, you know,
22 working as substitutes. But I will get you
23 more information on that.

24 ASSEMBLYMAN WEPRIN: Again, once

1 again, thank you for your service. Thank you
2 for being so hands-on and visiting so many
3 different schools, not only in my district
4 but throughout the five boroughs. And I wish
5 you good luck.

6 CHANCELLOR FARIÑA: Thank you.

7 CHAIRWOMAN WEINSTEIN: Thank you.

8 We've been joined by Assemblyman Matt
9 Titone.

10 Senator?

11 CHAIRWOMAN YOUNG: Thank you very
12 much.

13 And welcome, Chancellor. We're always
14 glad to see you. And I want to join the
15 chorus of people who are congratulating you
16 and thanking you for your service.

17 I do have some questions, however.
18 And as you know, in this year's state budget
19 you were allocated, in the New York City
20 school system, over \$10 billion in state
21 funding. In the Governor's Executive
22 proposal he's proposing more than
23 \$10.4 billion for New York City schools. And
24 I know my colleague, who I like very much and

1 respect very much, Chairwoman Nolan, talked
2 about the reporting requirements that the
3 Governor has proposed this year.

4 And I just wanted to say, in the
5 enacted budget there was Chapter 73 in the
6 year 2016 that required the city to report
7 the total funding allocation for each
8 individual school. And as was pointed out
9 previously, there are 1600 schools in the
10 New York City system. And quite frankly,
11 there was some information that was submitted
12 based on that law in 2017 by the city, and I
13 have to be honest, if it were to be graded,
14 it probably would have gotten an F, because
15 it left a lot of the categories blank. The
16 information wasn't quite usable.

17 But yet we continue to hear stories
18 about schools in New York City where there
19 are Cadillacs and then there are schools that
20 are struggling, high-needs districts that
21 don't have two nickels to rub together and
22 have trouble buying pencils. And I've read
23 stories about that.

24 So the questions that I have have to

1 do with that. If the state is investing more
2 than \$10 billion in the New York City
3 schools, how much of the increased Department
4 of Education funding in this year's budget
5 from the city would go to individual
6 high-needs schools?

7 CHANCELLOR FARIÑA: Okay, I'm going to
8 answer that several ways.

9 First and foremost, this system seems
10 to operate on rumors, and I want to be clear.
11 There isn't a school in New York City that is
12 lacking pencils or paper. Because I have
13 been, just in the course of the last four
14 years, to close to 600 schools. And if there
15 was such a thing, you can be sure that a PTA
16 president or someone in that area -- one of
17 you -- would have called and said, What is
18 going on here?

19 So I really feel that when we kind of
20 report out on some of the stuff, we've got to
21 have specific examples: In this school, this
22 is missing. If, by the way, something like
23 even class libraries that I look for is not
24 there, I make a phone call and take care of

1 it right away.

2 When I came into this job, one of the
3 things that was not being done is the
4 comprehensive educational plan. There was a
5 lackadaisical approach to it. We have put in
6 100 percent compliance in terms of our CEPs,
7 in terms of the way the money is spent in the
8 budget to spend. Anyone who says there is
9 something missing in a school, all they need
10 to do -- and they do, I've done town hall
11 meetings, I've done 40 town hall meetings.
12 Any parent would come up and say something.

13 In terms of how money is allocated,
14 look, you have Title 1 schools that get more
15 money, you have non-Title 1s that get less
16 money and they would like more money -- but
17 there's also balances in terms of some
18 schools get more grants, that some schools
19 get more funding through all of you. One of
20 the things I've been asking elected officials
21 to think about, particularly for our
22 collocated high schools, to think about
23 funding the campus rather than individual
24 schools so that it's more equitable.

1 So I really do not feel that the money
2 is being misspent. And like I said, I don't
3 think having an additional reporter is going
4 to make things better. If there are
5 individual issues and anybody knows about
6 them, by all means let us know. And, you
7 know, that's our job. But putting more
8 paperwork in place is not going to solve the
9 problem.

10 Ray, do you have anything to add?

11 CFO ORLANDO: Hi, can you hear me?
12 I'm Ray Orlando; I'm the chief financial
13 officer.

14 We believe we are actually compliant
15 with the law that was passed as part of the
16 budget on mayoral control reporting in last
17 year's session. We were asked to provide
18 total enrollment by school, including
19 full-time special education, part-time
20 special education, number of English language
21 learners in all of our 1600 schools by
22 school, as well as free-lunch eligible and
23 reduced-price-lunch eligible enrollment
24 information, which was provided.

1 We were asked to provide total
2 staffing for classroom teachers, all other
3 classroom staff and all non-classroom staff.
4 That information is available as of this
5 month now that school budgets have been
6 finalized by the schools.

7 We were asked to provide total
8 expenditures by school, including information
9 for salary, health insurance, pension, other
10 fringe and OTPS. We provided the total
11 expenditures per school as requested. We are
12 not able to provide health insurance, pension
13 and fringe benefits by school because they
14 are not allocated to schools, and the salary
15 and the OTPS information will be available
16 later this spring.

17 CHANCELLOR FARIÑA: And I think the
18 other thing that we did that helps answer
19 your question, when I came into this job we
20 were not grouped by superintendencies, we
21 were grouped by autonomy zones in different
22 ways and everybody had a different reporting
23 system.

24 The superintendents now are

1 accountable in each of their districts for
2 the kind of reporting you're talking about.
3 And we hold them accountable for reporting
4 not only on finances but on teacher vacancies
5 and, particularly in this last year, you
6 know, their newly arrived immigrants so that
7 if we need to adjust money from one school to
8 another, we do it.

9 But I do feel that the superintendent
10 structure and the borough field office
11 structure, which now has a much more hands-on
12 approach to some of this, if any of you have
13 any questions specifically about any school,
14 I'm happy to review it. But I do not feel
15 this is an issue.

16 CHAIRWOMAN YOUNG: So -- and I
17 appreciate your answers very much. But there
18 were several areas in the report that were
19 left blank. And so if you could go back and
20 look at it and fill in the blanks, that would
21 be very helpful.

22 CHANCELLOR FARIÑA: I'm happy to
23 review it.

24 CHAIRWOMAN YOUNG: Thank you.

1 With your Fair Student Funding
2 formula, how much per-pupil amount is there?
3 Does it vary among individual schools based
4 on factors such as student poverty and
5 English language learner status? How does
6 that formula work?

7 CFO ORLANDO: Ray Orlando, chief
8 financial officer.

9 The formula has a base allocation
10 which is adjusted by weights for a variety of
11 factors, including special education, English
12 language learners, rising English language
13 learners. There are some weights that are
14 related to portfolio schools, and there might
15 be a few others I'm missing.

16 But essentially we fund students, not
17 schools. So we fund the students and the
18 characteristics of those students and their
19 needs using the formula. The formula is an
20 allocation methodology for the 1600-some-odd
21 schools that we have. And we are working to
22 continuing to raise all schools to
23 100 percent. As Carmen mentioned in her
24 testimony, we've raised the floor from

1 81 percent a few years ago to 87 percent
2 currently, with an average across the system
3 of 91 percent. And our goal is to get to
4 100 percent. Unfortunately, without
5 additional available funding, we're not able
6 to do that.

7 Also, the weights themselves are
8 published each year, around this time of
9 year. The weights in the formula are
10 reviewed by all CECs, the local Community
11 Education Councils, by district in the city.

12 And then finally, there's a 45-day
13 notice period during which the weights
14 themselves are posted on the department's
15 website, and there is a vote held by the
16 13-member Panel for Educational Policy
17 approving the weights for the upcoming school
18 year. Typically that work is done in April.

19 CHAIRWOMAN YOUNG: Again, I
20 appreciate --

21 CHANCELLOR FARIÑA: I will also say we
22 have an approval process. If a school has
23 any doubt about how they're being funded --
24 and by the way, Ray has gone out to several

1 schools personally, as well as entire
2 committees, to review that.

3 And I want to say that we shift the
4 money as necessary. As we've increased the
5 number of students in temporary housing,
6 we've put special monies aside for those
7 particular students. And some of the
8 allocations of funds is not necessarily
9 just -- like, for example, additional budget
10 costs, additional social workers to make sure
11 that our neediest kids get the extra support.

12 CHAIRWOMAN YOUNG: I appreciate those
13 answers very much. And, you know, we have
14 looked at the formula and the weights. And
15 one of the weighting measures that I did not
16 hear you say has to do with poverty. So it
17 seems like there's less weight placed on
18 poverty. But I would think that the poor
19 communities would actually need a higher
20 amount of funding to be able to deal with all
21 the poverty and social issues that the
22 students and the families face.

23 So I was hoping you could address
24 that.

1 CFO ORLANDO: Sure. Ray Orlando,
2 chief financial officer.

3 The Fair Student Funding formula
4 accounts for about, on average at any school,
5 about 60 percent of that school's funding.
6 The schools that have the highest number of
7 students in poverty are schools that receive
8 Title 1 funding, which is federal funding for
9 poorer students. And that money is a
10 component of the 40 percent of the remaining
11 school budget dollars that are distributed.

12 In addition, there are over 140 school
13 allocation memoranda. Those memoranda are by
14 program. Many of the programs that are
15 funded through the school allocation
16 memorandum system are poverty-based. And all
17 of those 140 SAMs are included on our website
18 with the allocation to each school published,
19 available. And I believe there is a weight
20 for poverty in the formula as well.

21 CHAIRWOMAN YOUNG: We are very
22 familiar with the Title 1 schools. But in
23 the state school aid formula, the high-needs,
24 low-wealth districts actually get a higher

1 percentage share, it's a very progressive
2 formula, and it's on poverty of a district.

3 So although Title 1 can go toward
4 those districts too, as you also know, we've
5 always been underfunded from the federal
6 government in Title 1 funding. So, you know,
7 if you look at the state's formula, I think
8 it sounds like it's somewhat different than
9 how the city allocates money to the more
10 poverty-stricken areas.

11 CFO ORLANDO: Well, we're very unique
12 as well nationally, because there's only a
13 small number of districts like us who utilize
14 school-based budgeting. Most districts and
15 systems throughout the country do not. It is
16 our methodology.

17 As I first mentioned, the philosophy
18 behind Fair Student Funding is to fund the
19 students in their characteristics within each
20 building. And so school-based budgeting is a
21 very different system than other systems
22 across the country, and including those in
23 New York State.

24 CHANCELLOR FARIÑA: And a lot of the

1 decisions, once the final budget is given to
2 schools, is done at the school level through
3 the school leadership team. So parents have
4 oversight over those budgets, as do teachers,
5 and they make certain decisions on how is the
6 data that the school is given aligned to the
7 way they're spending their money.

8 And there are also other things that
9 are given -- like, for example, if you have a
10 G&T program, that money comes more from
11 centrally.

12 But if you have any specific
13 questions, and specifically if you have any
14 specific schools, I'm happy to send you that
15 information in a very clear fashion.

16 CHAIRWOMAN YOUNG: That would be
17 helpful. And, you know, hopefully that's
18 part of the final budget resolution this
19 year.

20 How much funding does the city
21 allocate to its failing underperforming
22 schools?

23 CHANCELLOR FARIÑA: I think we have to
24 get back to you with a specific number.

1 Because, you know, every underperforming has
2 different measures for different purposes.

3 CFO ORLANDO: Yes, it would very much
4 depend on how they're defined. The Renewal
5 School program, for example, could be
6 considered a struggling school-type program.
7 But I can actually -- if you could provide me
8 with the parameters, I'll be happy to share
9 with you --

10 CHAIRWOMAN YOUNG: That would be
11 helpful, thank you.

12 CFO ORLANDO: -- whatever information
13 you need on how you're defining these
14 schools.

15 And just to remind everyone, the Fair
16 Student Funding formula, much like Title I,
17 does in fact direct more resources at schools
18 with higher poverty rates as one of the
19 weights in the Fair Student Funding formula.

20 CHAIRWOMAN YOUNG: But it's a lesser
21 weight than others, right? Yeah. Thank you.

22 Thank you.

23 CHAIRWOMAN WEINSTEIN: Assemblyman
24 Ortiz.

1 ASSEMBLYMAN ORTIZ: Thank you, Madam
2 Chairwoman.

3 And thank you for being here with us.
4 And I'm probably one of the few here who
5 probably have a long history with you, so --

6 CHANCELLOR FARIÑA: Very long.

7 ASSEMBLYMAN ORTIZ: A very long
8 history.

9 So I really would like to really thank
10 you for the service that you did to P.S. 29,
11 as well as to School District 15. You was
12 our eyes and ears and our pioneers when we
13 needed you the most, and some of my kids
14 still remember you. Now they have children,
15 and now my grandkids are in public school,
16 so one of them attended P.S. 29 and P.S. 172.

17 So I really would like to thank you
18 for your legacy, what you really are leaving
19 behind, and I hope that other people will
20 step to the plate to continue your vision
21 moving forward.

22 I have a few quick questions, and it
23 has to do -- I asked this question to the
24 New York State commissioner as well -- if

1 there's any procedures in place where
2 students can call the New York City
3 Department of Education to present their
4 complaint, if you will, about -- and to
5 address their bullies situation and
6 harassment in the schools.

7 CHANCELLOR FARIÑA: Yes, we actually
8 have now a protocol in place where people can
9 call numbers, they can certainly go to their
10 principals, their teachers. And there's a
11 system that has to be followed, and
12 everything has to be reported -- whether it
13 becomes eventually a bigger case or a smaller
14 case, but it's that.

15 We've also started retraining all our
16 guidance counselors and social workers on
17 having bullying workshops. And what we just
18 started this past year is bullying workshops
19 for parents: How do parents talk to their
20 children about bullying at home, what are
21 some of the things that we think parents
22 should be particularly aware of that they
23 should be encouraging their students to talk
24 to them about, and then they can come to

1 school.

2 We've done parent workshops around the
3 city in other languages -- we've done them in
4 Mandarin, in Spanish -- to encourage parents
5 to step forward and to encourage their
6 children to step forward.

7 So there's a lot of work being done.
8 We started putting in many schools
9 student-led councils that actually encourage
10 their peers to come forth and complain about
11 anything they feel necessary. So I think we
12 have a lot of things in place. We can also
13 do more, always do more on this.

14 But I think given social media and the
15 emphasis on social media, part of the
16 coursework that we're also thinking of
17 instituting, particularly in high schools, is
18 the proper use of social media and how to be
19 aware of how it can influence people's
20 actions, not necessarily in a good way.

21 ASSEMBLYMAN ORTIZ: Would the fact
22 that we continue hearing from Washington,
23 D.C., about parents with children who are
24 undocumented going to schools in the City of

1 New York, do you have any procedures in place
2 to address any concerns and needs that these
3 departments might have regarding their kids
4 who are undocumented in case ICE or someone
5 else knocks on their doors? What will be the
6 next steps that they need to follow?

7 CHANCELLOR FARIÑA: Well, we have made
8 very clear to all principals and all
9 superintendents that all students are
10 welcomed in our schools and that people
11 cannot ask for extra materials or extra
12 support documents other than whatever the
13 parents bring with them.

14 We have been very clear also that in
15 our schools -- I was in the first school that
16 we thought ICE was coming into and said they
17 are not able to come into our buildings. In
18 fact, if anything, the principals now have
19 protocols in place of who they have to call
20 and what has to happen.

21 The concern that came up about
22 undocumented is that in parts of the city,
23 parents were afraid to go to evening meetings
24 if they thought that there would be someone

1 there just looking for them. So I think that
2 we've actually encouraged our school safety
3 officers to be very aware of that.

4 So I think we've put a lot of things
5 in place. Although they're documented, we've
6 also been very welcoming to any student who
7 comes from Puerto Rico, and we have
8 approximately 600, 700 in our city right now.
9 And we were very clear that a lot of these
10 students probably came without documentation
11 and paperwork because their houses were
12 destroyed. So we've asked our schools to go
13 above and beyond and accept them.

14 So we have tried everything. And if
15 there's ever an issue, it immediately comes
16 up to my level and we try to do whatever we
17 can. And New York City, you know, as the
18 mayor has said, is a sanctuary city, so we'll
19 have to see how that plays out.

20 ASSEMBLYMAN ORTIZ: Just I would to
21 point out that I do appreciate everything
22 that you have done. Also I would like to
23 thank you for helping us with P.S. 172, that
24 gas station close next to my house. Now

1 they're using, the gas station next to the
2 school, barricades. And your relationship
3 with the 172 persons, DOT was very helpful to
4 make sure that we can look for a continuously
5 permanent solution to this issue, and I think
6 you for that.

7 Lastly, I also would like to point out
8 just for the record that I do have
9 legislation mandating that we should have
10 more guidance counselors, more psychologists
11 and social workers into the schools, because
12 every time I go to the schools on Friday, I
13 do see the teachers who are overwhelmed with
14 all the situation, all the social issues that
15 all the students are having, and I think it's
16 very important that we alleviate the teachers
17 from the social problems that our kids and
18 families have.

19 Thank you, and thank you for all the
20 work that you have done on behalf of our kids
21 and our people. Thank you.

22 CHANCELLOR FARIÑA: Thank you, Félix.

23 SENATOR KRUEGER: Thank you,
24 Chancellor. I think it's -- my time is here.

1 So the bond act for technology in the
2 school system, have you received the state
3 money New York City was eligible for, and are
4 you spending it?

5 CFO ORLANDO: Can you hear me?

6 SENATOR KRUEGER: Yes.

7 CFO ORLANDO: Ray Orlando, chief
8 financial officer.

9 We have submitted our application to
10 the Smart Schools Bond Act. We have
11 subsequently amended it, and that was done
12 in -- I believe last June. So we are still
13 awaiting approval of our Smart Schools Bond
14 Act money.

15 SENATOR KRUEGER: And have you been
16 told how long it will take to get an answer
17 or the money?

18 CFO ORLANDO: I have not, but I might
19 not be the right person to ask, I'm afraid.

20 CHANCELLOR FARIÑA: And here again,
21 you know, we have put so much extra
22 investment into computer science for all --
23 and have gotten a lot of money from funders.
24 I mean, we are not always dependent on just

1 the state or the federal government, but have
2 really sought money, and almost \$40 million
3 in outside money.

4 So if we're going to be able to do the
5 kind of work we need to do, we need to get
6 the money up-front instead of putting it out
7 there ourselves and waiting for someone else
8 to come on board with it.

9 CFO ORLANDO: I'm sorry, Senator, no,
10 we've received no information about timing.

11 SENATOR KRUEGER: And, I'm sorry,
12 Chancellor, you're not proposing you don't
13 need the money because you went somewhere
14 else for it.

15 CHANCELLOR FARIÑA: Oh, no. Oh,
16 please, don't ever --

17 SENATOR KRUEGER: Just
18 double-checking.

19 CHANCELLOR FARIÑA: No. No. We not
20 only need the money, but we take that money
21 and make it grow. And as a result, many
22 people are coming to see the work we're doing
23 from across the country, and we need the
24 money so we can show that.

1 SENATOR KRUEGER: So you'll be leaving
2 us. What didn't you get done that you think
3 would be three priorities for the next
4 chancellor for the New York City school
5 system?

6 CHANCELLOR FARIÑA: Again, I think one
7 of the things that I really want to be able
8 to say to more people, that we need a teacher
9 corps for the next 10 or 15 years. If
10 anything, I see the need for great teachers
11 increasing; I'm worried about where they're
12 going to come from.

13 I believe also we need teachers that
14 are more diverse. We certainly have put a
15 lot of emphasis in Latino and black men being
16 models in the schools, and it's a struggle, a
17 struggle to get people to think of teaching
18 as a career. So I'd love to see someone who
19 figures out how to do that.

20 Working more closely, you know, with
21 CUNY and SUNY on how the teacher preparation
22 courses could be more aligned to the work
23 that we need today I think is crucial.

24 I think the other thing is how do we

1 really understand that in order to have the
2 students of the future, that some of the
3 issues that our kids come with, they get the
4 full support. So, you know, certainly
5 students who come in from foster care, from
6 temporary -- how do we support them from the
7 very beginning, and sooner? And if we are
8 very successful at spreading the 3-K, why not
9 zero to 3? Why not a much more comprehensive
10 approach to education where we also help
11 parents with, you know, parenting skills and
12 support?

13 So I think there's a lot of work to be
14 done in a city like New York. We have
15 1.1 million students. Someone that's a
16 little creative is going to find their little
17 point of success that they need, and I think
18 there's still a lot of work to be done. And
19 building on what we've already done -- 14
20 districts with ULIT? We should have, you
21 know, 32 districts with ULIT. And I would
22 like to see some of the gender issues that I
23 dealt with over my life be eliminated totally
24 so that there's an expectation that girls and

1 boys can accomplish the same thing in life.
2 And I think we're better, but I think we
3 still have a long way to go.

4 SENATOR KRUEGER: So perhaps this is
5 parochial for just a few districts, but as
6 the city works to expand to 3-K, we still
7 don't have enough seats for 4-K in some
8 districts. So I would add to your list, if
9 the city is going to be growing its -- the
10 number of years, quote, unquote, in the
11 school system, we're going to have to address
12 the infrastructure needs, because I don't
13 really think online education is going to
14 work for 3-K.

15 CHANCELLOR FARIÑA: I don't think
16 online totally is ever going to work for
17 anybody. You need a human face in front of
18 you. You need someone to pat you on the
19 head. You need someone that says "Go for
20 it." Online is not going to do that.

21 So no, I agree. And I think
22 partially, you know, with all the agencies in
23 the city working together, it's crucial. You
24 need developers to come to the table, so lots

1 of things still could be done.

2 SENATOR KRUEGER: Thank you. Thank
3 you for your service.

4 Assembly?

5 CHAIRWOMAN WEINSTEIN: Assemblywoman
6 Malliotakis.

7 ASSEMBLYWOMAN MALLIOTAKIS: Hi,
8 Chancellor. Thank you also. I wanted to
9 also thank you for your service, and I wish
10 you the best of luck in your future endeavor.

11 I just had a few questions, one first
12 and foremost about public safety. You know,
13 there have been numerous disturbing reports
14 about the increase in violent weapons that
15 are found in the New York City public school
16 system. It has gone up in the last four
17 years consecutively. This year it's about a
18 35 percent increase over the previous school
19 year. We had a murder of a child in a
20 classroom in the Bronx. And I just wanted to
21 know what steps the city is taking to make
22 sure that when a child is dropped off in a
23 classroom -- and it should be the safest
24 place that a child is, outside of their own

1 home -- what measures are we taking as a city
2 to make sure that those children are going to
3 go home, and those teachers, and the school
4 safety officers, are all going to go home the
5 same way they came in?

6 CHANCELLOR FARIÑA: Well, this is
7 obviously something I take very seriously. I
8 mean, first and foremost, you need safe
9 schools. You can't teach in a school that's
10 not safe.

11 So several of the things we've done
12 over the last few years is, first of all, the
13 retraining of school safety officers. They
14 do a great job, but there were a lot of
15 things that we felt could be done better.
16 And certainly for those particularly in high
17 schools and middle schools, how do they
18 deescalate? We've done a lot more
19 restorative justice training in all our
20 schools.

21 We also, in terms of finding guns, we
22 have been very vigilant on making sure that
23 when things are found, that students face the
24 consequences, that parents come in and talk

1 also -- because, you know, where did they get
2 the gun from? You know, where -- did it come
3 from the home? Did they find it somewhere
4 else? So I think we've done a lot more
5 safety checks in many different places.

6 We also have what we call random
7 scanning, which means that although some
8 schools have scanning, we also have these
9 machines that go around the city and they
10 show up in schools with no warning, no sign
11 of anything, and the students know that we
12 will show up in a school, that they're not
13 expected, and as a result they're much more
14 likely not to bring anything to school that
15 shouldn't be brought up. And if it's brought
16 up, it's treated very, very seriously.

17 ASSEMBLYWOMAN MALLIOTAKIS: The school
18 safety officers union, in particular, has
19 been very vocal about the need to add
20 permanent scanners. I know that at the
21 Wildlife Conservation School following the
22 murder -- and that's being reactive. Again,
23 we need to be a little more proactive. Why
24 are you not taking the approach of adding

1 them maybe throughout all schools, or maybe
2 even just picking those troubled schools?

3 Like, for instance, with the Wildlife
4 Conservation School, you know that there was
5 this survey that was done the prior school
6 year that showed that only 19 percent of the
7 teachers in that school felt safe. Only
8 19 percent felt safe. That clearly, to me,
9 would say, hey, maybe we should be adding
10 metal detectors at that particular school.
11 And had we had those metal detectors, perhaps
12 this murder could have been prevented.

13 But now that we know what we know in
14 terms of that there is an increase in these
15 weapons, the school safety union is saying
16 that we need these precautions, these
17 measures to be implemented, how come this
18 administration continues to reject this idea
19 that's being proposed not only by the school
20 safety officers union, by many legislators,
21 by many City Council members? It just seems
22 something particularly in those schools where
23 you have a number of teachers that are saying
24 that they feel unsafe in their own classroom.

1 CHANCELLOR FARIÑA: We have reviewed
2 all the school report cards -- the quality
3 review, the snapshots -- and we have actually
4 taken the schools where teachers feel most
5 likely to say that -- and we've actually
6 visited all those schools. I believe there's
7 31 of them. And in those particular schools,
8 we have met with staff, we have increased, if
9 necessary, an additional school safety
10 officer.

11 But in terms of putting scanning
12 machines -- you know, scanning machines come
13 with a lot of negativity as well as a lot of
14 positive. We do put them in schools where we
15 see certain needs, and we review that
16 constantly. We also have schools that have
17 them that haven't had any incidents in a
18 while where they want them removed.

19 So this is a school-by-school
20 decision. It's also something that requires
21 careful thinking, because it labels schools
22 certain ways. And we want to make sure that
23 when we do it, we do it judicially but we
24 also find other ways to lessen the tension

1 inside the school. And when we talk to
2 teachers, a lot of them what they want more
3 of, and which is what we've increased
4 dramatically, is restorative teaching
5 practices for themselves and the children,
6 and more guidance counselors if that's the
7 route to take.

8 ASSEMBLYWOMAN MALLIOTAKIS: Another
9 topic, we had the unfortunate and very sad
10 overdose of one of the teachers in the
11 classroom -- or in the school, and there has
12 been a push for Naloxone and other
13 anti-overdose kits to be added to the
14 classroom. The state has approved the
15 ability for local municipalities to do such
16 a -- New Rochelle is doing it, the nurse's
17 station does have that.

18 What are your thoughts on having that
19 tool available in all schools?

20 CHANCELLOR FARIÑA: Actually, we work
21 very closely with the NYPD and we are looking
22 at some of that. I would say Commissioner
23 O'Neill has been particularly supportive of
24 some of the things we want to do. On

1 Staten Island, it's always the issue when I
2 go out to the CECs. So I do think that is
3 something that we will explore further.

4 ASSEMBLYWOMAN MALLIOTAKIS: Okay.
5 Unfortunately, I've run out of time; perhaps
6 I could ask questions later. Thank you.

7 SENATOR KRUEGER: Senator Diane
8 Savino.

9 SENATOR SAVINO: Thank you.

10 Thank you, Chancellor. It was good to
11 see you this Saturday at Curtis High School.
12 That was a wonderful event.

13 And of course we want to thank you for
14 your service to the city and wish you good
15 luck in whatever you're doing in your
16 retirement. I think you tried to do this
17 once and we dragged you back in, and this
18 time I hope you get out. Go.

19 I just want to hit on a couple of
20 points, because I know you'll be answering
21 questions for a long time here. In your
22 testimony you talked about undertaking
23 several initiatives to improve and upgrade
24 space in schools, dedicating funding to

1 create more than 44,000 seats in overcrowded
2 areas.

3 Are any of those overcrowded areas in
4 either Staten Island or South Brooklyn, do
5 you know? Particularly in Staten Island, as
6 you know, we're looking at a whole rezoning
7 issue of the North Shore, and we haven't any
8 new school seats in a while and our schools
9 are overcrowded.

10 CHANCELLOR FARIÑA: You know, well, I
11 think we just announced there's going to be a
12 new building on the Petrides campus which we
13 just inaugurated, the Hungerford School. I
14 think there's another site we're looking at
15 for something else. I think also we're
16 looking at -- there's one site with TCUs that
17 we want to move.

18 So I think Staten Island is going to
19 always be -- I mean, you have the St. George
20 Ferry area where you're going to have more
21 development, so you're going to need more
22 schools. So we're trying to look at Staten
23 Island particularly, although it's other
24 parts of the city, but to look at it

1 holistically: Where do you need more space,
2 where might you not need it but maybe it's a
3 good place for an early childhood center.

4 So I think, working very closely with
5 your superintendent, there is a plan for
6 that, I know including perhaps a new middle
7 school that we discussed to have on the
8 waterfront. So there's a lot of special
9 plans out there for Staten Island. And also,
10 Staten Island is changing in many different
11 ways. So, you know, how do we accommodate
12 the parts of the island that are growing and
13 the ones that maybe are not growing so much.

14 SENATOR SAVINO: Thank you.

15 Saturday while we were at Curtis High
16 School, I had a conversation with the
17 principal, who told me that apparently
18 there's a discrepancy now in the way some
19 agencies are interpreting what State Ed will
20 consider funding to a school for Advanced
21 Placement courses and the International
22 Baccalaureate. So Curtis is now having to
23 pick up the cost of the IB program, which is
24 going to cost them about \$25,000 a year.

1 I spoke to MaryEllen earlier, and she
2 said it was really an issue for -- it was a
3 combination of things. The federal
4 government changed the funding for it, but
5 now there seems to be some question about
6 who's entitled to a waiver and how they
7 interpret what is a program under the
8 Advanced Placement.

9 Is there a way we can get an answer
10 for the principal at Curtis so they don't
11 have to take it out of their own budget for
12 the students who are --

13 CHANCELLOR FARIÑA: I'm happy to talk
14 to Greg. But keep in mind that when
15 principals apply for some of these programs,
16 they know ahead of time that this has to be
17 part of the funding. That's not to say he's
18 not doing a great job there, because I think
19 he is. And he gets a lot of extra money --
20 not extra, but he also has a very strong CTE
21 program, so he gets funding under different
22 categories.

23 The IB program, we only have about 11
24 of them in the city as a whole. So when

1 those started, we realized early on that they
2 were going to cost more. And we warned
3 people, before you start an IB program -- I
4 know there's two or three in Queens -- that
5 how are you going to pay for that. What they
6 were concerned about is the fee waivers,
7 because at the time the state was paying for
8 it. Now, I believe they gave us back on the
9 state budget now the AP waiver fee, but not
10 necessarily the IB waiver fee. So I'll have
11 to look into it.

12 But it's like 11 schools in the City
13 of New York. It's worth the work, because I
14 think the IB programs in particular require,
15 you know, at least one or two foreign
16 languages. It's very strenuous work. But
17 now I think we are moving so much into the AP
18 that more schools are moving in that
19 direction and that it has increased the cost.
20 We've almost tripled the number of students
21 in New York City taking AP courses in the
22 last three years.

23 SENATOR SAVINO: Well, I'm not sure if
24 you were here last week when we had the

1 Higher Ed hearing. One of the things that
2 was emphasized is to the extent that students
3 can take Advanced Placement courses or IB
4 courses, that's literally money in their
5 pocket. It's tuition that they don't have to
6 spend. So whatever we can do to help improve
7 the outcomes and the numbers of students who
8 are applying for it, we certainly want to
9 encourage.

10 My colleague Senator Alcantara, who
11 stepped out, asked me if I could ask you a
12 question about has New York City used all the
13 money that's been allocated for their ELL
14 students in the last three years.

15 CHANCELLOR FARIÑA: Absolutely. I
16 mean, in terms of using the money for those
17 particular students, if anything, we could
18 use more.

19 Keep in mind that our ELL students now
20 are also coming from many, many different
21 countries. At one time it was very specific.
22 We now have students coming, particularly to
23 an area of the Bronx and one area of
24 Brooklyn, that are actually coming from

1 North Africa with no written language. So
2 it's not even about translation services.

3 So the amount of training that we have
4 to do for teachers to be able to help them
5 work with these students has really
6 increased. We have also made an emphasis,
7 like I said, on the dual language programs,
8 which in many cases require two teachers
9 within a class. So we will always use the
10 money that we get for English language
11 learners, and even more so.

12 And what I think is beautiful about
13 what's happening in New York City, that many
14 more parents are embracing dual language for
15 kids who only speak English. The program
16 that we opened in District 1 last week,
17 50 percent of those parents were traveling
18 from all over the city to put their students
19 in that Mandarin program because they feel --
20 and now we started in District 1, it actually
21 starts next Saturday, a Mandarin program for
22 adults, because parents now have their kids
23 going through these dual language programs
24 and they themselves don't speak the language.

1 So whatever we can do for ELLs -- and
2 also keeping in mind that the ELLs in
3 particular are a transient population. What
4 happens sometimes, your registration cuts off
5 October 31st, but the students come in
6 through the course of the entire year, and
7 being able to keep up with funding for the
8 students who come in after October 31 is
9 always a challenge for us. So we're actually
10 working with the state on this, it's the one
11 issue we meet consistently with the state on,
12 and we'll probably continue to do so.

13 But in terms of less funding, I would
14 never say that, particularly for this
15 particular group, which is growing more and
16 more each year.

17 SENATOR SAVINO: Thank you.

18 I ran out of time, but I just want to
19 say again thank you for your service, and
20 I'll make one final plug: Community Schools
21 and Positive Learning Collaboratives. My
22 friend Bridget would kill me if I didn't
23 mention that to you, but they have wonderful
24 programs and we really support them.

1 CHANCELLOR FARIÑA: Well, I don't know
2 if P.S. 5 is one of your schools, but P.S. 5
3 just became a Community School this year,
4 didn't follow any of the other -- but they
5 are doing a phenomenal job.

6 We're trying to get the word out to
7 highlight schools that might not have been on
8 people's radar, but to go look at them again
9 with fresh eyes and really say, oh, my God,
10 look what's happening here.

11 SENATOR SAVINO: Thank you.

12 SENATOR KRUEGER: Thank you.

13 Assembly.

14 CHAIRWOMAN WEINSTEIN: Assemblywoman
15 Pellegrino.

16 ASSEMBLYWOMAN PELLEGRINO: Chancellor
17 Fariña, I would like to add my
18 congratulations to you on a career of
19 accomplishments. And I don't represent the
20 city, but I -- as a teacher of 25 years,
21 recently elected, followed you as a teacher,
22 as a practitioner, and appreciate your body
23 of work. And in entering my career, I had
24 the chance to read your book and I am a

1 long-time believer in many of the things that
2 you talk about today.

3 So I acknowledge that you're not just
4 the kind of practitioner who talks about it,
5 but you actually do the things that you
6 profess to do. So I give you a tremendous
7 amount of credit for the things that you're
8 talking about today. And I started my career
9 as a New York City public school teacher, so
10 I have a great amount of pride in what you're
11 discussing.

12 And we talked about, with the
13 commissioner, about a situation where we have
14 a teacher shortage happening, and that is of
15 great concern to me particularly as it
16 affects children's learning. And we have an
17 acknowledgement that what happens in the
18 classroom greatly -- a lot of what happens is
19 not within the teacher's control, and a lot
20 of that is also affected by the
21 administrator's competence.

22 And so a lot of what I had been
23 learning through your work is about building
24 capacity at the administrator's level, and on

1 into my career was studying to be an
2 administrator and heard you making remarks
3 about building autonomy and independence in
4 administrators and great administrators make
5 good schools great schools, and great schools
6 make good classrooms into great classrooms.
7 And those great classrooms are classrooms
8 where teachers have high levels of morale and
9 are really hubs of learning where we have
10 high rates of retention and are amazing
11 places of learning for kids, and they go far
12 beyond what we can measure on standardized
13 tests. And kids can far surpass what we
14 expect of them and then go beyond measures of
15 poverty and otherwise.

16 And a lot of that is done by fostering
17 a sense of local control, and I give you
18 credit for that as well. And we talk about
19 that in our body, that a sense of local
20 control is what we want. And so for our
21 Long Island colleagues, what we're driving at
22 is to really establish and to reestablish a
23 sense of local control for our schools. And
24 one of the things that we have been looking

1 toward the city particularly for is a model
2 of consortium schools. And my colleague and
3 I were having this conversation as well. And
4 maybe, you know, some of your remarks could
5 go towards the impact of consortium schools
6 and what those could be on our Long Island
7 schools should we come to find some way of
8 adopting that model on Long Island, because
9 that would be incredible for us.

10 CHANCELLOR FARIÑA: Well, I think one
11 of the things -- New York City has, for the
12 first time in a long time, now started being
13 engaged in statewide issues. I went to a
14 conference in Saratoga Springs and actually
15 met many of the Long Island superintendents,
16 invited many of them to come and visit, and
17 actually purposely come and visit schools
18 that they're looking for something.

19 So I do think that -- when I talk
20 about collaboration, I don't just mean
21 school-to-school in New York City, I mean
22 New York City to all the other. And I had
23 some very interesting conversations with the
24 superintendent from actually Garden City, and

1 a few others, who said, you know, we're small
2 but if we all work together we could be more
3 powerful. And I'm proud to say that one
4 of -- actually, the executive superintendent
5 in charge of all my superintendents is now
6 the president of the statewide
7 superintendents organization.

8 So that's partially what we can do;
9 share good ideas, not be competitive.

10 But I think some of the other things
11 you said really need to be almost restated in
12 a different way. For too long we've stopped
13 celebrating things that are really good in
14 our schools. We need to celebrate the best
15 principals, the best teachers.

16 I have a phenomenal -- we have an
17 award every year called the Big Apple Awards,
18 and we ask people to nominate teachers who go
19 above and beyond. Because, you know, there's
20 a bottom line, people do their work, but what
21 about these teachers who do extraordinary
22 things? And last year we got almost 8,000
23 nominations. You know, anyone can
24 nominate -- a parent, a principal. We've

1 encouraged more principals to nominate their
2 teachers.

3 And now those teachers, and there's
4 about 17 of them, are my teacher advisory
5 council. And I meet with them, I take my job
6 very seriously. And this past year I gave
7 them one task. Last year it was for them to
8 come up with ideas on how to recruit teachers
9 and how to increase the visibility of good
10 teachers in our system, and they came up with
11 great ideas. We tend to think that we need
12 to find the ideas; the people in the field
13 have the ideas.

14 This year I've asked them -- in fact,
15 they're going to be my guest editors. I
16 write a weekly note to the city. They're
17 going to be my editors for the next weekly
18 note. And I asked them to say what do we
19 need to have a good school climate. If
20 you're a teacher in a school, what's a good
21 school climate? What's a good school
22 environment, and how do you get people
23 involved? Almost to a person, they said:
24 More ability for us to help make our own

1 decisions on things that matter to us, be
2 rewarded and celebrated for what we do well
3 and not have everybody stay in the classroom
4 and not share.

5 And also, the building capacity.
6 We've got to make it clear to teachers -- you
7 know, you spent time in a classroom -- that
8 they want to become administrators. And
9 we're not going to do it if we don't
10 celebrate them but also if we don't make the
11 job of being principal look fun, exciting and
12 meaningful.

13 So I want to see more teachers
14 encourage their students to become teachers.
15 We've now started Future Teachers Clubs in
16 many of our high schools which had lain
17 dormant for years. But if we don't make
18 teaching not just a way to earn a living but
19 a way to change people's lives, we're going
20 to really be short on this.

21 So I think the celebration and the
22 building capacity, the professional
23 development that we have put in place, I
24 think teachers feel they have a lot more

1 support. That Monday 80 minutes is something
2 I certainly suggest the Long Island system --
3 and I've been telling them, put in time in
4 the school day that the teachers can learn to
5 work with each other.

6 We also have an additional 40 minutes
7 for parents to work together. And what
8 parents said to me last year, which I take
9 very seriously, we don't need more workshops,
10 we need more conversations. We need to sit
11 around a table and teachers and us need to
12 talk about our kids and our school and how do
13 we work together to improve -- for whatever,
14 you know, community you're in.

15 And I think that we talk too much at
16 each other, and we don't talk enough with
17 each other. So my recommendation is listen
18 more, talk less. But certainly sharing.
19 Across the state, best ideas, best practices.
20 And that's something the commissioner,
21 MaryEllen, has actually encouraged us to do,
22 has brought us together, more of those
23 things. So I really expect my successor to
24 do a lot more of that.

1 CHAIRWOMAN WEINSTEIN: Thank you,
2 Chancellor.

3 SENATOR KRUEGER: Thank you.

4 Senator Joe Addabbo, our ranker on
5 Education. And I screwed up and should have
6 called on him much earlier.

7 SENATOR ADDABBO: That's all right,
8 Senator Krueger.

9 Good afternoon, Chancellor Fariña,
10 thank you very much. And Mr. Orlando, thank
11 you very much for your time today as well.

12 It has been an honor and a privilege
13 to work with you, Chancellor Fariña. I thank
14 you so much for the long-lasting if not
15 everlasting impact that you've had on our
16 children. So thank you very much.

17 I truly appreciate you mentioning in
18 your testimony that part of the Smart Schools
19 Act funding might be taking care of some of
20 the trailers that Chair Nolan brought up, so
21 thank you very much.

22 And I share your concern with the
23 proposal to use the state to veto a local
24 budget, so I do appreciate that.

1 I'd like to get a little bit further
2 in the discussion about the Renewal Schools
3 program. Initially 94 schools -- you said 21
4 are out, those are Rise Schools. And I thank
5 you because John Adams and P.S. 197 in
6 Rockaway are out, and we thank you very much.
7 But that leaves 77. Now, of those 77, have
8 some of those schools been merged, closed,
9 consolidated? What is that remainder of
10 77 --

11 CHANCELLOR FARIÑA: Well, right now
12 the list is public of the ones we're merging
13 and consolidating.

14 I want to say that with mergers and
15 consolidations, our hope is to give more
16 resources to a school. Many of the schools
17 have -- one school has 83 children; another
18 one has 120. You really can't run a system
19 with guidance counselors, art teachers and
20 all the supports you need with such small
21 numbers.

22 I think, in terms of one of the
23 schools, what we did last year for the first
24 time, with the support of the commissioner,

1 we closed and reopened, which is one of the
2 things we're actually going to be doing in
3 the Rockaways. And when you reopen, you have
4 an opportunity to reopen it with a different
5 emphasis. For example, one of the things
6 that District 27, which you represent, is
7 very strong in is technology. The
8 superintendent there believes in technology,
9 computer science, and yet you had very few
10 schools that emphasized that.

11 So our hope is to bring in the
12 workforce tomorrow skills to many more of our
13 schools. So we're reopening it with a new
14 lens, and perhaps even with principals who
15 have that ability to do that in the new
16 school. So I anticipate that that will be a
17 lot of the kind of work we're doing with
18 this.

19 And I'm actually -- I don't know if
20 you'll be present, but I'm meeting with the
21 elected officials from your area on Thursday,
22 and my hope is to say: This is what we're
23 planning, what did we miss on this and what
24 do you think we should add to it? So it's

1 going to be done with the community.

2 SENATOR ADDABBO: And I appreciate
3 that, because I do have two schools that
4 although outside my district, the students
5 are from my district: P.S. 42 and M.S. 53.
6 What is the message we should give our
7 parents as we calm their concerns?

8 I know you had mentioned the choice.
9 My second question is not only the messaging
10 but does the choice of parents taking their
11 child to another school, does that affect
12 that overcrowding situation at those more
13 successful schools?

14 CHANCELLOR FARIÑA: Not really. I
15 think when we discuss Thursday you'll hear
16 that the plan we have is actually very
17 exciting. But the reality is parents will
18 have a choice of three schools within --
19 certainly at 53 you have another school in
20 the building that's doing great work. I
21 mean, the Village Academy is actually a great
22 school, and Doris Lee does a great job. And
23 I'm assuming most of the parents, if they
24 want to stay in the building, they'll stay

1 there. I spoke to Stacey about keeping Brian
2 Piccolo, as the name, alive.

3 And in terms of the other school, I
4 think also taking the school -- in this
5 particular case, that's a K-8 -- and making
6 it an upper or lower school, and also we'll
7 increase funding for that site. Because, you
8 know, K-8s don't get funded the same as a
9 stand-alone middle school. So those are all
10 the things that we're going to be talking
11 about.

12 But we will always be keeping an eye
13 on the numbers to ensure that overcrowding is
14 not part of it. There will be more
15 opportunities.

16 SENATOR ADDABBO: And again, just the
17 messaging for the parents, to reassure them
18 that --

19 CHANCELLOR FARIÑA: Absolutely. I
20 said I would go visit after I met with you
21 guys.

22 SENATOR ADDABBO: Okay.

23 My other concern with the Renewal
24 program as you look to merge and consolidate

1 and close: Teachers and the jobs. Can you
2 elaborate a little bit more on that? Because
3 I am concerned about the teachers and the
4 future of their positions as well.

5 CHANCELLOR FARIÑA: All the teachers
6 will be interviewed one-on-one. Many of the
7 teachers can apply to work in the schools
8 that are reopening in the same site. That
9 will be determined by the principals who will
10 be on the site. But they will all have the
11 opportunity to apply for other schools.

12 SENATOR ADDABBO: What happens --
13 again, if we look at this Renewal program as
14 going beyond your tenure and the next
15 chancellor coming along, what happens to this
16 renewal program beyond your tenure? Does the
17 next chancellor pick it up, or is it up to
18 the next chancellor to --

19 CHANCELLOR FARIÑA: Keep in mind --
20 and it goes back to something I was asked
21 before -- that it's mayoral control. So
22 everything I've done, I've done in
23 consultation with the mayor, and I anticipate
24 that everything -- that it will continue with

1 the next chancellor, in consultation with the
2 mayor. That's one of the reasons I think
3 mayoral control actually works, because it
4 keeps stability in the system.

5 SENATOR ADDABBO: And the total cost,
6 if you can -- ballpark figure, maybe -- of
7 the Renewal program, how much has been spent
8 on these programs?

9 CHANCELLOR FARIÑA: About
10 \$180 million.

11 SENATOR ADDABBO: And you expect
12 additional funds as well?

13 CHANCELLOR FARIÑA: I expect that if
14 we get the money that we're entitled to from
15 the state, we will be able to keep the
16 program going and also -- at this stage, what
17 we're doing is also trying to look at schools
18 that could become Renewal Schools and try to
19 keep them from becoming Renewal Schools and
20 offering extra support before, rather than
21 after.

22 SENATOR ADDABBO: If I may, just one
23 more quick --

24 SENATOR KRUEGER: Sure.

1 SENATOR ADDABBO: Only because the
2 issue hasn't come up about charter schools,
3 collocation versus paying for private rent.
4 Can you elaborate a little bit on that,
5 briefly?

6 CHANCELLOR FARIÑA: The charter
7 schools?

8 SENATOR ADDABBO: Yes.

9 CHANCELLOR FARIÑA: I think it's
10 important that all students are our students.
11 But I think in terms of collocation, there's
12 an expectation that resources will be shared.
13 And we have a lot of great relationships.

14 The charter school I just went to
15 in -- I mean, the collocated site I just went
16 to in August Martin, there's a charter
17 school, there's ALC, there's a restart, and
18 they're all sharing resources with each
19 other.

20 So I think if you're in a collocated
21 site, there should be an expectation that you
22 will share some of the resources.

23 In terms of leasing, it is going to
24 become, as the numbers grow once the cap was

1 lost, it's going to be very onerous on us to
2 actually have to come up with all that money.

3 CFO ORLANDO: Hi, Ray Orlando, chief
4 financial officer.

5 Yeah, so on the lease assistance, so
6 we have to date spent \$50 million
7 cumulatively over the last few years on
8 charter lease payments, and expect to spend
9 another 40 this year.

10 SENATOR ADDABBO: Another 40?

11 CFO ORLANDO: Million.

12 CHANCELLOR FARIÑA: On top of.

13 CFO ORLANDO: And the state has -- the
14 current state law reimburses us at a rate of
15 60 percent for -- once we've spent
16 \$40 million. And I believe that there's
17 appropriated \$6 million.

18 But the Governor's Executive Budget
19 also includes a proposal to cap the state's
20 contribution at 10, which would obviously
21 leave us holding a very large bag.

22 SENATOR ADDABBO: Thank you very much.

23 Thank you, Madam Chair.

24 CHAIRWOMAN WEINSTEIN: Thank you.

1 Our final questioner, Assemblywoman
2 Nolan.

3 ASSEMBLYWOMAN NOLAN: Just to follow
4 up to what Senator Addabbo just talked about,
5 and I should have asked it earlier. But what
6 is your cost estimate to the city regarding
7 the Executive's many proposals on charter
8 schools? You referenced it in your
9 testimony; I just want it elaborated a little
10 bit more on the record.

11 How much -- how much is gored out of
12 your hide if we were to implement the
13 Executive's proposals for charters? How much
14 do New York City public school kids lose if
15 we take the money out of you and give it to
16 charters?

17 CFO ORLANDO: Sure. There are
18 proposals that would increase our expenses by
19 over \$140 million.

20 ASSEMBLYWOMAN NOLAN: Thank you.

21 Also, just quickly on the issue of
22 records. And I have great respect for my
23 colleagues in the Senate. I personally think
24 New York City schools are required to jump

1 through more hoops than any other school
2 system in the state, and I don't understand
3 that. We have the most students; I don't
4 know why we also have to have the most
5 bureaucratic regulation.

6 But you're also required to file,
7 under the CFE discussion, a whole bunch of
8 Contract for Excellence data. So I would
9 urge my colleagues -- and maybe you would
10 want to elaborate on what that is -- to look
11 at that, because that's even yet another
12 level of bureaucratic review and oversight.
13 I don't know exactly how many schools are
14 required to do Contract for Excellence data,
15 but it's an awful lot. And I think it does
16 elaborate a little bit about the extensive
17 extra reporting requirements that New York
18 City schools are required to do, and I happen
19 to think it's quite unfair. But I try to
20 respect where everybody's coming from on
21 this.

22 CHANCELLOR FARIÑA: Well, I think,
23 first and foremost, that in New York City
24 itself we already have a city comptroller who

1 audits just about everything. So we already
2 have a mechanism in place.

3 Again, my major concern on this issue
4 is that I'm perfectly happy -- if we didn't
5 fill in the blanks, I will find out why we
6 didn't and we'll get it done. And that, to
7 me, is the most commonsense approach to that
8 particular problem.

9 To have more reporting will require
10 more people. And every time I think about
11 more people, I think about what money is
12 coming out of the classroom. To me, if we
13 had money, it should be in the classroom with
14 the teachers, with the students.

15 So to add more -- and also, who's
16 going to then have to keep their eye off the
17 ball just to create paper that ultimately
18 nobody really reads? I mean, I've tried to
19 lessen the paperwork in the city for teachers
20 and principals to the degree we can -- we're
21 still struggling with that a little bit. But
22 the reality is I want people who are highly
23 educated to be able to do the work that
24 they're set out to do, which is teach in the

1 classroom, administer in the school,
2 supervise at the superintendent's level. And
3 adding another layer, to me, almost is a sign
4 of disrespect.

5 (Sotto voce) Okay, I can say that,
6 I'm leaving.

7 CHAIRWOMAN WEINSTEIN: Assemblywoman
8 Jaffee.

9 ASSEMBLYWOMAN JAFFEE: I just want to
10 ask the question that I asked earlier as
11 well. in terms of the charter schools and
12 the private schools in the city, is there
13 accountability? Is there a way to monitor
14 whether or not they are providing the
15 appropriate academics and education that we
16 do review in terms of the public schools?
17 And they are receiving a great deal of funds,
18 so I question whether or not there is
19 adequate review going on.

20 CHANCELLOR FARIÑA: I think there is
21 always an opportunity for more transparency,
22 but I leave that to this august body to
23 decide what that transparency should be.

24 ASSEMBLYWOMAN JAFFEE: Could you -- I

1 didn't hear that last part.

2 CHANCELLOR FARIÑA: I'd say I think it
3 behooves this body to decide what the
4 transparency should be. But the same way
5 you're asking us for more transparency, I
6 think it behooves everybody to do it.

7 ASSEMBLYWOMAN JAFFEE: Okay, thank
8 you.

9 CHAIRWOMAN WEINSTEIN: Thank you.
10 Senator Young.

11 CHAIRWOMAN YOUNG: Thank you.

12 Just one final remark based on what
13 you just said, Chancellor. And I think that
14 requiring transparency and accountability for
15 a \$10.4 billion allocation from the state
16 isn't a sign of disrespect, it's a sign of
17 respect to the taxpayers who are funding the
18 schools. And it's also making sure that the
19 students are getting the services that they
20 need.

21 So I just want to end on that point,
22 because I disagree with what you said. But I
23 appreciate it. Thank you.

24 CHAIRWOMAN WEINSTEIN: Thank you so

1 much, Chancellor, for being here. Good luck.
2 Enjoy some time off, perhaps. And thank you
3 again for all you've done for the children of
4 New York City.

5 CHANCELLOR FARIÑA: Thank you.

6 CHAIRWOMAN WEINSTEIN: Thank you so
7 much.

8 Next we will be hearing from Michael
9 Mulgrew, president of UFT, the United
10 Federation of Teachers, and Cassie Prugh,
11 special assistant to the president for
12 legislative affairs. Joining them will be
13 NYSUT, the New York State United Teachers,
14 Andrew Pallotta, president, and Christopher
15 Black, director of legislation.

16 PRESIDENT PALLOTTA: Good afternoon.

17 CHAIRWOMAN YOUNG: Good afternoon.

18 CHAIRWOMAN WEINSTEIN: Good afternoon.

19 PRESIDENT PALLOTTA: Chairperson
20 Young, Chairperson Weinstein, Chair
21 Marcellino, Chair Nolan. I'm Andy Pallotta,
22 president of New York State United Teachers,
23 representing over 600,000 members statewide.
24 Thank you for this opportunity to testify

1 before you today.

2 I am joined by Michael Mulgrew,
3 president of UFT, Chris Black, the director
4 of legislation for NYSUT, and special
5 assistant to the president Cassie Prugh.

6 We believe that education in this
7 state is moving in the right direction. We
8 must continue to work together to ensure a
9 high-quality education and restore the joy of
10 learning, to ensure that each and every
11 student has that opportunity.

12 You have my written testimony. I will
13 not be reading it today, I'll just give a
14 summary.

15 On School Aid, we know times are
16 tough, we've heard the budget address. And
17 while we appreciate the \$769 million increase
18 in School Aid, we know that more School Aid
19 is needed to maintain the current programs
20 and services for our students. In fact, an
21 increase of \$1.5 billion in state aid is
22 needed just to keep our programs going, to
23 maintain current levels of programs and
24 services.

1 We urge this level of funding, and
2 also increase the Foundation Aid that is
3 particularly important to us. We believe
4 that the Foundation Aid formula is the best
5 vehicle to drive state aid to students that
6 need it the most.

7 Expense-based aids. NYSUT opposes the
8 Executive Budget proposal to limit growth in
9 major expense-based aid categories -- that
10 would be building, transportation, BOCES
11 aids -- to 2 percent. We believe that this
12 cap would damage BOCES programs and services
13 as well as building and transportation aid
14 reimbursements to districts.

15 On the issue of APPR, with changes in
16 state standards and testing coming on board
17 in the next few years, now is the time to
18 make these changes to the New York State
19 teachers' evaluation system. Teacher
20 evaluations should be returned to local
21 control with no state mandates. With nearly
22 700 unique local school districts in New York
23 State, a one-size-fits-all evaluation system
24 does not work.

1 The overall emphasis on testing has
2 placed an unfair burden on students, and the
3 changes in the federal law, the ESSA, have
4 eliminated the mandate for testing and
5 teacher evaluations. These changes are
6 necessary to restore parents' trust in the
7 state education system. Think about the
8 opt-out movement and the parents'
9 frustration. Students, teachers and
10 parents have suffered long enough under this
11 current system. We must return to the joy of
12 teaching and the joy of learning.

13 I brought a chart with me today, I can
14 distribute it later, and it shows the
15 tremendous drop in the amount of students
16 going into education courses throughout this
17 state.

18 On our specialty schools, New York
19 State is lucky to have a number of schools
20 that can serve students with the most intense
21 needs. These are specifically the 4201,
22 4410, 853 and Special Acts schools. The
23 dedicated professionals that work in these
24 schools and support the students, they have a

1 compensation package that lags behind the
2 districts around them.

3 What we urge the Legislature to do is
4 to provide a regular, predictable increase in
5 the tuition rates and assist them in
6 achieving educational funding parity with
7 surrounding school districts.

8 We appreciate the increases included
9 in the Executive Budget to \$17.2 million to
10 assist these schools with the minimum wage
11 increase.

12 On the issue of charter management
13 schools, NYSUT calls for the elimination of
14 public school districts' obligations to fund
15 charter schools. Specifically, we ask that
16 the funding for charter schools be provided
17 directly to them by the state. Charter
18 school laws should be strengthened to
19 increase accountability and transparency for
20 how students are served and public dollars
21 are spent.

22 On revenue enhancement, NYSUT supports
23 reforming the state's income tax to make it
24 more progressive so that the state's highest

1 Senator Marcellino, Senator Young,
2 Assemblywoman Nolan. But a special
3 congratulations to our new chair,
4 Assemblywoman Weinstein. Thank you very
5 much.

6 CHAIRWOMAN WEINSTEIN: Thank you.

7 PRESIDENT MULGREW: So last year at
8 this time I testified a great deal about the
9 specific dangers that New York State,
10 specifically New York State and New York City
11 schools, might be facing from the federal
12 government. I am here to say that those
13 fears are still alive and well.

14 As we know, our state has basically
15 been targeted for a -- in the tax
16 legislation, which leaves great danger ahead
17 of us. We support anything that we could
18 work with you on in terms of getting together
19 a package so that next year the citizens of
20 New York State not face an undue burden
21 because of bad federal legislation.

22 But also, at the same time, we are
23 still concerned about the national Department
24 of Education and its continued conversations

1 about not supporting public schools. We
2 understand that the code word for school
3 choice equals privatization, and it is
4 something that we know we do not want here in
5 New York State. The parents and the teachers
6 do not want it, and we know it will be bad
7 for the students. We only need to look to
8 Michigan or the State of Wisconsin.

9 Next week I will be having the
10 president of the Wisconsin Teachers
11 Association coming here to New York City to
12 describe what has happened to the public
13 school system to all of the elected officials
14 of the UFT.

15 In terms of the revenue that's there,
16 I support what my brother Mr. Pallotta --
17 President Pallotta, excuse me -- has put
18 forth. But we also want to make sure that
19 we're looking for all possible revenue
20 sources at this moment.

21 Clawbacks from any broken promises
22 from corporations for tax credits should
23 specifically be on everybody's radar, as well
24 as the restructuring of our own tax system to

1 help what has been done at the federal level.

2 On charter schools -- and I've heard a
3 lot in here today about transparency.

4 Transparency is a great word. And on charter
5 schools, I too believe what the chancellor
6 has said. We work with a lot of charter
7 schools in New York City. But as an
8 industry, there have been some bad players
9 who have fought anything on transparency or
10 accountability. We think it is imperative
11 that there are taxpayer dollars involved,
12 that every student should be served and they
13 should be served fairly. And schools should
14 be held accountable if they have a clear
15 record of students who are counseled out and
16 disappearing from their ranks.

17 On Teacher Centers, a favorite topic
18 every year up here in Albany. Last year we
19 do appreciate the Assembly's \$14 million as
20 well as the Executive's \$5 million for
21 Teacher Centers.

22 Six years ago I was up here talking
23 over and over again about a policy that -- we
24 were changing our standards to what was then

1 known as the Common Core, and how it was
2 going to be a debacle because we were about
3 to introduce new tests and there was no real
4 plan on how to educate people what these
5 standards were, nor was there any curriculum
6 developed at any level of education, and it
7 was not even mandated by SED to do that. All
8 of those scenarios and nightmares that I had
9 testified to came true.

10 I am proud and happy to stand here
11 today to say that the State Education
12 Department and the Board of Regents have a
13 very good plan and strategy for rolling out
14 our new state standards, which were developed
15 by stakeholders and not just by a consultant
16 being hired from outside.

17 There were conversations across this
18 state, and I was very proud of that, with
19 teachers and parents about what we wanted
20 reflected in our standards.

21 Now that those standards have been
22 adopted by the Board of Regents, we are now
23 taking a year to roll those standards out and
24 to educate not just teachers but school

1 districts and parents across our state. And
2 then the following year, we will then start
3 to develop local curriculums that match those
4 standards before the rollout of our new tests
5 that will match those new standards.

6 That is common sense and a strategy
7 that makes sense. The Teacher Centers are
8 the drivers of the majority of this work.
9 Which is why this time we know we have a plan
10 that will make a big difference and people
11 will not get frustrated and angry as they did
12 last time. But we need to fund it to make
13 sure that this is happening, so Teacher
14 Centers is key to that.

15 In terms of English language learners,
16 I am proud to say that the Teacher Centers
17 are the ones who are leading the way with
18 dealing with the horrendous shortage that we
19 have in teachers who are trained in English
20 language learner instruction. And they're
21 taking it on -- they went and developed these
22 programs on their own, and they're working
23 with teachers not just in New York City but
24 across the state to help develop these

1 instructors that we so critically need at
2 this moment.

3 And the other piece -- and I do not
4 believe that this was intended, but three
5 years ago the Legislature passed a law that
6 said every teacher needed to have 100
7 professional hours within a five-year period.
8 Which was great, and everybody applauded it.
9 Well, the problem is that that's now become
10 an undue burden among -- for teachers.

11 So I went and looked at how other
12 professions -- because the argument at that
13 time was, well, other professions have to do
14 professional hours. If any of you -- say,
15 like my brother, who's an attorney, or Cassie
16 Prugh, sitting here -- I asked, How many
17 hours do you have to do? And I was basically
18 told in New York State you need 60 hours over
19 five years. So I understand the respect that
20 you gave teachers and said they need more,
21 because they do much more than a lot of
22 lawyers -- no offense to the lawyers.

23 But then we turned it into a lot of
24 small for-profit institutions are now giving

1 classes for what we call CTLE hours. Those
2 are our professional hours. They average
3 about \$300 for a three-hour class.

4 So what we now have done is we have
5 told the teachers of New York State there is
6 a possibility, a very great possibility,
7 you're going to have to spend \$10,000 over
8 the next five years to get your professional
9 hours in order to keep your certificate so
10 that you can continue to teach. I don't
11 believe that was anyone's intention when that
12 law was passed.

13 The Teacher Centers right now are all
14 changing a great deal of the work that they
15 were doing and turning into CTLE providers
16 for teachers across our state. To develop
17 that capacity to the level we need for all of
18 our teachers is a titanic, to say the least,
19 undertaking. I am happy that our Teacher
20 Centers have -- because they knew it had to
21 get done and they knew they didn't want this
22 burden on all the teachers, they have taken
23 this work on.

24 But we truly -- and I know this is

1 tough every year on Teacher Centers. This is
2 a year where we passed a law -- there was a
3 law passed three years ago that is really
4 causing a problem for the teachers across our
5 state. We know we're dealing with teacher
6 shortages in a lot of our areas. But putting
7 this on top of them, this 100 professional
8 hours, with the possibility of it costing
9 them over \$10,000, is just not helpful.

10 So I am pleading with you to fund the
11 Teacher Centers and allow them to continue to
12 do this work while we are still looking at
13 what we could possibly do with that
14 legislation. Because I do not believe that
15 was anyone's intent when it was passed.

16 In terms of Community Schools, we
17 thank your support for them. I'm very proud
18 that in New York City the UFT runs 29
19 Community Learning Schools. We invite any of
20 you, if you would like to come and visit them
21 and see the work that is being done with
22 them. Our achievement is up a great deal,
23 and we have schools that for generations in
24 specific neighborhoods have not been able to

1 reach certain levels of achievement that are
2 now doing it. But more important, it is a
3 true community because we make sure that all
4 stakeholders are part of it.

5 In terms of restorative justice and
6 discipline, a very big issue -- and we have
7 had all sorts of debates up here about this
8 issue, and we will continue to have them.
9 But this is what I do know. We are asking
10 for Positive Learning Collaboratives. These
11 are programs that we now run in 30 schools in
12 New York City. Part of that funding comes
13 directly from our members. These programs
14 were specifically run and put in place
15 because of a whole bunch of different issues
16 that we knew we were facing under the
17 discipline problems that we were facing as a
18 school system.

19 I am proud to say now, four years
20 after starting this project, that suspensions
21 in those schools have gone down dramatically,
22 that parents have reported that the change in
23 culture has been significant and they now
24 look forward to bringing their children to

1 school. Their children like their schools
2 better, and their teachers like to work
3 there.

4 These are intensive programs. There
5 is no easy way to deal with school culture
6 without first coming and saying to everyone
7 there needs to be heavy-duty training and
8 it's everyone's responsibility, it's not just
9 what happens inside of a classroom once the
10 door is closed and the teacher is in there.

11 And also by running this program, we
12 have been able to identify significantly that
13 no matter what a school does, there is always
14 a small proportion of children who need
15 clinical intervention. And the fact that we
16 are all not dealing with that issue is a
17 shame. Because right now in New York City,
18 clinical intervention specialists -- who
19 could be a psychologist or a social worker --
20 we're not able to hire them. But this is a
21 statewide problem. This is -- every school
22 in the state probably is facing the same
23 issue.

24 We want a progressive restorative

1 practice, a good culture in each school. But
2 every school is going to need a clinical
3 intervention specialist. And the earlier we
4 get that intervention, the better off that
5 student will be later on in life.

6 So we are asking at this point,
7 because we are going to come up with a plan
8 and present it up here by the end of this
9 session, but we are also asking for your
10 support for our Positive Learning
11 Collaboratives.

12 I also am pleased that the Executive
13 and the Legislature is considering a
14 consolidated application in terms of
15 workforce development, economic development,
16 and career and tech ed. We fought this --
17 the United Federation of Teachers, NYSUT, and
18 the American Federation of Teachers fought
19 very hard to get that change in the federal
20 government that the state could now take
21 advantage and put together basically a
22 coordinated application of all of those
23 services for the distinct benefit that money
24 would be used more efficiently and that if

1 there is a plan in a regional area, that it's
2 not just for the economic development but it
3 is also for the development of a workforce
4 for a viable job.

5 And those things should be done, and
6 we look forward to working with the
7 Legislature on putting that consolidated
8 application together.

9 On the childcare appropriation, we are
10 very happy that the cuts from last year have
11 been restored. But once again, as always, we
12 know that families, especially single-parent
13 families, are facing undue hardships. And
14 anything we can do to help -- and I know in
15 New York City we have 4-K and now we're
16 moving to 3-K. But there is the need for
17 childcare. Affordable, competent childcare
18 is a big, big challenge that we face. And we
19 look forward to working with this Legislature
20 and also back in our city to make sure that
21 we can make that available to more people.

22 And I thank you very much for having
23 us here today.

24 SENATOR KRUEGER: Thank you.

1 ASSEMBLYWOMAN NOLAN: Thank you.

2 We're going to go right to Andy, and then
3 we'll take questions. All right?

4 PRESIDENT PALLOTTA: I presented
5 already.

6 ASSEMBLYWOMAN NOLAN: Oh, I'm sorry, I
7 stepped -- sorry, Andy.

8 PRESIDENT PALLOTTA: It's okay. It's
9 okay.

10 PRESIDENT MULGREW: You missed him.
11 He did great.

12 ASSEMBLYWOMAN NOLAN: You know, I'm
13 sorry to say after six hours or whatever it
14 was, I did need to stop for a minute outside.
15 I apologize.

16 So our first questioner will be
17 Mr. Murray.

18 Sorry. I will reread it, Andy, I
19 promise you. I promise you.

20 PRESIDENT PALLOTTA: Thank you. Thank
21 you, Assemblywoman.

22 ASSEMBLYMAN MURRAY: Thank you very
23 much.

24 So first I'll start by apologizing.

1 When I was questioning the commissioner, I
2 tried to fit into the small time frame and I
3 took two separate issues, and it may have
4 seemed like they clumped together as one.
5 One was on the ESSA and the feds allowing
6 for, with this pilot program, alternative
7 ways of assessing and the standardized
8 testing. The other one was on the consortium
9 schools.

10 So I'm going to make it simple this
11 time and just focus on the standardized
12 testing. And the question is when she
13 answered as far as what was being done and
14 the process -- and I believe my colleague
15 also asked about the APPR issue and where we
16 stood. She had mentioned that some changes
17 were made to the standardized testing
18 procedure, the shortening of days, the
19 lengthening of hours that the students were
20 given. Which while some might see that as a
21 benefit, I heard from many parents who said
22 you're basically forcing the kids to sit even
23 longer at one time to do testing, so that's
24 not really a great idea.

1 The other answer was given regarding
2 getting teachers involved in writing the
3 questions for the tests. Now, perhaps
4 Questar Assessments, the new company doing
5 the tests, has brought on some former
6 teachers or have some doing that, which may
7 be great. But the feeling I'm getting from
8 the teachers, from the administrators, from
9 the superintendents is still we're entirely
10 too test-centric right now and when it comes
11 to assessing the students, the teachers, the
12 schools, should we be that test-centric and
13 are the teachers as accepting as maybe the
14 commissioner made it sound to this new
15 testing procedure?

16 So what are the teachers' feelings on
17 this?

18 PRESIDENT PALLOTTA: Well, definitely
19 the answer would be no, they're not accepting
20 of this. They've lived through the testing
21 obsession, the test-and-punish agenda of the
22 past several years, and they believe it is
23 time for us to use tests to help students.
24 That is a real goal of giving a test, any

1 teacher knows that. It's not about punishing
2 anyone.

3 And basically, you know, with gigantic
4 school districts like New York City,
5 1.1 million students, and then a district
6 like Indian River with 100 students, how do
7 you really have one system that works for
8 everyone? Most of the people that made this
9 system up are no longer with us, right, so
10 they don't have to be held accountable for
11 what they put into place. But we are
12 definitely of the opinion that the entire
13 system is skewed the wrong way. When you're
14 doing test prep from September to the test
15 date in April, you have wasted an
16 opportunity. You have wasted an opportunity
17 to teach and learn.

18 So we want to change that. We would
19 say that the entire picture of teacher
20 evaluations should be returned to local
21 control, and that local control with no state
22 mandates.

23 PRESIDENT MULGREW: In terms of -- I
24 agree with my colleague. And there are other

1 ways to assess student learning. You see,
2 that's what we've forgotten. And when we
3 went to a three-day test, I remember the
4 absurdity of the argument. Does anyone know
5 why we went to a three-day test? Because the
6 psychometricians needed it. Not the
7 students, the psychometricians needed it to
8 sign off that it was valid.

9 So we literally went to a --

10 SENATOR KRUEGER: We need to know what
11 that one is, what that word means. I'm
12 sorry.

13 PRESIDENT MULGREW: The
14 psychometricians who were brought in to
15 certify that the test was valid said they
16 needed a three-day test. So we designed a
17 three-day test, our state adopted a three-day
18 testing system because the psychometricians
19 needed it. It had nothing to do with
20 students. And that's when you know the train
21 was off the rails, at that point.

22 So we have to get back to what is
23 authentic student learning. I was very
24 interested in your consortium question. I've

1 Thank you very much.

2 PRESIDENT PALLOTTA: Thank you.

3 CHAIRWOMAN WEINSTEIN: Senate.

4 SENATOR KRUEGER: Thank you.

5 The chair of Education, Carl
6 Marcellino.

7 SENATOR MARCELLINO: Good afternoon,
8 gentlemen and lady.

9 PANEL: Good afternoon.

10 SENATOR MARCELLINO: State Ed is
11 currently looking at a way to recalibrate the
12 days, 180 days of instruction. They're
13 looking to go to hours. Your thoughts would
14 be appreciated.

15 PRESIDENT PALLOTTA: I think that it
16 was pretty aggravating to most folks who had
17 to look at this as the school year began and
18 they didn't really have guidance as to how to
19 work this through.

20 So I do know that they're still
21 looking at it. I mean, it has to be
22 something that makes sense. There were
23 collective bargaining agreements that were
24 already in place, and then --

1 SENATOR MARCELLINO: That's what I was
2 going to get at. There had to be union
3 contracts somewhere in this that dealt with
4 start date, whatever. And if you then
5 switched it to hours, I don't know how that
6 impacts what you do and what your people do.

7 PRESIDENT MULGREW: and we've asked
8 for -- they've come out with some additional
9 guidance, so we're waiting for further
10 guidance from them about what they're
11 actually talking about -- and this is the
12 public comment period right now -- what
13 counts as an hour, what doesn't. You would
14 think it's as simple as what's in
15 instructional time. Is it just instructional
16 time? Is it a child's time inside of the
17 school each day? We already have regulations
18 about what constitutes a day. We do a
19 report-based system.

20 We're waiting for further guidance
21 from SED to say whether this is a good idea
22 or a bad idea. And until we have that, we're
23 going to hold back, we're holding back our
24 judgment. But it is something that every

1 educator -- and this is becoming quite a
2 topic now amongst the teachers in New York
3 City, that they know this is being looked at
4 and they want to know how it affects them,
5 and it's frustrating to us because we can't
6 give them that answer yet.

7 SENATOR MARCELLINO: The start date
8 for the schools, is there a problem with
9 starting that date earlier or later, or
10 giving flexibility to school districts to
11 start -- within reason, not six months of --
12 you can't do that. But I mean, is there --

13 PRESIDENT PALLOTTA: I think some
14 places can do that now, but it's all
15 according to whatever their agreement is
16 locally. When you have 700 districts ...

17 SENATOR MARCELLINO: It's my
18 understanding you need a waiver to start
19 before September 1st.

20 PRESIDENT MULGREW: I don't believe
21 so. I will check that. Because we have
22 schools now -- our PROSE schools, who can
23 design their own contracts, there's a whole
24 series of them who have done a lot of things

1 with scheduling and time. One of those
2 schools goes -- it does it six weeks of
3 school on and two weeks off, and it just
4 continues that all year-round. So there
5 really isn't a start and end date. And we
6 have other schools that have changed their
7 time in different ways.

8 But I don't -- I will check, but I
9 want to see if there is some sort of a
10 regulation that says you can't start before
11 September 1st.

12 SENATOR MARCELLINO: I believe there
13 is. But we should have that discussion,
14 because I think it's important.

15 PRESIDENT MULGREW: I think you're
16 right.

17 SENATOR MARCELLINO: The term
18 "clinical intervention specialist" came up
19 before in somebody's testimony. Can you tell
20 me what that is?

21 PRESIDENT MULGREW: Well, basically
22 it's a psychologist or a social worker who
23 also has a clinical certificate. So that's a
24 much deeper intervention in terms of their

1 patient. At that point it's more of a
2 patient, not a student relationship.

3 And what we've found in our Positive
4 Learning Collaborative schools is that
5 somewhere around 8 percent in every school,
6 no matter what we did, were having problems.
7 And each of the schools started reporting
8 that we're not equipped to deal with the
9 problems that this child is having. And it
10 was clear that we needed someone who could do
11 a clinical intervention at that point.

12 To me, it doesn't matter if they're a
13 social worker or a psychologist, we just want
14 someone with a clinical certificate at the
15 site.

16 If a school has -- you know, you
17 should look at it more of if a school has X
18 number of suspensions, then we need to look
19 significantly about what is this school
20 doing. So that's why we started our Positive
21 Learning Collaborative. In that program a
22 school has to guarantee to us -- we will not
23 work with them unless every single person at
24 the school is trained for four days through

1 our program. They have to come to our
2 program. I'm talking about school safety
3 agents, I'm talking about the custodians, the
4 people who work in the food services.
5 Everybody in the school has to be trained.

6 And then they have a set of tools that
7 they can assess and design their own program.
8 We don't believe in boiler-plate anything.
9 It's we give you the tools, you figure it
10 out. So we have schools, very successful in
11 everything we tried to do, but in the end we
12 still have that small somewhere around 8
13 percent that it's clear we need a tool that's
14 not in the toolbox that we're supplying.

15 And I think it's so clear to me that
16 this is something we should be looking at and
17 say to a school that -- especially an
18 elementary school -- if you know children are
19 having certain issues, we know that early
20 intervention is going to keep them out of
21 trouble later in life. And if you can
22 identify them earlier, why wouldn't we just
23 do it?

24 SENATOR MARCELLINO: The question that

1 I have, are we asking too much of the
2 schools?

3 PRESIDENT MULGREW: Yes.

4 SENATOR MARCELLINO: And that's
5 important to me. Because it's hard enough,
6 as one who taught in the city for 20 years,
7 to teach them basic biology, which was what
8 my subject area was, or reading and writing
9 and math and all the rest of that good
10 stuff -- that's hard work. Hardest job I
11 ever had. People don't understand -- well,
12 you just tell the kids what -- they don't
13 know what's going on in the classroom, they
14 haven't got a clue when they talk like that.

15 But it is a very hard job. If the
16 schools start taking on more and more
17 responsibility, is that going to drain the
18 resources? Is that going to take away from
19 your ability to really do what I consider to
20 be the fundamental job of the schools, which
21 is basically to teach them how to do math and
22 a basic education?

23 PRESIDENT MULGREW: You heard my
24 original answer, and I stand by that. But at

1 the same time it's a reality of the job we
2 now have. If a child is coming to our
3 school -- first you have a lot of folks who
4 are upset that children get suspended.
5 Rightfully so. Okay? But the reality of the
6 job that we have is that we have these
7 students who are there, we accept them all,
8 we're not saying we don't want these
9 students, we want every single one of them.
10 This is the challenge that we're faced with.

11 Our society has changed rapidly. You
12 know, it's not like you have one person
13 working and one at home anymore, that's not
14 realistic in almost all of our children's
15 lives. So they come in with all these
16 different challenges and it's just now become
17 a responsibility of the school. If we're
18 trying to get every child to have a good
19 education, then we can't just say, look, we
20 shouldn't be responsible for this. Because
21 if we say that, then we know those children
22 aren't going to get the education.

23 So I completely agree with your
24 sentiments. But the reality of the job now

1 is that we have to deal with these
2 challenges. So that's why, when we do
3 programs -- and I thank you so much for
4 supporting Community Learning Schools, which
5 you have done in the last two budgets. You
6 know, those are our ways of saying let's
7 figure out how to get the things that the
8 school needs so that we can remove some of
9 the burden on the actual instruction inside
10 of the classroom. Because a lot of that help
11 does not come from teachers. We bring in
12 specialists who deal with the different
13 challenges that our kids face.

14 In the end, all we're trying to do is
15 remove those challenges or burdens or
16 obstacles that you would face once you're in
17 the classroom doing the instruction.
18 Because, you know, for that child who needs
19 that clinical intervention, we might look at
20 that one child and discuss that child over
21 here so much. But you have to understand, as
22 you would, that then every time that child
23 has a problem in class, they're impeding the
24 education of the other 25 or 30 kids in the

1 classroom. So we can't -- and now, under all
2 of our accountability, every child, we have
3 to figure out how to do it.

4 So I agree with your sentiments, but
5 the job has changed dramatically.

6 PRESIDENT PALLOTTA: And that's why
7 we're here today asking for more money for
8 more resources for the schools. I know -- I
9 spent 24 years in the classroom, and one of
10 the key elements to a successful school was
11 hiring more social workers. Right? And they
12 really made a difference. And it's resources
13 and the freedom for an administrator and
14 teachers in the school to decide how they
15 would love to move that school forward and
16 make it better.

17 And just referring back to that
18 enrollment in New York State's education
19 programs, it's down 49 percent since 2009.
20 That's incredible. It's unbelievable. But
21 it's real.

22 PRESIDENT MULGREW: It's almost
23 unheard-of.

24 SENATOR MARCELLINO: Well, as a former

1 chapter chairman in my old high school, I'll
2 make you an offer. Maybe you can refuse it;
3 maybe you can't. But we'll make it anyway.

4 My door is open. I would like to meet
5 with you guys and gal and talk to you about
6 what you think your priorities --
7 legislatively, what we can do. What could
8 come out of the New York State Senate. I
9 can't guarantee the Assembly, but Cathy is a
10 former student, so we have some leverage
11 there.

12 (Laughter.)

13 SENATOR MARCELLINO: The nature of the
14 beast is I believe in communication, so let's
15 talk and let's -- your thoughts on any
16 legislation that might be helpful to you
17 coming out of the committees. Perhaps you
18 can come -- if you want to meet with the
19 committee as a whole, we'll have a committee
20 meeting and you can come and talk to the
21 committee as a whole. I think that would be
22 a good idea, because a lot of my members
23 don't know what you do.

24 PRESIDENT MULGREW: I really

1 appreciate the opportunity. And yes, we will
2 take you up on that. We look forward to it.

3 SENATOR MARCELLINO: So do I.

4 PRESIDENT PALLOTTA: Thank you,
5 Senator.

6 CHAIRWOMAN WEINSTEIN: Thank you.
7 Sorry, I was out for a bit.

8 Assemblyman Weprin.

9 ASSEMBLYMAN WEPRIN: Yes, thank you,
10 Madam Chair.

11 President Pallotta, I think you're
12 convincing President Mulgrew to spend more
13 time in Albany these days. I've seen him a
14 few times this week.

15 PRESIDENT MULGREW: I love being with
16 you guys.

17 (Laughter.)

18 PRESIDENT PALLOTTA: He loves the
19 weather up here. That's what he loves, the
20 clouds and the snow.

21 (Laughter.)

22 PRESIDENT MULGREW: I was telling him
23 this morning, yeah.

24 ASSEMBLYMAN WEPRIN: Actually my wife

1 tells me we got more snow this week in Queens
2 than we did in Albany, so ...

3 PRESIDENT MULGREW: It melted.

4 ASSEMBLYMAN WEPRIN: Well, she
5 complained, anyway.

6 President Pallotta, you discussed the
7 evaluation. It's interesting you brought
8 that up, because I've got two separate cases
9 of senior teachers -- one in art, one in
10 music -- who are being forced out or -- you
11 know, and they're high-paid teachers because
12 they've been in the system for a long time.
13 And there's been like an effort to force them
14 out, in their opinion, and it's based on this
15 evaluation that doesn't necessarily apply to
16 art and music.

17 So I'm just curious if you have any
18 comments on, you know, the evaluation system
19 being used in certain subjects against
20 teachers; in this case, senior teachers.

21 PRESIDENT PALLOTTA: Well, we've been
22 fighting for years saying that this
23 evaluation system doesn't work. So in these
24 specific circumstances, I couldn't speak to

1 it directly, but you shouldn't evaluate a
2 music teacher or a dance teacher on students
3 that they do not teach. And I think that is
4 one of the biggest problems that we've seen
5 in this. It's a ludicrous system. It should
6 have never been created. And now is really
7 the time to take it apart and do it one time
8 and do it right.

9 PRESIDENT MULGREW: Under the law --
10 which right now is under the moratorium. But
11 under the law before the moratorium, yes,
12 what you just said was absolutely true. If
13 you're a music, art, phys ed, you could
14 actually be science or just about every
15 subject except for math and English, you
16 could be partially evaluated on subjects you
17 did not teach and students that were not in
18 your classroom. It makes a lot of sense.

19 ASSEMBLYMAN WEPRIN: And that was part
20 of the complaint.

21 And just one other subject. I've also
22 been contacted by a lot of schools that are
23 having trouble that don't have money in their
24 budget, and maybe it was their own budgeting

1 with principals, but there's been a problem
2 with substitute teachers, money for
3 substitute teachers.

4 Maybe, Mr. Mulgrew, you could comment
5 on that. What would you recommend --

6 PRESIDENT MULGREW: What did the
7 chancellor say?

8 ASSEMBLYMAN WEPRIN: She said she's
9 been contacted by other people that have
10 complained about it as well, and you have to
11 be creative in your budgeting, is what she
12 said.

13 PRESIDENT MULGREW: To me, when --
14 look, with any large system, or without, in
15 the end education has to be about the
16 classroom and the school itself. If
17 somebody's out for the day, you have to
18 get -- somebody has to be inside that
19 classroom, period, end of story. And no
20 parent nor another teacher in that building
21 wants to hear that, oh, we don't have the
22 money to hire someone today to do that.
23 That's just absurd.

24 And so there shouldn't be a system in

1 place where anyone is allowed to say, Well,
2 they weren't creative with their budget. No,
3 that's ridiculous. There are no rules that
4 we have that say you can't bring in that sub.
5 We encourage and we consider that what's
6 called an emergency situation, that there
7 must be someone inside of that classroom.

8 So this is always the frustration at
9 times, or the agitation, is when you have
10 people running a school system, no matter
11 where it is, and they're saying: Well, you
12 don't understand the budgeting process. I
13 don't want to understand your budgeting
14 process. There's a classroom that needs a
15 teacher in it today. And if you don't
16 understand the education system and you don't
17 understand that issue, then you shouldn't be
18 in charge of the budget.

19 It's pretty simple as far as I'm
20 concerned. We do all of this because of the
21 classroom and the students. So to hear an
22 answer as, you know, they weren't creative
23 with their budget or they don't understand
24 their budget, well, guess what. There's 25

1 kids sitting in that classroom right now, and
2 they need a teacher. And that's the only
3 thing that needs to be understood.

4 ASSEMBLYMAN WEPRIN: I fully agree
5 with you on that.

6 PRESIDENT MULGREW: Sorry, I probably
7 went off a little on that.

8 ASSEMBLYMAN WEPRIN: No, no, I think
9 you're on point.

10 Thank you, Madam Chair.

11 CHAIRWOMAN WEINSTEIN: Senate.

12 SENATOR KRUEGER: Thank you.

13 Joe Addabbo, our Education ranker.

14 SENATOR ADDABBO: Thank you, Senator
15 Krueger.

16 To this panel, thank you very much for
17 your time and testimony today.

18 The previous panel with Chancellor
19 Fariña, I mentioned that I'm concerned about
20 the Renewal School program and obviously the
21 teachers' jobs. She had mentioned that there
22 is some interaction about the future fate of
23 the teachers, and there's some discussion
24 about where they will go in the future. I

1 wanted to hear from this panel, has there
2 been an interaction with the chancellor on
3 the future fate of those teachers that are in
4 the schools that are going to be merged,
5 consolidated, or closed under the Renewal
6 program?

7 PRESIDENT MULGREW: When we've had
8 discussions with them in previous years on
9 those issues, we have been able to make sure
10 that all those teachers were placed in
11 schools.

12 The idea that you punish a school and
13 you say a school is not achieving -- I
14 understand accountability -- and then say
15 that it -- you know, for years when I came up
16 here the line was that the school is failing
17 because the teachers are failing. Right?
18 And we would get very angry when we were here
19 testifying about that.

20 For us, the Renewal program is
21 something that is extremely important, and we
22 want to make sure that we don't -- the last
23 thing we want to happen is to say to a
24 teacher, We need you in a school that's

1 struggling and we want you to go there and
2 take on this challenge -- and in the end, if
3 it doesn't work out, we're going to punish
4 you for going to that school. That's the
5 last thing we want to happen.

6 And that's what was happening in
7 New York City and in different districts
8 across this state.

9 So now this administration has -- you
10 know, they are in agreement. So when a
11 school in the Renewal program needs to close
12 or consolidate, we have been able to work out
13 the situation, the placement of those
14 instructors.

15 And I thank those instructors for
16 going to that school, because a lot of them
17 -- you know, we have close to 4,000 transfers
18 a year inside of New York City, and they
19 choose to stay in those difficult situations
20 because they have relationships with their
21 students. And that's the part that was not
22 being recognized a couple of years ago, and I
23 appreciate that -- I know this body did
24 recognize it.

1 SENATOR ADDABBO: In both of your
2 testimonies you had mentioned the importance
3 of Teacher Centers. UFT put it in your
4 legislative priorities. Appreciate the
5 sheet.

6 What are the real possible effects if
7 the \$5 million are not restored to the
8 Teacher Centers?

9 PRESIDENT MULGREW: Right now -- just
10 take the one issue I brought up, which was
11 the professional hours. If you ever hear the
12 acronym CTLE, that's what they mean by the
13 professional hours that are now mandated.
14 We're supplying more of those hours than
15 anyone else. The Teacher Centers are doing
16 it.

17 And it was not something that was in
18 their plan, it just became that all of a
19 sudden teachers were now -- teachers and
20 paraprofessionals and different pedagogues
21 who are now under this requirement, and the
22 only people who were giving the classes, were
23 certified to give the classes, were
24 for-profit institutions. And they were the

1 ones who started with the, you know, \$300 --
2 \$250 for a two-hour course, \$300 for a
3 three-hour course. And that's -- right now,
4 that would be the biggest piece.

5 The second thing is we really have a
6 plan in place to roll out the new standards
7 and educate people on them before they get
8 put into place, something we did not do with
9 the last standards change. And we know how
10 that happened.

11 And I give the Board of Regents and
12 SED all the credit for coming up with the
13 plan, and they have been meeting with the
14 Teacher Centers and working with them on how
15 to have this public rollout in education on
16 all of this.

17 So now we're trying to not repeat the
18 debacle of the Common Core that caused all of
19 that craziness that happened in our state.
20 You have this entity known as Teacher Centers
21 that seem to be the hub, working with the
22 agency responsible to try to roll this out
23 and educate people. To me, this is the
24 easiest no-brainer of the year, because that

1 I would look at the multimillionaire's or the
2 billionaire's tax. That might be nice.

3 PRESIDENT MULGREW: We look forward to
4 having any conversation both at the local
5 level or the state level about things. As we
6 know, we are going to be facing more and more
7 challenges from the federal government. And
8 you guys are really facing a very difficult
9 challenge because of what many of the
10 residents of our state might be facing next
11 year because of the federal legislation.

12 We look forward to having those
13 conversations and working with anyone on it.

14 SENATOR ADDABBO: Again, thank you
15 very much.

16 CHAIRWOMAN WEINSTEIN: Thank you.

17 Assemblywoman Pellegrino.

18 ASSEMBLYWOMAN PELLEGRINO: Good
19 afternoon. I'm looking at the time. It's
20 like 3 o'clock.

21 PRESIDENT PALLOTTA: It's time for the
22 bell.

23 ASSEMBLYWOMAN PELLEGRINO: It's the
24 witching hour, right. Waiting for the bell

1 to ring.

2 I want to thank you for your
3 comprehensive testimony, President Pallotta,
4 President Mulgrew, and the importance of your
5 words here today on behalf of our great
6 schools, our great communities, particularly
7 from my district on Long Island, you know,
8 and the communities that I represent.

9 I have two impact questions
10 acknowledging the general and relative
11 popularity of the tax cap, and also adding
12 that the tax cap is inextricably tied to CPI.
13 And even in recent years, given that it
14 hasn't been a negative percentage, school
15 districts have been struggling with the
16 predictability of budgeting and have been
17 calling for the Legislature to create
18 exemptions. And we've really been asking for
19 modifications, which I think would be
20 helpful.

21 But something that's been particularly
22 concerning to me in the Executive Budget is
23 the call for the cap on expense-based aid.
24 So I'd like if you could just talk for a few

1 minutes on the impact on -- if we were to
2 impose a cap on expense-based aid and what
3 that would be like on our schools, please.

4 PRESIDENT PALLOTTA: Well, we oppose
5 that, the cap on expense-based aid. And we
6 know that this is something that would hurt
7 BOCES and our school districts because we
8 don't know how high those costs are going to
9 be. And to put a cap on it, an arbitrary cap
10 of 2 percent or whatever, it doesn't work.

11 And back to the tax cap, NYSUT has
12 stood against and we thank you for your work
13 on the tax cap. And we just believe it has
14 been something that has really hurt the
15 schools and communities around the state
16 because they cannot raise that money.

17 And we're here today asking for
18 \$1.5 billion, and it's a lot more than is
19 already in the budget with the 769. We would
20 love for the local school communities to be
21 able to raise the money that they think they
22 need to raise. And what the state has done
23 is said you can't do that anymore. Well, now
24 that burden is on the state, because it is

1 not allowing a local school district to raise
2 its taxes above that.

3 We believe the number is 400 million
4 that local school districts will be able to
5 raise, and that's simply not enough. And
6 also the 60 percent supermajority is just so
7 wrong on so many levels. So yes, we will be
8 continuing and working with you to see if
9 there's a way of addressing the tax cap.

10 ASSEMBLYWOMAN PELLEGRINO: Very
11 unfair. And particularly to Long Island
12 schools, you know, that send up more money to
13 Albany than they get back. And the way that
14 it's, you know, distributed in terms of its
15 impact on our local schools. You know, so I
16 agree with you on that.

17 PRESIDENT PALLOTTA: Thirty-eight
18 percent of the funds come from the state;
19 over 60 percent comes from the locality. So,
20 you know, obviously there now needs -- if
21 they put this cap on and it's still there --
22 you know, we've heard about movements to try
23 and make it permanent. We think it's wrong
24 in the first place. So we would like to see

1 that changed.

2 ASSEMBLYWOMAN PELLEGRINO: And the
3 other question I have is what would the
4 impact be on the system of two tiers of
5 regulations for teachers should the
6 regulations be kept in place for, you know,
7 looking at charter school teachers being
8 allowed to have a different set of criteria.

9 PRESIDENT PALLOTTA: Right. NYSUT
10 strongly opposed this ruling and we felt it
11 was illegal, and we've brought this to --

12 PRESIDENT MULGREW: Taken legal
13 action.

14 PRESIDENT PALLOTTA: Right, we've
15 taken this to court. How could it be that
16 one set of teachers would have one set of
17 requirements and maybe a school down the
18 block would have another set of requirements?
19 It is an insult to all educators to have
20 something like this. We've done our
21 protests, we're bringing them to court. And
22 we just believe it's wrong.

23 And we recognize that there's a
24 teacher shortage and that it's getting worse

1 and worse. But that is not the way to fix
2 this, by allowing some schools to take a
3 shortcut and say, Well, you don't really have
4 to do all that stuff, it's not really
5 necessary. It is necessary. And we believe
6 in having one system of licensing teachers.

7 PRESIDENT MULGREW: We have a state
8 agency who's responsible for certification
9 and licensing of all professionals. By the
10 SUNY Charter Institute taking this action,
11 they set a horrendous precedent, because
12 basically -- and then grant the power for
13 certification or licensing of any
14 professional to a private entity.

15 There are states who have done this,
16 and they have all been very, very sorry in
17 the end for doing it. That's all I'm going
18 to say on it.

19 ASSEMBLYWOMAN PELLEGRINO: Thank you.

20 CHAIRWOMAN WEINSTEIN: Thank you.

21 Senator Savino.

22 SENATOR SAVINO: Thank you,

23 Assemblywoman Weinstein.

24 Hello.

1 PRESIDENT MULGREW: Hello.

2 SENATOR SAVINO: So I'm sure you've
3 answered 99 percent of the questions I would
4 have asked, so I'm just going to be specific.
5 There's a couple of things.

6 First I want to thank you guys for
7 your partnership, especially on the
8 communities and the schools. And the
9 Positive Learning Collaborative, I think it's
10 a wonderful addition to the toolbox that we
11 have.

12 There's a couple of things I'm
13 concerned about, though, and I'm sure you
14 guys are as well, with -- as labor leaders.
15 As you know, later this month or sometime
16 next month, the Supreme Court is going to
17 take up what we hope -- and quickly dispose
18 of, but, you know, we're concerned -- the
19 case Janus versus AFSCME. And they're still
20 dealing with the Friedrichs case.

21 Can you give me a sense of what you
22 think the effect of a bad decision would be
23 on your membership and on the labor movement
24 in general in New York State?

1 PRESIDENT PALLOTTA: Well, anything
2 that would hurt the labor movement hurts all
3 working people. So we would never want to
4 see anything like that.

5 We know that folks that would love to
6 diminish the voice of working people, of
7 educators, this is their goal. So taking
8 away any power, any vote on any issue would
9 be the ultimate goal for them.

10 We have been working with our members
11 to make sure they connect with the union,
12 make sure that they know what the union and
13 labor brings to the table for them, and the
14 rights and privileges that it has. So this
15 is something we've been very much working on
16 with the AFL-CIO, because it's not just
17 teachers that will be impacted, it's all of
18 our public workers and basically all working
19 people throughout the state. So this is a
20 big concern for us.

21 PRESIDENT MULGREW: We've seen a
22 diminishment in the states where things like
23 this have happened, we've seen a major
24 diminishment in people's ability to make a

1 living, and their benefits.

2 Just a year after the Wisconsin
3 debacle, the teachers in the state of
4 Wisconsin had to pay an additional \$10,000
5 out of pocket in one year. Needless to say,
6 Wisconsin now is faced with a major teacher
7 shortage. And their educational system -- I
8 know this is shocking -- has gone down
9 dramatically in its achievement.

10 So we understand why these cases are
11 there. It's about trying to take away
12 workers' ability to come together, to have a
13 voice, to stand up against powerful
14 interests. That's what the case is about.
15 So we're literally forming, at this moment we
16 are forming membership teams in every school,
17 we are door-knocking on every member's door,
18 going to their house and having conversations
19 with them, because it's not what we as
20 New Yorkers believe -- at least I hope not.

21 But we are preparing for this. It's a
22 combination of an attack on the -- you know,
23 the states that are going to be most
24 adversely affected by the federal tax package

1 as well as by Janus, to me it's not a
2 coincidence. Those states also probably have
3 the ability to push back more against
4 powerful interests than any of the other
5 states. And I think it is a very
6 well-thought-out plan by a small group of
7 people who really just don't believe that
8 working people should have any rights except
9 to get up every day and go to work for
10 someone.

11 SENATOR SAVINO: Well, we know the
12 enemies of labor never sleep.

13 We do have a bill, though -- and I
14 think you guys stood with us last year,
15 Senator Alcantara and my colleagues in the
16 IDC -- that would help address this. Because
17 one of the things that we've found over the
18 years is that unions don't always have access
19 to the information about their members.
20 Particularly in the smaller counties where
21 they hire a few people a year, there's
22 one-offs, you don't have large hiring groups.

23 So we moved that bill out of the Civil
24 Service Committee two weeks ago, and we hope

1 to aggressively move it to the floor in an
2 effort to help address this.

3 And I just want to make a point,
4 Michael, you're absolutely right, this is a
5 concerted effort. And in the federal tax
6 package that was just passed, one of the
7 things that they included was that teachers
8 would no longer be able to deduct their
9 out-of-pocket expenses for classroom
10 supplies.

11 I know one of the things that you guys
12 pushed for very aggressively in the City
13 Council, because I hear it all the time from
14 my friend Bridget, the Teacher's Choice
15 Program, which is to backfill what teachers
16 are paying out of their pocket.

17 So this would be a double hit to not
18 just teachers, but to the labor movement in
19 general. So we appreciate your efforts to
20 help us focus on that and get that
21 legislation passed, and hopefully we'll be
22 able to prevent that kind of a catastrophe
23 here in New York if we get a bad decision.

24 PRESIDENT PALLOTTA: Thank you,

1 Senator. Thank you for the bill. Thank you
2 for the press conference that you did. And
3 we're hoping to work with you on this in the
4 future.

5 PRESIDENT MULGREW: We thank Senator
6 Alcantara for sponsoring that bill. And the
7 AFL-CIO is very thankful also.

8 SENATOR SAVINO: Thank you.

9 CHAIRWOMAN WEINSTEIN: Thank you.
10 Assemblywoman Malliotakis.

11 ASSEMBLYWOMAN MALLIOTAKIS: How are
12 you?

13 PRESIDENT MULGREW: Fine, and you?

14 ASSEMBLYWOMAN MALLIOTAKIS: Great.

15 (Mic falls.) Much better than the microphone
16 is doing.

17 (Laughter.)

18 ASSEMBLYWOMAN MALLIOTAKIS:
19 Unfortunately, you moved out of my district.
20 But nonetheless --

21 PRESIDENT MULGREW: I moved into
22 Senator Savino's district.

23 ASSEMBLYWOMAN MALLIOTAKIS: You were
24 better represented when you were in my

1 district.

2 (Laughter.)

3 ASSEMBLYWOMAN MALLIOTAKIS: I just
4 wanted --

5 ASSEMBLYWOMAN NOLAN: Be happy he
6 wasn't running against you, Nicole.

7 ASSEMBLYWOMAN MALLIOTAKIS: I just
8 wanted to really talk about public safety in
9 our schools. I think you were here when I
10 was speaking to the chancellor, and one of
11 the issues that had been brought to my
12 attention by a number of teachers in my
13 district and across the city, as well as
14 another issue -- but first I'll start with
15 the safety issue.

16 There's concerns about teachers being
17 unable to control their classroom. They feel
18 that there are students that are disruptive,
19 they cannot have those students removed from
20 the classroom. The reporting requirements
21 have changed, there's no longer reporting
22 requirements, warning cards are unlimited. I
23 just wanted to get from your perspective,
24 being the leader of those teachers, what have

1 you been hearing from your constituency in
2 terms of school discipline and how it's
3 changed?

4 PRESIDENT MULGREW: School discipline
5 is a major issue inside of New York City
6 right now in terms of the debate itself about
7 which is the right approach. You have folks
8 who believe that there should be no
9 suspensions and there should be restorative
10 circles, and you have other people who
11 believe that it should be a zero-tolerance
12 policy.

13 Both sides are misguided. They're
14 misguided. There has to be an approach that
15 everyone is in this together. And when
16 you're dealing with an administration at the
17 school level who is telling teachers that
18 they can't remove a child from their
19 classroom, then they should be written up and
20 disciplined for that. Because in the end,
21 our job is to teach children. And I cannot
22 teach the children if someone is disrupting
23 my class.

24 Now, I know I'm responsible for

1 classroom management. I taught for 12 years
2 at-risk students in Brooklyn, so I understand
3 that that's my job responsibility. But there
4 are days when there are certain children who
5 are just -- it's never going to work. And I
6 had to have the ability to remove them so
7 that I could continue my teaching.

8 At the same time, I don't believe that
9 every time a child is having a bad day, they
10 need to be suspended.

11 So to me, that's when I -- when I
12 speak about our program called the Positive
13 Learning Collaborative, that is training
14 people to say, Stop playing games with this.
15 We all have the child's best interest, we
16 want them to get a good education, but we're
17 also responsible for, you know, educating all
18 the children in the classroom every day.

19 So you need a commonsense approach
20 where people are all trained, understand
21 this. When a child is having a bad day, a
22 school should have a system in place where a
23 child, if they're disrupting the educational
24 process, they can be taken out of the

1 classroom and get the proper intervention
2 they need. Probably a guidance counselor at
3 that moment. Or maybe there is a specific
4 teacher who has been designated as dealing
5 with children who are having issues that day.
6 There is SAVE legislation that is in place.
7 There's all sorts of tools for a school to
8 use.

9 But then there are other incidents, as
10 parents will rightly say, where their child
11 was -- something happened to their child from
12 another child, and then there becomes the
13 issue of what do we do with that. Is there a
14 suspension involved or not? In many cases
15 there will be. But once a child is
16 suspended, it's not about saying you're
17 suspended, you're out of school, you have to
18 be put in a specific room, it's about what
19 are we doing for that child now that they've
20 been suspended to help them make sure that
21 they don't get suspended again.

22 But everybody's playing games with
23 this issue. It's all political. And I wish
24 that people would just focus on the actual

1 issue of saying each school community has to
2 have a real plan in place to deal with all
3 sorts of disciplinary issues, understanding
4 that there's certain times where children
5 will have bad days. And we don't want them
6 being just suspended automatically if they're
7 having a bad day if we can do something
8 different that's actually going to help them
9 not to have another bad day inside of a
10 classroom. But also recognizing at times
11 that there will be a suspension, but then
12 that should kick in further intervention such
13 as a clinical intervention if needed.

14 So when I hear teachers tell me they
15 can't get a child removed from the class,
16 that's when I start going on the rampage.
17 Because that means that that school has
18 decided that they're going to play games with
19 numbers for the sake of the education of all
20 the children in the building. Sorry.

21 ASSEMBLYWOMAN MALLIOTAKIS: Thank you.
22 No, I agree with a lot of what you said.

23 The warning card system that has gone
24 into effect in the city, what specific

1 changes have been seen since that has taken
2 effect? It seems that there's like unlimited
3 warning cards issued without suspension at
4 all, and there's an underreporting going on.
5 That is one question.

6 Since I'm running out of time, I'll
7 just ask you the second question, which was
8 in terms of supplies, the chancellor
9 testified that there are no issues with
10 teachers having supplies in the classroom.
11 That's not what I'm hearing from the teachers
12 in my district. You know, they say they have
13 to pay out of pocket for paper, for different
14 types of materials. If you could just
15 comment on that as well.

16 PRESIDENT MULGREW: Well, I
17 congratulate the chancellor for her service
18 to New York City, but on that one she's dead
19 wrong. She's just wrong. We do not have the
20 proper supply budget. Certain schools do it
21 correctly; others don't. There should be a
22 centralized system that mandates there's a
23 certain percentage put aside for supplies or
24 that -- it's amazing to me, because our pre-K

1 program, all the curriculums -- the
2 curriculums are in place and all the
3 materials are bought and supplied to the
4 centers to begin with.

5 Now, you can't do that for everything
6 that -- every subject or every curriculum
7 that we're teaching, because a lot of
8 teachers really customize their curriculums.
9 But there should be a specific set-aside for
10 materials. Look, it has to be looked at, we
11 have to be accountable for the money, but it
12 should be put in place.

13 In terms of the warning cards, we
14 support the idea that children shouldn't just
15 be getting arrested and suspended. An arrest
16 is a serious issue for a child.

17 ASSEMBLYWOMAN MALLIOTAKIS: Sure.

18 PRESIDENT MULGREW: It can affect them
19 for the rest of their lives just because they
20 made a silly decision at a very young age,
21 and that is not something we -- we do not
22 support that.

23 But at this stage what we've seen in
24 New York City more or less is that the school

1 system as a whole is safer than it's been
2 before, but we are feeling the effects of --
3 and this goes to what Senator Marcellino was
4 saying. What else are we responsible for?
5 You go on social media or turn on the TV
6 every day and everybody's screaming at each
7 other and getting very aggressive and saying
8 nasty things to each other.

9 Now, of course that behavior is
10 starting to be reflected in our young
11 children and inside of our schools. So I
12 would not -- you know, and we're doing a
13 great job in handling it and the schools
14 actually are behaving better than I would say
15 a lot of the adults that I just was
16 characterizing. But you will see that
17 behavior will bleed through to all elements
18 of society.

19 So just to point out schools and
20 education I think would be wrong, because we
21 could just turn on the TV and see worse
22 behavior than I've seen in most classrooms in
23 New York City.

24 CHAIRWOMAN WEINSTEIN: Thank you.

1 Senate.

2 SENATOR KRUEGER: Hi. I'm sorry, I
3 had to run out for a minute, and appreciate
4 all of your time.

5 I just want to make sure that somebody
6 highlights something that was in your
7 testimony which we should not forget, the
8 section of law in the Governor's budget that
9 would allow him to take the money away after
10 the budget's complete if we have some kind of
11 revenue reduction from federal action or tax
12 action, and why that is so critical for the
13 children of New York State.

14 PRESIDENT MULGREW: I disagree. We do
15 not support that at all.

16 SENATOR KRUEGER: No, no, you've
17 pointed out why you don't support it. Yes, I
18 wasn't disagreeing with you, I was
19 highlighting that people are noticing that in
20 the budget and how dangerous that could be.

21 PRESIDENT MULGREW: Oh, yeah, we
22 noticed that.

23 (Laughter.)

24 PRESIDENT PALLOTTA: Thank you.

1 SENATOR KRUEGER: Thank you.

2 CHAIRWOMAN WEINSTEIN: Assemblywoman
3 Jaffee.

4 ASSEMBLYWOMAN JAFFEE: Thank you.

5 Just going back for a moment to the
6 issue of the professional hours and the
7 evaluation system of teachers, is that
8 required within the charter schools as well?

9 PRESIDENT MULGREW: No. You don't
10 even need to go to school to be -- at this
11 point --

12 ASSEMBLYWOMAN JAFFEE: No
13 accountability. As a matter of fact, I was
14 very disappointed when the SUNY Charter
15 Schools Committee actually supported the
16 unqualified educators to be in their schools.
17 But -- so not only are they unqualified
18 educators, but there is no accountability in
19 terms of an evaluation system or those
20 professional hours that are required within
21 the public schools.

22 PRESIDENT PALLOTTA: Right. And you
23 think about once they're in one of those
24 charter schools, they're stuck. Because they

1 can't just say, Well, this is not a good
2 school or I don't want to work here anymore.
3 They can't just say I'm going to go to a
4 traditional public school, because they
5 wouldn't have the qualifications to go
6 through there.

7 ASSEMBLYWOMAN JAFFEE: And if a
8 student has a learning disability or is not
9 functioning well, my understanding -- and
10 I've heard a number of issues that people
11 have shared with me -- is they're tossed, the
12 kids are tossed out of the school.

13 PRESIDENT MULGREW: I think the term
14 is counseled out.

15 And that is why we have always
16 supported a rigorous, transparent
17 accountability system. There was a law that
18 was put into effect that was the equivalent
19 of Swiss cheese, and there is no way to
20 actually hold them accountable for English
21 language learners, children with special
22 needs, the degree of challenges of the child
23 and where they are on the spectrum, homeless
24 children.

1 Tomorrow I'm visiting a school in the
2 Bronx called ISLA, it's one of my favorite
3 schools, it's number one in the city for
4 percentage of homeless children, percentage
5 of ELL students, and percentage of special
6 ed, and they have a 76 percent graduation
7 rate. It's a phenomenal school doing amazing
8 things with some of the most challenging
9 situations you would see -- and I know I will
10 not see that in a charter school.

11 ASSEMBLYWOMAN JAFFEE: That certainly
12 does -- that also -- because the public
13 schools have to provide funding for the
14 charter schools, how does that impact the tax
15 cap piece too?

16 PRESIDENT PALLOTTA: Sure. And then
17 the public school has less money to spend on
18 its students. This is a cycle and a fight
19 that we have here every year at the Capitol
20 when we say, Let's fund the public schools
21 and then let's ask for more transparency,
22 more accountability. And it just seems that
23 year after year we face the same issue and we
24 really don't come to any good resolution.

1 ASSEMBLYWOMAN JAFFEE: I also see it
2 as -- I also see that as a very real problem
3 and something we need to address, and I will
4 to continue to raise that issue.

5 I also -- I happen to agree with you
6 that -- former teacher, I taught in a junior
7 high school.

8 PRESIDENT PALLOTTA: Yes. Yes.

9 ASSEMBLYWOMAN JAFFEE: And the
10 students who are having trouble within the
11 classes -- emotionally, most of the time --
12 we do need more opportunities to be able to
13 have them come out and work with social
14 workers or counselors, because that's the
15 real way to be able to respond to them.

16 So it's something I'm going to attempt
17 to -- I have raised it today and I'm going to
18 continue to raise that issue in terms of
19 assuring that we have -- we can expand mental
20 health services for our youth, because it
21 will make a huge difference.

22 PRESIDENT MULGREW: Thank you so much
23 for that.

24 PRESIDENT PALLOTTA: Thank you.

1 ASSEMBLYWOMAN JAFFEE: Thank you.

2 SENATOR KRUEGER: Senator Carl
3 Marcellino, second round.

4 SENATOR MARCELLINO: Just a reminder.
5 This year it's not such a big problem, but
6 next year when you no longer can deduct more
7 than \$10,000 off your property taxes -- so,
8 Andy, I'm sure that's going to hit you. I
9 don't know that it's going to hit UFT so
10 badly, but it's going to hit you and your
11 constituents' school districts alike. But
12 once you can no longer deduct more than 10
13 grand off your taxes, the public is going to
14 start looking for other ways to save money.
15 And the other way to save money is they vote
16 on the school budgets.

17 I can see it coming down the pike. We
18 have, on Long Island, fewer students in the
19 schools now than we have had over the last
20 couple of years. The number's been
21 declining. Most districts are dropping. One
22 or two of them are going up, but most of them
23 are going down. The state has lost about a
24 million people, so our population is

1 declining as well. We are not considered to
2 be a very affordable place for people,
3 especially retirees, who are looking for
4 other locations in some cases.

5 But I can see a move to what it was
6 years ago when school budgets were routinely
7 voted down. In recent years in my district,
8 anyway, that has not been the case. It's a
9 rare thing. Newsday will print a story when
10 a school budget is voted down, because it's
11 rare now. I can see that changing once the
12 fact that you can no longer deduct more than
13 that 10 grand -- I can see that happening.

14 So the recommendation is prepare, talk
15 to your clients, talk to your people, because
16 they're going to have to face this one way or
17 another.

18 PRESIDENT MULGREW: Thank you,
19 Senator.

20 PRESIDENT PALLOTTA: That is a major,
21 major issue for us because folks are feeling
22 the squeeze on so many different levels,
23 right. So I will be meeting with all of the
24 Long Island presidents from the locals out

1 there on Friday, and I will bring them your
2 concerns and we'll put our heads together and
3 try and come up with a good narrative of how
4 we win this battle.

5 SENATOR MARCELLINO: I was at a
6 Suffolk County BOCES meeting recently, a
7 whole bunch of the school districts out
8 there, and I made the same statement, and
9 daggers were flying because they didn't want
10 to hear it -- Oh, he can't say that, how is
11 he saying that, what's he talking about?

12 My chief of staff, who was with me,
13 she said "They hate you." I said "They may,
14 but they've got to hear the truth."

15 And, you know, fortunately they heard
16 it from another speaker as well who came on
17 after me. But the point is, it's coming.
18 And you need to prepare, you need to prepare
19 your clientele for it. I know I'm putting
20 out notices. I say the same thing when I go
21 to meetings with school boards: Just look at
22 what you're doing and watch what's coming,
23 because it's coming.

24 PRESIDENT MULGREW: Thank you.

1 CHAIRWOMAN WEINSTEIN: Thank you.

2 Assemblyman Ortiz.

3 ASSEMBLYMAN ORTIZ: Thank you, Madam
4 Chair.

5 I just would like to really thank you
6 on behalf of the members of the Hispanic Task
7 Force and the people of Puerto Rico for
8 sending a whole army to Puerto Rico during
9 the most difficult time of the hurricane that
10 just passed Puerto Rico.

11 Also I would like to thank you also on
12 behalf of the president of the Teachers
13 Association of Puerto Rico, who happens to be
14 a friend of mine as well. When you landed in
15 Puerto Rico, I happened to be there. And
16 when I looked around, there was all these
17 people from New York, from the UFT, carrying
18 flashlights all over the place. And I would
19 like just to, from the bottom of my heart, to
20 really thank you for that.

21 I had a comment that I would like to
22 make. And as you heard me emphasize, I have
23 legislation bringing psychologists and social
24 workers to the schools because I do believe

1 the same way that you believe on early
2 intervention.

3 I do have my daughter teaching, I have
4 my niece teaching in Brooklyn, and my
5 other -- my daughter-in-law teaching in
6 Staten Island. So we always have this
7 conversation. So I have a cross-section --
8 I'll probably move somebody to Queens as
9 well. We always have this conversation at
10 home about how can we best serve our kids and
11 teach them.

12 One other thing is that within the
13 conversation I can see how frustrated
14 sometimes they are because the workload that
15 they have. And the other thing is that you
16 have a lot of the kids -- not the parents,
17 most of the kids trust more the teacher than
18 anyone else. So they're trying to really
19 tell the stories of what happens at home to
20 the teacher rather than the guidance
21 counselor or the psychologist or someone
22 else, because they feel more comfortable.

23 But I do believe that this also
24 creates overload, if you will, to teachers,

1 because if you have 30 students or 32 or 25,
2 depending on the average, sometimes it can
3 overwhelm the teachers. So that is one of
4 the things that I -- why I continue to push
5 this legislation, and I hope that we can work
6 together to make sure that schools in the
7 City of New York -- and also throughout the
8 state, honestly, because my bill is
9 statewide -- that we will be able to allow
10 these folks to really help to unload the load
11 that our teachers have.

12 Thank you.

13 PRESIDENT MULGREW: We thank you very
14 much for the legislation, and we support it
15 greatly, to recognize what we do.

16 And in terms of Puerto Rico, it was
17 our pleasure, but more importantly we felt it
18 was our responsibility. And it wasn't just
19 UFT; NYSUT donated a large -- did a large
20 campaign raising money. And we still have
21 people going back and forth because as far as
22 we're concerned, that's family to us.

23 PRESIDENT PALLOTTA: Right. Our
24 members throughout the state were very

1 generous. And also we're taking a lot of
2 students in, in Buffalo and Rochester also,
3 from Puerto Rico.

4 CHAIRWOMAN WEINSTEIN: One quick
5 question to end this time. What is the
6 impact, if any, of the Justice Center on
7 New York City public school teachers,
8 particularly those in special ed? The long
9 periods of time to dispose cases,
10 inconsistent rulings. Of the Justice Center
11 on New York City public school teachers.

12 PRESIDENT PALLOTTA: Could you clarify
13 that?

14 PRESIDENT MULGREW: Yes, please.

15 (Discussion off the record.)

16 CHAIRWOMAN WEINSTEIN: The question
17 has to do with in special ed, if there's a
18 complaint made and it goes to the Justice
19 Center, that you end up with different
20 rulings, I guess, around different parts of
21 the state?

22 PRESIDENT MULGREW: I don't know about
23 different rulings in different parts of the
24 state.

1 In New York City, when -- we have a
2 system in place where we have what are known
3 as compliance officers. Any individual has a
4 right to make a special ed complaint. That
5 is then investigated, first by the compliance
6 officer, who is independent. The compliance
7 officer then tells a school whether the
8 complaint is valid or not. Once they
9 ascertain the information, there's all sorts
10 of legalities around it because of
11 confidentiality, obviously.

12 It then gives the school a short
13 period of time in which to rectify the
14 complaint. If they do not rectify the
15 complaint, it goes officially to SED at that
16 moment. And that's where -- that's as far as
17 I know the complaint process goes. It's up
18 to SED then to rule or to give remedy to the
19 school district, the DOE at this point.

20 In terms of the Justice -- I know that
21 that was put into existence, but I don't want
22 to give you an answer that is not correct.

23 CHAIRWOMAN WEINSTEIN: Thank you.

24 And I'd like to just thank you all for

1 spending so much time with us.

2 PRESIDENT MULGREW: Thank you. It was
3 our pleasure.

4 PRESIDENT PALLOTTA: Thank you.

5 SENATOR KRUEGER: Thank you.

6 PRESIDENT MULGREW: Have a good day.

7 CHAIRWOMAN WEINSTEIN: Thank you.

8 Next we'll be hearing from a panel of
9 the Conference of Big 5 School Districts:
10 Dr. Kriner Cash, superintendent, Buffalo
11 School District; Everton Sewell, CFO of
12 Rochester School District; Jaime Alicea,
13 superintendent, Syracuse School District;
14 Dr. Edwin Quezada, superintendent, Yonkers
15 Public Schools; and Georgia Ascitutto,
16 executive director of the Conference of Big 5
17 School Districts.

18 Thank you all for being here. And you
19 know that it's shared time, so whoever goes
20 first, be kind to the person who's last.

21 (Laughter.)

22 MS. ASCIUTTO: Thank you, Chairwoman
23 Weinstein. First, congratulations on your
24 appointment. We look forward to working with

1 you.

2 CHAIRWOMAN WEINSTEIN: Same here.

3 MS. ASCIUTTO: Chairwoman Nolan and
4 distinguished members of the panel, my name
5 is Georgia Asciutto. I am the executive
6 director of the Conference of Big 5 School
7 Districts. With me today are my colleagues
8 from the Big 4 school districts. You have
9 copies of my testimony; I am not going to
10 read it. I think the points made in my
11 testimony will be covered by my colleagues.

12 So I'm going to start with -- we're
13 going to go from the right and right down the
14 line -- with Mr. Jaime Alicea from the
15 Syracuse City School District.

16 CHAIRWOMAN WEINSTEIN: Thank you.

17 (Off the record discussion among panel
18 members.)

19 SUPERINTENDENT CASH: Yes, good
20 afternoon, colleagues. On behalf of my
21 colleagues in the Big 5 and on behalf of all
22 of our communities, we thank you for hearing
23 us today and we're very appreciative to be
24 here.

1 We want to take -- just brief, as you
2 have asked. It's been a long day, and you
3 have heard a lot so we're not going to go on
4 and on, we're going to be three minutes.

5 CHAIRWOMAN WEINSTEIN: Thank you. And
6 we do, just for the record, we do have all of
7 your testimonies. They are the full
8 testimonies.

9 SUPERINTENDENT CASH: Right, so we
10 don't have to.

11 So I'm going to make four asks and
12 then yield to my colleague from Yonkers.

13 In the testimony of Buffalo, you will
14 see the New Education Bargain for our
15 students and parents. It's beginning to
16 yield exciting results, it's a comprehensive
17 plan and it is our plan to turn around
18 Buffalo schools after many, many years of
19 struggle. The good news is that parents,
20 students and all of those constituents are
21 fully engaged and on board with that plan.
22 So we're asking you to continue to invest in
23 that work in Buffalo. It's good return on
24 investment at this time.

1 We talk about cost savings, cost
2 avoidance and revenue generation. So we're
3 not just here to ask for more money, we're
4 also looking all the time, under my
5 leadership, at ways to save money, avoid
6 costs, and generate revenue.

7 Second, we ask that you support
8 Commissioner Elia and the Board of Regents'
9 proposals. Those are very sound proposals --
10 excellent, robust, comprehensive -- by a true
11 educator. And she's doing terrific work for
12 all of us in the Big 5 districts. Please
13 support those proposals. They align well
14 with our needs in the Big 5 and certainly in
15 Buffalo.

16 Our specific Foundation Aid request is
17 \$11.5 million over the Governor's proposal,
18 \$11.5 million over the Governor's proposal.
19 That's a 3.8 percent increase over last year.
20 We think that's reasonable, it will support
21 the New Education Bargain well into the
22 future, and it helps us stay on track with
23 our four-year financial plan. We need a
24 consistent, reliable funding stream to keep

1 the good work going in Buffalo.

2 And then last, we ask you at this
3 time -- while it doesn't correct all of the
4 flaws that we believe are in the charter
5 school formula in New York State, there are
6 bills being sponsored by the Assembly and by
7 the Senate that we ask you to support.
8 They're really important to help us with cash
9 flow and help us fund equitably our students
10 who are in charter schools and our students
11 who are in district schools. And that is
12 support for Assembly Bill A7966 and Senate
13 Bill 6586. Please give those bills, or that
14 combined bill, your full support.

15 We really thank you for your
16 attention. Thank you for what we're doing
17 and your support always for our work and what
18 we're doing in Buffalo. Thank you.

19 CHAIRWOMAN WEINSTEIN: Thank you.

20 SUPERINTENDENT ALICEA: Good
21 afternoon. My name is Jaime Alicea. I am
22 the superintendent of the Syracuse City
23 School District.

24 And before I talk about the needs that

1 we have in Syracuse, because we continue to
2 have some needs to meet for our students and
3 our community, I want to say first thank you.
4 Thank you for advocating for education in
5 New York. Thank you for the extra support
6 that you provided last year.

7 The extra money that we received in
8 the Syracuse City School District, we were
9 able to add more academic intervention
10 teachers, we were able to add social work
11 assistants, we were able to add some ENL
12 teachers because our ENL population increases
13 every year. So thank you for doing that for
14 the children in Syracuse and in New York
15 State.

16 We continue to have a need in Syracuse
17 to increase student achievement, and we have
18 five focus areas that we're working on. The
19 first one is early literacy. We want to
20 continue to increase the number of students
21 in our pre-K programs. We have 1900 kids in
22 pre-K, and we want to be able to have all our
23 students read by the end of second grade.

24 We are providing culturally responsive

1 education. We have a very diverse student
2 population, and we want to make sure that we
3 take into consideration their background, our
4 staff backgrounds, and that we're working
5 together to support our students and our
6 families.

7 One thing that is very important for
8 us in Syracuse is that increase in Career and
9 Technical Education. We heard about the
10 commissioner this morning asking for more
11 money for CTE, we heard the chancellor for
12 New York City, and this is very important for
13 us in Syracuse. We have moved from 300
14 students in CTE programs in Syracuse,
15 certified programs, to 1300 kids, and from
16 six programs to 25 programs. So we continue
17 to provide our students with quality CTE
18 programs.

19 And these are programs that are
20 working for our kids. Our newest school, our
21 CTE program school has a graduation rate of
22 90 percent. So we know that we need more
23 programs in Syracuse.

24 We also want to continue to provide

1 individualized learning opportunities for our
2 kids and to continue to provide academic and
3 social and emotional support for our
4 students.

5 So thank you for your support, and
6 we're looking forward to continuing to work
7 with you to improve the education of all the
8 students in New York State.

9 SUPERINTENDENT QUEZADA: Distinguished
10 members of the joint legislative fiscal and
11 education committees, thank you once again
12 for the opportunity to address you on behalf
13 of the Yonkers City School District. I am
14 Dr. Edwin Quezada, superintendent of schools,
15 and I am here to report that the state of
16 Yonkers Public schools is strong. Our
17 commitment to provide a sound basic education
18 to all of our children is even stronger.

19 Thriving networks of support are
20 available in Yonkers that begin when a child
21 is born and culminate once the young adult
22 enters college, the military or the
23 workplace.

24 Similarly, we have strengthened our

1 community school model, providing medical and
2 mental health services, legal assistance, and
3 social services in many of our schools.

4 Yonkers has evolved into the
5 quintessential Community District Model. The
6 results are tangible in the City of Yonkers.
7 We have instituted a My Brother's Keeper
8 initiative which is flourishing and
9 considered a model in New York State. We
10 have instituted Yonkers Basics, which is a
11 nationally growing initiative which began
12 last year with the goal to support families
13 with infants and toddlers and their
14 caregivers to prepare these youngsters to
15 enter school ready to learn.

16 We have significantly reduced our
17 persistently struggling schools. We used to
18 have seven; now we have three. We have an
19 86 percent graduation rate, which is above
20 the state average of 82 percent. Our dropout
21 rate is 3.7 percent, which is lower than the
22 state average of 6 percent. And we have
23 increased SAT scores. Yonkers is perhaps one
24 of the few districts that over 10 years ago

1 began administering a College Board exam to
2 each and every one of our high school
3 students.

4 But our work is not complete.
5 Yonkers' young people are magnificent, and
6 they hold the keys to our future in their
7 hands -- yet too many of them have been
8 delayed, distracted or diverted on their
9 paths to success. Eradicating conditions
10 that limit students' social, emotional and
11 academic progress must be everyone's goal.

12 Yonkers is asking all state officials
13 to partner with us so the psychologists,
14 social workers and school counselors are in
15 every school; art, music and technology are
16 an integral component of every student's
17 educational experience; modified and junior
18 varsity sports are offered to all students;
19 pre-K is a state-supported mandate; and
20 students with disabilities and English
21 language learners funding is aligned with the
22 additional services required to educate these
23 children.

24 These services must be sustainable and

1 uninterrupted throughout the children's
2 education to accomplish our common goal -- a
3 sound, basic education for all New York
4 children. In order to do this, Yonkers seeks
5 your support to address the inequities of the
6 Foundation Aid formula that negatively
7 impacts all of our districts.

8 This year the impact may be even
9 greater. Yonkers Public Schools is entitled
10 to receive \$243 million in Foundation Aid,
11 yet Foundation Aid is only at \$195 million
12 and the Executive Budget only adds
13 \$4 million, so the gap in terms of Foundation
14 Aid is \$43 million.

15 We want everyone to consider
16 allocating additional funding for Career and
17 Technical Education and to consider our
18 9th-graders to be included. Right now
19 Yonkers offers CTE courses to 1,200 students.
20 If we were to be reimbursed for those
21 dollars, we would get an additional \$2.2
22 million.

23 We want you to legislate
24 pre-kindergarten in all New York State

1 schools so that it becomes a state
2 responsibility. We want you to increase
3 Yonkers' aid for new school construction.
4 And we want to make sure that you do not
5 change reimbursement for the Students with
6 Disabilities Summer School Program from
7 80 percent to a combined wealth-based
8 income/property formula.

9 Finally, I want to speak to you about
10 rebuilding Yonkers schools. This cannot
11 become a topic of conversation or a problem
12 to be analyzed. I was very surprised that
13 yesterday during the State of the Union,
14 schools were not included in the
15 infrastructure program. Very surprised. We
16 in New York State cannot allow that to
17 happen. Yonkers schools are over 80 years
18 old, and we need to rebuild our schools. So
19 I ask you to please consider a 98 percent
20 reimbursement, the same way it is done in
21 other cities. Please help us rebuild our
22 schools.

23 Yonkers' children are a guaranteed
24 return on investment. All we need are

1 sustainable solutions for student success in
2 the years to come. Thank you.

3 ROCHESTER SCHOOLS CFO SEWELL: Good
4 afternoon. My name is Everton Sewell and I'm
5 the CFO for the Rochester City School
6 District, and I'm here on behalf of our
7 superintendent, Barbara Deane-Williams, who
8 was unable to make it today.

9 I wanted to talk a bit about the
10 Rochester City School District and some of
11 the things that we have been doing in the
12 Rochester area. Last year we were funded
13 through our Foundation Aid, and we did a
14 tremendous amount of improvement in the
15 district. We have added reading teachers
16 over the years; we have intervention teachers
17 that targeted math and ELA. We've also
18 looked at our Community Schools to see how we
19 can grow those out to ensure that not only do
20 the students who are in the school get the
21 benefits, but also the community is able to
22 participate in their schools.

23 We also want to ensure that our
24 schools that were highlighted as persistently

1 struggling schools get the attention they
2 need. To that effect, you know, this year we
3 had one school that did not make demonstrable
4 gains, and we are looking at that school to
5 see how we can change that.

6 So as we go through the budget plan
7 this year, we are looking at -- we have seen
8 schools in our district that are welcoming
9 students from the storm-driven areas,
10 specifically Puerto Rico, where we have
11 refugees coming in, as well as students with
12 disabilities. We know that since September
13 we have added over 500 students to our
14 district that have come from storm-ridden
15 areas. So as we move forward, we are making
16 sure that we are addressing the needs of the
17 students who are coming into our district.

18 And again, as a dependent district, we
19 want to make sure that our reliance on the
20 city and the state gives us the funding that
21 we need to improve the performance of our
22 district and gives the students the resources
23 that they need so that they can make the
24 grade.

1 As we go through, we are looking for
2 culturally responsive education and
3 restorative practices in our district. We
4 are continuing to expand the CTE. And as you
5 have heard from my colleagues, CTE plays a
6 very big part in our district. One of the
7 things that we have not been getting is
8 reimbursement for students who are starting
9 out at Grade 9. Because we as a Big 5
10 district, we see where it is very important
11 when the students start out earlier than just
12 10th grade. And we have seen in the
13 districts where the graduation rates have
14 been improved as a result of that.

15 While we do not get funding for
16 9th grade, we still continue to fund those
17 courses at the 9th-grade level because we
18 think that it's very important to the success
19 of our students, so that when they leave high
20 school, if they decide not to go to college,
21 they're also career-ready for the workforce.
22 So we are looking to the commissioners and
23 all the board, in a sense, to make sure that
24 we get that funding.

1 As it relates to our Foundation Aid,
2 you have heard about the challenges that we
3 face in not getting adequate funding from
4 that. Right now Rochester is not ready -- we
5 know we are going to have a sizable budget
6 gap, and we are analyzing our budget line by
7 line to make sure that we have all the
8 efficiencies we can and looking at all cost
9 measures. And as my colleagues have said, we
10 are not just coming to you asking for funds,
11 we are also looking at how we can do things
12 more efficiently and effectively in the
13 district.

14 We have our reports that we have
15 submitted. One of the things that I wanted
16 to highlight is a reduction in the health
17 service and professional development that was
18 taken out of the budget, a \$1.2 million
19 decrease. And also we noticed that the
20 budget did not have any specific language
21 targeting professional development.

22 So also the reporting requirements.
23 Already we are strapped with ESSA, Contract
24 for Excellence, and other reporting

1 requirements. Any additional requirement
2 will put an undue burden on us. So as a
3 group, we are looking to you to make sure
4 that as we go forward, these things get
5 addressed, because we are making sure we do
6 the best for our students to advance in their
7 education.

8 Thank you very much for your time.
9 Thank you for listening. Thank you for
10 having us here. We appreciate it.

11 CHAIRWOMAN WEINSTEIN: Thank you.

12 Before we go to our Education chair,
13 we've been joined by Assemblyman Nick Perry.
14 Cathy Nolan for some questions.

15 ASSEMBLYWOMAN NOLAN: I really want to
16 thank you for being such faithful attendees
17 at these things. Sometimes the New York City
18 school district, because it's so big, kind of
19 sucks the air out of the room and then we go
20 on from there. And the commissioner, of
21 course, is always great to listen to, but it
22 ends up taking a lot of time. So thank you
23 for patience.

24 I also want to say I feel very remiss,

1 I feel like I don't sit down with all of you
2 as much as I should, and I really -- we have
3 to fix that. Georgia, you've got to fix
4 that. You're going to have to find a day
5 when I'm here and you're here and we can have
6 more time to sit down. Because inevitably,
7 it's a session day and then I'm over in the
8 Capitol and we don't get to connect the way
9 I'd like. So now that my son is in college,
10 maybe I can finally travel around a little
11 more and not live in the dream of a public
12 school parent anymore. I'm a SUNY mom, so
13 I'll have a little more time to travel.

14 I promised a whole bunch of
15 colleagues -- I wanted to mention Assemblyman
16 Bronson, Assemblyman Morelle, Assemblyman
17 Gantt, very concerned about Rochester.
18 Assemblywoman Mayer, who is absolutely under
19 the weather or she would have been here. And
20 I know Assemblyman Pretlow was here earlier,
21 Assemblywoman Peoples-Stokes, Assemblyman
22 Ryan, very concerned about Buffalo. Pam
23 Hunter, also a public school mom, I want to
24 make sure she gets a lot of support, and Bill

1 Magnarelli.

2 So there's a lot of interest in the
3 districts, a lot of interest here. Certainly
4 I hear about Yonkers from them all the time,
5 or Buffalo, and we appreciate what you're
6 doing.

7 I would like you to just, if you
8 could -- it doesn't have to be all of you,
9 someone just maybe kind of -- I know you
10 talked about a lot of different things, but
11 the 2 percent cap on the expense-based aids,
12 if someone would like to comment on what that
13 would do to you.

14 And then I just particularly want to
15 say to Dr. Cash that Commissioner Elia keeps
16 singing your praises in Buffalo, so we thank
17 you for what you're doing there. And like I
18 said, I hope -- I'm in Syracuse all the time,
19 but I don't get to Buffalo as much because my
20 mom lives in Syracuse, but I hope to get out
21 there to see you.

22 SUPERINTENDENT CASH: The short answer
23 is I think it's going to hurt, it's going to
24 hurt us. We're not supportive of it.

1 ASSEMBLYWOMAN NOLAN: You're doing a
2 lot of good work.

3 But maybe on expense-based aid,
4 somebody could comment. And anything else
5 you want to say about -- I asked Commissioner
6 Elia this, I asked Chancellor Fariña this:
7 How important is Foundation Aid? Because,
8 you know, there's kind of an ongoing
9 discussion now about what we can do under
10 these new federal constraints. And obviously
11 it's important to the Assembly's majority,
12 but we'd like to hear how you feel about it.

13 SUPERINTENDENT QUEZADA: So thank you
14 for the question, and welcome to my esteemed
15 Senator from Yonkers, Senator Andrea
16 Stewart-Cousins.

17 Foundation Aid is the sustainable
18 mechanism that allows us to service each and
19 every one of our students. And I think it's
20 time to end the phase-in factor and to fully
21 fund Foundation Aid. If Foundation Aid in
22 Yonkers were to be fully funded, I wouldn't
23 be here telling you that I have a gap. I
24 would be ready to open school in September

1 with all of the programs that I currently
2 have and more.

3 So let us look at that formula and let
4 us make sure that we are receiving the
5 funding that each and every one of us is
6 entitled to.

7 ASSEMBLYWOMAN NOLAN: And then on
8 expense-based aids, on the cap, the proposed
9 cap on expense-based aids, how does that
10 impact?

11 SUPERINTENDENT ALICEA: That is a
12 very -- it's going to be very problematic for
13 Syracuse, especially in the area of
14 transportation. We budget every year based
15 on the expenses that we had the year before.
16 If we don't know exactly how much money we're
17 going to get, that is going to be a problem
18 for all of us -- not only Syracuse, all the
19 Big 5 school districts.

20 Also the 2 percent cap is going to be
21 a problem for us going through the Joint
22 School Construction Board. We're planning,
23 endeavoring to get at this 90 percent
24 reimbursable, and if we don't know how much

1 we're going to get, that's going to be very
2 problematic for Syracuse and all of us.

3 ASSEMBLYWOMAN NOLAN: Thank you.

4 MS. ASCIUTTO: Chairwoman, would you
5 mind if I just responded to the Foundation
6 Aid question for a minute?

7 So for districts that are fiscally
8 dependent on their cities, which the Big 5
9 are, Foundation Aid is not only -- it is even
10 more critical than it is in other high-need
11 districts where they have the ability to
12 possibly go to their voters for potential tax
13 levy increases.

14 Our cities have been keeping
15 appropriations to our school districts almost
16 flat in 20 years, with some exceptions in
17 some of our districts. And those exceptions
18 have not been keeping any pace with
19 increasing inflation, additional pupils,
20 additional pupils with extraordinary needs.
21 So we can give you those numbers. So it puts
22 certainly a lot more pressure on our need for
23 Foundation Aid increases.

24 Thank you.

1 ASSEMBLYWOMAN NOLAN: Thank you.

2 CHAIRWOMAN YOUNG: Thank you.

3 So I'd like to have the minority
4 leader in the Senate speak right at this
5 time, and that's Senator Andrea
6 Stewart-Cousins.

7 SENATOR STEWART-COUSINS: Thank you,
8 Senator Young.

9 And it's good to see the Big 5. And
10 certainly to my own superintendent,
11 Dr. Quezada, thank you. I was waiting for
12 you because I knew that, again, as
13 Assemblywoman Nolan mentioned, that not only
14 are people in and out, but Shelley is under
15 the weather and so on. But I wanted to, as
16 usual, commend you for the work that you are
17 doing to move the school district forward and
18 assure you that the fight for the Foundation
19 Aid is really one that we have all taken
20 very, very seriously because of the reasons
21 that you've all expressed here.

22 I was wondering a little bit, because
23 in part of your testimony you were saying
24 that -- just shifting a little bit to the

1 Community Schools, you said that you'd become
2 a quintessential Community School model. And
3 I'm just wondering, can you expand on what
4 kind of services our Community Schools are
5 giving to our kids and how many kids are
6 being served?

7 SUPERINTENDENT QUEZADA: Absolutely.
8 And thank you, Senator. And thank you to all
9 of the members of the state delegation.

10 And I think, if I can give an example
11 of what it is that the Community School model
12 is doing for us, it is actually bringing each
13 and every one of us together. The state
14 delegation, the elected officials in Yonkers,
15 and the entire community is coming together
16 to devise wraparound services which are
17 essential to young people, particularly those
18 that are underrepresented.

19 Right now Yonkers has 12 percent
20 students with disabilities, close to
21 20 percent English language learners.
22 Fifty-eight percent of our students are
23 Hispanic; about 19 percent are
24 African-American. So the needs are

1 significant. And the concept of not
2 addressing their needs is something that we
3 can no longer do.

4 We have become, in many of our
5 schools, the center of the community. So you
6 think of the MLK Jr. Academy, where we have a
7 health clinic that provides services. And
8 then we have two agencies that are providing
9 social/emotional support. And then we have
10 the Food Bank bringing meals on a weekly
11 basis to our families. And the fact that a
12 school is open till 6 p.m. every single day
13 servicing not only the students, but
14 servicing the parents and any of the
15 community members that are around that
16 particular school.

17 And that's what we are trying to
18 create in many of our schools. Most
19 recently, you allocated additional funding
20 with the Empire grant, and that Empire grant
21 brought to Yonkers an additional \$1.4 million
22 which allows us to keep our schools open
23 until about 4:30, 5 o'clock almost every
24 single day. And during those hours we are

1 not only providing academic support, but we
2 are providing extra enrichment activities
3 that our students so much need.

4 So the Community School is a model
5 that I think we should all protect, we should
6 all support. And every school in our
7 communities should become a Community School.
8 They should be open for athletics, for
9 sports, for the arts, for music. And that's
10 what we are attempting to do in Yonkers, and
11 it's happening in almost 15 of our schools
12 right now. So I'd like to move to 39 schools
13 very soon.

14 SENATOR STEWART-COUSINS: I'm a big
15 proponent of that.

16 Yes?

17 SUPERINTENDENT CASH: Yes, if I could
18 amplify and extend what my colleague from
19 Yonkers has talked about. He did it very
20 well, and I commend you on the work in
21 Yonkers.

22 Certainly in Buffalo, as part of our
23 New Education Bargain, which is six major
24 efforts, initiatives going on -- one of them

1 is strong community schools. And we believe
2 it's an epicenter for the transformational
3 work going on in Buffalo.

4 These Community Schools we
5 purposefully placed in the toughest
6 neighborhoods in our city. We overlaid them
7 with receivership schools in gang-infested
8 communities, because we wanted to reclaim
9 these communities. We said enough is enough,
10 and no longer are we going to give in to the
11 politics of failure, and we are going to
12 reinvigorate these schools.

13 And we're doing this very similarly.
14 They're becoming a national model. So we
15 commend you for the funding for it, and we
16 encourage you to make sure that they're being
17 spent for the purposes.

18 Just a few highlights that are real
19 specific. Open from 7:00 to 7:00 five days a
20 week, and on Saturday, 9:00 till 1 o'clock.
21 Free meals served on Saturdays. Dental care
22 provided for our students, healthcare, mental
23 healthcare for our students. Health clinics
24 in most of these high school settings for our

1 high schools, 11 are K through 8 elementary
2 schools. And we have things that I always
3 thought were important in an enriched
4 education, we're putting them into Community
5 Schools. Because poverty is not the issue
6 alone, the issue is what are our children
7 getting.

8 And if you talk about suburbs, if you
9 talk about your best private schools, if you
10 talk about the schools that I went to growing
11 up, going on and graduating cum laude from
12 Princeton University and Stanford University,
13 it wasn't because I was so special, it was
14 because I was getting an enriched education.

15 And so we have Zumba classes going on,
16 we have chess clubs going on, we have Suzuki
17 violin lessons going on for our young
18 children, Japanese, Mandarin, Russian,
19 Arabic, world languages that we're
20 introducing to our young people and they're
21 thriving. Coding clubs. Computer that you
22 take apart, learn how to take it apart, put
23 it back together and you get to keep the
24 computer. These are brand-new computers.

1 So our children come into the
2 Community Schools and go left, and they have
3 programming and enrichment, and their parents
4 come in and go right, and they have adult
5 courses and parent centers that they can go
6 into and learn how to be even more engaged
7 parents. Over 50 courses are being offered
8 in these community schools for adults, and
9 42 healthcare/wellness banks. And higher
10 education institutions are brought in, and
11 each are aligned to these zones. There are
12 four zones in which these Community Schools
13 operate.

14 So it's just early. The only
15 difference I would make with my colleague
16 Edwin is instead of rapidly going to more --
17 because it is true, everybody wants to be one
18 now -- I want to make sure that these take
19 root and we start to see that they're
20 actually improving the results around
21 attendance, academic achievement, before I
22 grow too fast.

23 So I just wanted to add to what you're
24 doing, because your investment is paying off.

1 Thank you.

2 SENATOR STEWART-COUSINS: Well, thank
3 you. It sounds like you have an extremely
4 enriched program. And I know that
5 Assemblywoman Peoples-Stokes and -- you know,
6 we both carry the Community Schools bill and
7 have for -- so I'm very happy that they are
8 alive and well.

9 But you mentioned two things -- and
10 I'll move on because I know my colleagues
11 want to too. Technology, and I want to go to
12 Yonkers and the Smart School Bond Act. And I
13 know that there's a capacity to, I think, get
14 about \$24 million in and increase the
15 technology. And I don't know that we're
16 where we could be. I think right now we've
17 maybe spent about \$3.8 million or so to
18 enhance the technological capacity. How are
19 we doing with that?

20 SUPERINTENDENT QUEZADA: Absolutely,
21 and thank you. Yes, Yonkers is entitled to
22 approximately \$24 million of Smart Bond. We
23 have been spending in stages. We felt that
24 instructional technology was the most

1 important element.

2 So as you indicated, we put in the
3 application for instructional technology. We
4 were told by the committee that we put in a
5 model application, which was approved very
6 quickly for instructional technology. The
7 expenditure took place -- went on very
8 quickly. And the beauty of it is that the
9 reimbursement was also very expeditious. So
10 if you guys had anything to do with that,
11 thank you.

12 So right now, in each and every one of
13 our schools, we have additional laptops, we
14 have additional stand-alone systems, we
15 brought in additional overhead projectors.

16 One of the things we wanted it to do
17 is we very quickly wanted it to move into
18 computer-based testing. So for us, improving
19 the technology was essential to the process.
20 Yonkers will move this year into everyone
21 taking the Grade 3 to 8 assessment online,
22 which I think is extremely important,
23 particularly because our young people are
24 ready.

1 So in terms of instructional
2 technology, we have purchased the hardware
3 for our schools, they are already in our
4 schools, and they are being utilized. We
5 were approved at about \$5.5 million for
6 instructional technology. There's still
7 funding left there that we are about to
8 spend, and now we are preparing an
9 application for security.

10 And we are then also preparing an
11 application to remove the modular classroom
12 in two of our schools, so that application is
13 about to be submitted to the committee so
14 that we can also address pre-K space and
15 eliminating the modular classrooms.

16 SENATOR STEWART-COUSINS: Okay. And
17 the last thing that I'm going to ask about is
18 the -- again, there was a reference to the
19 Joint Construction Commission, I think it's
20 in Syracuse. And we are, I guess, poised --
21 we've been moving incrementally, obviously,
22 in rebuilding the schools. And I know that
23 each and every one of us believes that
24 children deserve an environment that is

1 Senator Addabbo.

2 SENATOR ADDABBO: Thank you very
3 much.

4 To this panel, thank you very much for
5 being here today and your efforts for the
6 students of the Big 5.

7 Previously I had asked about the
8 proposal in the Executive Budget about the
9 individual school budgets possibly being
10 vetoed by the state if they don't give this
11 valid report, and it has to be approved by
12 both the State Department of Ed and the
13 Division of the Budget. I'd like to hear
14 your opinion about this proposal in the
15 Executive Budget.

16 SUPERINTENDENT ALICEA: I think that's
17 going to create a problem for the Big 5
18 school districts. I think we have a
19 qualified Board of Education, we have a
20 Common Council in Syracuse that they approve
21 our budget. If we have to wait for -- to
22 submit the budget to the state, we are going
23 to be competing even more to find qualified
24 teachers, and we won't be able to hire

1 teachers in time to have the staffing that we
2 need in the classroom. So I think that
3 that's going to be a problem for all of us in
4 the Big 5 school districts.

5 SENATOR ADDABBO: And last question,
6 do you know of any major issues regarding
7 school districts not getting their funding?
8 I'm trying to figure out why this proposal
9 might exist, even ahead of the federal
10 regulations. But the bottom line is, do you
11 have any major impropriety about school
12 districts not getting their funding?

13 SUPERINTENDENT QUEZADA: I don't know
14 of any. But here is the major concern for
15 us. First of all, we are audited by multiple
16 agencies. We also have internal auditors in
17 our school districts. So for us it's the
18 human capital that is needed in order to
19 ensure that these reports are submitted.

20 I truly appreciated Carmen Fariña's
21 statement which -- she spoke about the fact
22 what are we going to do, take more money from
23 the classroom to put a group of professionals
24 together to prepare a report that needs to be

1 submitted to multiple agencies for approval?

2 We need to be very cognizant of the
3 fact that we need to respect the individuals
4 that are in charge of auditing all of our
5 systems and not putting us in a position
6 where we need to spend more money that should
7 go directly to a classroom for another layer
8 of approval.

9 SENATOR ADDABBO: Great. Thank you
10 very much to you all.

11 SUPERINTENDENT QUEZADA: Thank you.

12 CHAIRWOMAN WEINSTEIN: Thank you for
13 being here.

14 CHAIRWOMAN YOUNG: Thank you very
15 much.

16 PANEL MEMBERS: Thank you.

17 ASSEMBLYWOMAN NOLAN: See you soon.

18 CHAIRWOMAN WEINSTEIN: So next we're
19 going to have Dr. Bernadette Kappen, chair of
20 the 4201 Schools Association.

21 And as they're coming to the table, I
22 just wanted to announce for all of the people
23 who will be testifying going forward now, we
24 have your testimony, you've all followed the

1 instructions and emailed it to us, so we
2 would appreciate that you summarize. We're
3 going to have five minutes on the clock for
4 each witness.

5 Last night we went to 10:30, and
6 unfortunately for some of the people -- that
7 was after some of the people near the end of
8 the day had to leave because of the hour.

9 We didn't say no to anybody to be here
10 today, so we would appreciate if you could
11 summarize your remarks. That will give us a
12 little time if there are questions, and we
13 can make sure that everybody has an
14 opportunity to be heard. Thank you.

15 DR. KAPPEN: Thank you. Good
16 afternoon. My name is Bernadette Kappen.
17 I'm the executive director at the New York
18 Institute for Special Education and the chair
19 of the 4201 Schools Association. And I have
20 with me my colleague Tim Kelly, who's the
21 vice chair of the 4201 Schools Association
22 and helps me every day with the 4201
23 activities.

24 We want to first thank you for all

1 you've done to support the 4201 schools over
2 the past several years. We're so grateful
3 for the increase that we did receive, and it
4 has really greatly supported the students at
5 our schools. You know that we've struggled
6 for a number of years without any increases,
7 and with the increases the last few years
8 we've been able to really get back almost to
9 where we were in the 2008-2009 school year.
10 So we have struggled, and the schools have
11 really tried hard to look at their expenses
12 without jeopardizing the education of the
13 children.

14 And that's what I'd like to say. We
15 are so thrilled, Tim and I and all our other
16 colleagues, to work with the students at the
17 4201 schools. They bring their challenges,
18 but we can say that they grow and develop
19 every day.

20 And that's why we're here today to
21 request from you parity with the schools.
22 Our students have the same academic needs in
23 many ways, but they have special needs,
24 particularly in the communication areas.

1 That would be for students that are deaf or
2 hard of hearing, that they have their need
3 for different types and modes of
4 communication. We have children that are
5 blind and visually impaired that need
6 communication either through Braille, large
7 print. And those children that have severe
8 physical disabilities need their assistance
9 with many assistive technology devices to
10 make their voices heard.

11 So these extra expenses really are
12 areas that we feel our children are
13 deserving. Our children have great
14 potential, and we celebrate their successes
15 each year with students that receive Regents
16 diplomas, the students that are able to get
17 their certificates for achievement. So all
18 of our children, we feel, are deserving in
19 those areas.

20 So the additional investment that you
21 would make in our students we know that we
22 will put to good use. And we can talk about
23 our success rate. Our students are coming to
24 school, they like to be there. I can say at

1 the New York Institute we have a hundred
2 percent graduation rate. Last year we had 16
3 graduates; 14 went to college. So the
4 support that you give to us, the students do
5 become successful in their communities.

6 This morning when the commissioner
7 spoke, there were a couple of areas there
8 that we would like to really thank her for
9 the support, and areas that we find that we
10 are in need as well. This would be the
11 teacher effectiveness area. This is really
12 critical for us, because our teachers have to
13 be specialized in working with the students
14 as well as their academic particular areas.

15 For us, lately it's almost like a
16 revolving door. We bring in a teacher, the
17 teacher has time with us, they gain skills,
18 and then they leave and they go to their
19 local school district. Because once they
20 walk out our door, their salaries are much
21 greater than we're able to provide for the
22 students with us.

23 So any extra help that we can get
24 there with parity will really support our

1 teachers and thank them for the great job
2 that they do with our students.

3 The commissioner spoke about ELL.
4 Many of our schools are seeing populations of
5 children that are coming in that are
6 non-native English speakers. So in addition
7 to their language barrier, they have their
8 disability. I can say in the last couple of
9 years we've had three to five children that
10 come every year that do not speak very much
11 English, and we need to work with them. So
12 we really feel that if we were thought about
13 just like the regular schools, then we'll be
14 able to help the students even better.

15 And finally, in the transition area,
16 we want to keep supporting our children to
17 make sure that they can move on. We'd like
18 you to consider, this year, \$5 million for
19 short-term capital. We are fortunate that we
20 have really nice physical plants for our
21 students, but many of our schools have been
22 around anywhere from 50 years to 200 years.
23 So our campuses really are in need of
24 improvements in particular areas -- it could

1 be plumbing, safety, security areas, fire
2 alarm systems.

3 And finally, on a long-term basis, we
4 would request the opportunity to once again
5 work with the Dormitory Authority for more
6 long-term projects where we may need to have
7 boiler replacements, roof replacements to
8 keep our schools attractive places. I think
9 a parent comes in the door, they want to see
10 a safe environment for their child and then
11 they want to think about education. So we
12 would like to be able to promote that.

13 Again, we're most grateful for
14 everything that you do do for us, and we want
15 you to know that we appreciate that. I was
16 thinking about coming here today, and I saw a
17 quote that I thought was appropriate for our
18 needs. And it's "All of us are seeking the
19 same thing: We share the desire to fulfill
20 the highest, truest expression of ourselves
21 as human beings." And that's what we're here
22 for, for our children at the 4201 schools.

23 CHAIRWOMAN WEINSTEIN: Thank you very
24 much, and for the work the schools do on

1 behalf of our state's children.

2 CHAIRWOMAN YOUNG: Thank you. And I
3 truly appreciate the input and the testimony
4 and actually everything that you do. Because
5 as you know, I have a special buddy, Julia,
6 who lives in my district, and she has just
7 blossomed and flourished at the 4201 school
8 that she attends. So I just want to say
9 thank you for that, because it's great to see
10 firsthand what's being accomplished.

11 So thank you so much for all that you
12 do.

13 CHAIRWOMAN WEINSTEIN: And actually we
14 have a question from Mr. Otis.

15 ASSEMBLYMAN OTIS: Hi. Thank you for
16 coming, as always.

17 And the one question that I think
18 would be good with maybe just a little more
19 detail on is your schools run on very tight
20 budgets. Each school, it's a different
21 situation. But I think one thing that's
22 always good to communicate is how tight a
23 financial situation the schools and the
24 association and, for that matter, the other

1 different Special Act school districts not in
2 your association, the other schools in these
3 categories -- anything that you can add to
4 that briefly to just convey that to us?
5 Because I think it's something that can't be
6 emphasized enough. I've had some of the
7 conversations with you and your members in
8 the past. Thank you.

9 DR. KAPPEN: That is true. I think we
10 really do struggle with the finances.

11 And as you know, when we had our
12 funding changed several years ago, some
13 schools struggled more than others,
14 particularly with the cash-flow issue. The
15 school districts have been really very
16 supportive in sending their money, but again,
17 they have their issues. So you may have a
18 monthly payment or maybe a district can't
19 send you for every five or six months, so you
20 have really tight finances.

21 We also have increasing costs related
22 to health insurance, other insurance that you
23 have to pay. In New York City, for example,
24 I would say every month we get some kind of a

1 notice that you have to do and fix something.
2 For example, we had -- not too long ago where
3 we had to have the backflow preventers
4 replaced. That was an expense that we didn't
5 know about. That cost \$200,000 to have those
6 backflow preventers put in. We have
7 varying -- in our school, different areas
8 where the water is coming in.

9 So you have unknown expenses. Also,
10 the children. Over the years I would say
11 that the children are more complicated. I
12 think medicine has really allowed children to
13 survive that probably wouldn't have in the
14 past. So it's not that they're just blind or
15 they're just deaf; many of these children
16 have additional disabilities that require
17 other supports so that they can be
18 successful.

19 ASSEMBLYMAN OTIS: Thank you very
20 much.

21 CHAIRWOMAN WEINSTEIN: Again, thank
22 you.

23 DR. KAPPEN: Thank you very much.

24 CHAIRWOMAN WEINSTEIN: Next we have

1 the Alliance for Quality Education, Jasmine
2 Gripper, legislative director.

3 ASSEMBLYWOMAN NOLAN: Just let me
4 thank the 4201 schools too. We really
5 appreciate their being here. She does a
6 great job, Ms. Kappen does a great job. As
7 does Ms. Gripper. So we have some really
8 great witnesses here, and I thank the chairs
9 for moving it along.

10 CHAIRWOMAN WEINSTEIN: And somehow
11 everybody seems to cherish the back seats.
12 Let me just call the next few, just to let
13 people know so you might prepare to move
14 down. The next after AQE will be the
15 New York State Council of School
16 Superintendents, followed by the Council of
17 School Supervisors and Administrators, CSA.

18 MS. GRIPPER: Thank you guys. I will
19 just read a brief summary of my testimony.

20 CHAIRWOMAN WEINSTEIN: Thank you.

21 MS. GRIPPER: Thank you for providing
22 me the opportunity to testify before you
23 today.

24 The Governor mentioned the word

1 "equity" in his budget release, yet his
2 proposal includes only a fraction of what is
3 necessary to achieve equity. Parents and
4 families want our children to have access to
5 high-quality academic opportunities, social
6 and emotional supports, full access to art,
7 music, physical education and after-school
8 enrichment programs like sports and other
9 extracurricular activities.

10 For far too long, students in black,
11 brown and low-income communities have been
12 systematically underfunded and denied access
13 to these opportunities. It's time to end the
14 record inequality of education funding in
15 New York that perpetuates a widening
16 opportunity gap.

17 In order to enact the following
18 demands, we must fully fund our public
19 schools using the state's Foundation Aid
20 formula. Parents across New York State want
21 their children to have access to culturally
22 responsive education, where a student's
23 diverse history, culture and race is
24 reflected in their education; a safe and

1 supportive school climate free of harassment,
2 bullying, and discrimination; teachers from
3 diverse backgrounds; engaging in challenging
4 curricula, programming and services through
5 sustainable community schools; and a strong
6 foundation for our youngest learners through
7 high-quality early childcare and full-day
8 pre-K programs.

9 In order to achieve this, New York
10 State must commit to a three-year phase-in of
11 the Foundation Aid formula, with a
12 \$1.4 billion increase in Foundation Aid this
13 year.

14 We support the \$50 million increase of
15 community schools funding, but we urge you to
16 take it out of the Foundation Aid. We
17 support the \$15 million increase in pre-K
18 funding, but urge you to increase it further.
19 At the current rate, it will take 57 years
20 for New York State to fulfill its promise of
21 universal pre-K for all 4-years-old
22 statewide.

23 Governor Cuomo likes to say he
24 increased education funding, but the numbers

1 tell a different story. Year after year, he
2 has only kept up with inflation without
3 providing for the improvements needed for
4 equity.

5 The state's final budget must fully
6 fund equity in 2018 by committing to the full
7 Foundation Aid phase-in to protect all of
8 New York State's children. According to the
9 State Education Department, New York State
10 owes schools \$4.2 billion in Foundation Aid.
11 Seventy-four percent of the Foundation Aid
12 that's owed is due to districts with 40
13 percent or more of students who are black and
14 brown. A generation of students has already
15 gone with a promise unfulfilled from the
16 Campaign for Fiscal Equity. Education
17 justice requires adequate and equitable
18 distribution of funding for public schools.

19 And lastly, on revenues, we are
20 heartened to see the Governor propose some
21 revenue-raising actions, though we believe
22 that his budget does not go far enough to
23 capture the windfalls that big corporations
24 and high-income-earners are getting from the

1 federal government. As Martin Luther King,
2 Jr., said: Justice too long delayed is
3 justice denied.

4 New York's students been waiting for
5 over a decade for education justice. New
6 York State has a funding formula that was
7 created out of the demand for equity and
8 adequacy. It's time that the state fully
9 funds the Foundation Aid formula and fulfills
10 its commitment to the CFE court ruling.

11 Thank you.

12 CHAIRWOMAN WEINSTEIN: Thank you. And
13 thank you for being so succinct. As I said,
14 the full testimony is part of the record.
15 Thank you so much.

16 MS. GRIPPER: Thank you.

17 CHAIRWOMAN YOUNG: Thank you.

18 CHAIRWOMAN WEINSTEIN: So next we have
19 the New York State Council of School
20 Superintendents, followed by CSA. Robert
21 Lowry, deputy director.

22 MR. LOWRY: Good afternoon, Chairwoman
23 Young, Chairwoman Weinstein, and other
24 members of the Assembly and Senate. I am

1 Robert Lowry, deputy director of the New York
2 State Council of School Superintendents.

3 Thank you for the opportunity to testify and
4 for your past support of education.

5 We know that schools have fared better
6 than other parts of the state budget, many
7 other parts, and those efforts have made a
8 difference. We do see improvements in the
9 financial condition of many districts, but
10 not all. The gains are not universal and in
11 some cases they're fragile.

12 What's really most striking about
13 surveys that we've done is evidence of
14 increasing concern about the needs of
15 students. One example, we found that the
16 percentage of superintendents identifying
17 improving mental health services for students
18 as a top priority growing from 35 percent
19 last year to 52 percent this year. That's
20 just one piece of background information for
21 evaluating the budget and the state of
22 schools.

23 The council is part of the Educational
24 Conference Board. Each year ECB attempts to

1 estimate what kind of School Aid increase
2 will be necessary to maintain current
3 services. This year we estimated
4 \$1.5 billion. That's not a wish list. We
5 use independent sources, including the
6 Division of the Budget.

7 The budget School Aid increase is
8 advertised as \$769 million. That includes
9 \$100 million devoted to categorical
10 initiatives. Many of these we would support,
11 perhaps all of them, but that \$100 million is
12 not available to support current services.

13 Then the budget also proposes to shift
14 \$70 million in special education costs from
15 the state to school districts. That brings
16 the amount available to support current
17 operations down to \$600 million. So even if
18 some of ECB's estimates are off, they're not
19 off by two and a half times, \$1.5 billion
20 versus \$600 million.

21 It's a positive that this budget does
22 not repeat last year's proposal to repeal the
23 Foundation Aid formula. The increase is
24 progressively distributed, generally driving

1 greater increases to needier districts. But
2 the total increase of \$338 million just
3 doesn't go far enough to help enough
4 districts. And it does include a \$50 million
5 set-aside for community schools. Pull that
6 out, and the amount that's available to
7 support ongoing operations drops to
8 1.7 percent.

9 The budget does propose to fund the
10 expense-based aids according to current law
11 formulas for next year, and that's a
12 positive. It keeps faith with districts who
13 are incurring costs this year and the
14 expectation that they'll be reimbursed next
15 year. But it proposes to cap certain
16 expense-based aids at 2 percent, starting in
17 2019-2020. The cap on BOCES aids would
18 particularly hurt poorer districts. We see
19 them increasing their use of BOCES services
20 the most.

21 And the cap on building aid would hurt
22 all districts. It would ultimately ratchet
23 down building aid reimbursement for all
24 districts to the extent that increases

1 statewide exceed 2 percent. So even if a
2 district restrained its own construction
3 spending, it could be hurt because of the
4 actions of other districts.

5 With the tax cap, it's become even
6 more important for districts to plan out
7 their capital spending, try and even those
8 out. And this would be become harder,
9 perhaps impossible, with the cap that's been
10 imposed. It would also make it impossible
11 for districts to give their voters any
12 assurance that the state will reimburse a
13 consistent share of a project's costs, and
14 that will make it harder for districts to
15 gain voter approval.

16 As I mentioned, the budget proposes
17 shifting \$70 million in summer special
18 education costs to school districts. It
19 would raise the local share of these costs
20 from 20 percent to about 50 percent for an
21 average-wealth district, and to as high as
22 75 percent for about a fifth of the
23 districts.

24 We do oppose the proposal to require

1 approval of building allocation plans among
2 15 districts. This strikes us as applying a
3 blunt instrument to a complex issue,
4 substituting the judgment of Albany officials
5 for local officials, local leaders who are
6 closer to the schools and the students.

7 At best, the proposal is premature.
8 The Every Student Succeeds Act will require
9 every district to report on its
10 building-level funding allocations. That
11 will shed more light on those decisions and
12 the complications that districts encounter in
13 making them.

14 In our testimony I summarize the
15 sustainability agenda that we shared with
16 your offices earlier this month. Recognizing
17 the great challenges that we could all be
18 facing at the state and local level chiefly
19 because of actions coming from Washington, we
20 put forward a series of recommendations to
21 try and create a more financially sustainable
22 future for districts going forward. It
23 starts with updating and phasing in a
24 foundation formula, making some adjustments

1 to the tax cap, taking some steps to help
2 school districts control their spending, and
3 gain more impact from the resources that
4 taxpayers do provide. And finally, to
5 provide schools with access to reserves like
6 those local governments have, starting with a
7 reserve for teachers' pension obligations.

8 We emphasize the sustainability agenda
9 because we recognize the challenges that
10 we're all likely to face. We're grateful for
11 your past support, and we'll work with you
12 once again to construct a state budget that
13 can preserve and improve the opportunities
14 that all students need and deserve.

15 Thank you.

16 CHAIRWOMAN YOUNG: Thank you.

17 CHAIRWOMAN WEINSTEIN: Mr. Oaks.

18 ASSEMBLYMAN OAKS: Yes. Just quickly,
19 I know your members have been in the halls
20 this week and meeting individually with
21 members. And just appreciate your testimony
22 today, but also that opportunity to have the
23 impact individually throughout the state in
24 our different regions, the impact of the

1 budget both on the themes that you've hit on
2 today but also ones that were brought
3 directly by your member districts. So thank
4 you.

5 MR. LOWRY: Thank you for meeting with
6 them.

7 CHAIRWOMAN YOUNG: Thank you.

8 CHAIRWOMAN WEINSTEIN: Thank you.

9 Next we have Mark Cannizzaro,
10 president of CSA. He'll be followed by
11 Cynthia Gallagher, if she can step down.

12 ASSEMBLYWOMAN NOLAN: Let me just
13 thank Bob Lowry again, because it's always
14 great testimony from the superintendents, and
15 welcome Mark. I think this is his first
16 time, Chairwoman. So we really welcome the
17 new president of this union here and
18 appreciate his voice and appreciate the
19 superintendents, Bob, all the expertise.

20 We're not asking questions just so we
21 can move it along, but a lot of you we talk
22 to all the time, so we'll have some further
23 opportunity to do that. But thank you again
24 for everything that you're doing and for

1 testifying today.

2 PRESIDENT CANNIZZARO: Thank you.

3 Good afternoon, Assemblymember

4 Weinstein, and congratulations.

5 CHAIRWOMAN WEINSTEIN: Thank you.

6 PRESIDENT CANNIZZARO: Senator Young,

7 Assemblymember Nolan, and to your honorable

8 colleagues, especially those that have stuck

9 around. So thank you so much. I know how

10 difficult it is.

11 CHAIRWOMAN WEINSTEIN: We just slept

12 here from last night.

13 PRESIDENT CANNIZZARO: And the

14 reporter, she's made it through the -- she's

15 made it through also.

16 My name is Mark Cannizzaro, and I'm

17 the president of the Council of School

18 Supervisors and Administrators, or CSA. CSA

19 is the labor union representing over 6100

20 active and 10,000 retired principals,

21 assistant principals, education

22 administrators, and supervisors in New York

23 City public schools and five conversion

24 charter schools. We are also the collective

1 bargaining unit for 200 early childhood
2 directors and assistant directors who work in
3 city-subsidized Early Childhood Centers.
4 We'd like to thank you for this opportunity
5 to present testimony today.

6 You have our detailed written
7 testimony, so I'd like to just touch on a
8 couple of things of extreme importance to our
9 school leaders.

10 First, of course, is the School Aid
11 and Foundation Aid. We recognize the
12 financial difficulties this state faces and
13 the challenges that the projected budget
14 deficit now present. Nevertheless, the
15 Executive Budget proposal for School Aid
16 falls far short from what our schools
17 desperately need and what the Foundation Aid
18 formula otherwise requires.

19 The Executive Budget calls for an
20 increase of \$769 million in state aid, which
21 includes a Foundation Aid increase of only
22 \$338 million. That is less than one-half of
23 the \$1.6 billion increase the State Board of
24 Regents, fully aware of the fiscal climate,

1 recommended as necessary.

2 CSA believes that the state must
3 commit to fully funding the Foundation Aid
4 formula. In 2007, the state enacted the
5 Foundation Aid formula to support all school
6 districts across New York State -- most
7 importantly, low-wealth school districts. We
8 once again request, on behalf of the young
9 people we serve, your support in the full
10 phase-in of the Foundation Aid formula over
11 the next three years.

12 We also feel it's incredibly important
13 today to speak to you about school leader
14 professional development. Our motto at CSA
15 is that great schools begin with great
16 leaders. We know, and research confirms,
17 that the complexity of our jobs requires
18 ongoing professional development that is of
19 extremely high quality.

20 To that end, CSA has established the
21 Executive Leadership Institute, and we did so
22 several years ago. The Executive Leadership
23 Institute, or ELI, is a not-for-profit
24 organization that delivers practical,

1 relevant and essential professional
2 development for school leaders. We need to
3 invest in more of this kind of support, and
4 we are extremely grateful to this Legislature
5 for your support of ELI in the past. This
6 \$475,000 yearly allocation you have given us
7 has sustained our work to provide the
8 much-needed professional development services
9 and mentoring for school leaders working in
10 New York City public schools.

11 Now, ELI, along with other
12 professional organizations, provides
13 professional development for school leaders
14 in Long Island and upstate as well. With
15 your help and support, ELI's programs can
16 grow, providing standards-based,
17 high-quality, results-driven training for
18 school administrators. We respectfully ask
19 you for your continued support of this
20 important initiative.

21 We also would like to add our
22 disagreement with the Executive Budget
23 proposal requiring New York City and other
24 large districts to have school-level funding

1 plans approved by the state. Our objection
2 is maybe a little bit different than others;
3 we feel that this will cause a delay in
4 schools receiving their school budgets, which
5 are already delayed beyond what is acceptable
6 for schools in the planning process.

7 If such a proposal is considered, we
8 ask that an audit of the previous years'
9 increases be implemented instead. Of course,
10 we know you agree that our students deserve
11 the best -- they deserve the best programs,
12 services and supports that are necessary to
13 prepare them for college, careers and,
14 perhaps most importantly, for life as
15 productive and taxpaying citizens of this
16 state. They depend on us, but the success of
17 our state ultimately will depend on them.

18 So during this upcoming budget
19 negotiation, we urge the Legislature to
20 continue to advocate for our students,
21 teachers and school leaders as passionately
22 as you have done in the past. And we thank
23 you for that passion, and I thank you for the
24 opportunity to be here today.

1 CHAIRWOMAN WEINSTEIN: Thank you. And
2 right on the five-minute mark. Perfect.

3 PRESIDENT CANNIZZARO: I know. I had
4 more, but I was sort of -- I was watching the
5 clock.

6 CHAIRWOMAN WEINSTEIN: Thank you so
7 much for that. As I mentioned, we do have
8 all of the testimony, and it actually has
9 been circulated in advance to members. I
10 think there's actually an opportunity for
11 more attention under this system.

12 So thank you, and thank you for the
13 work that all the CSA members do for our
14 students and our city.

15 PRESIDENT CANNIZZARO: Thank you.
16 Appreciate your time.

17 ASSEMBLYWOMAN NOLAN: Good luck in
18 your tenure, Mark. Good luck in your tenure.

19 PRESIDENT CANNIZZARO: Thank you.

20 ASSEMBLYWOMAN NOLAN: And we wish
21 Ernest the best in his retirement. And, you
22 know, you've come in at a very critical time,
23 so we know it's going to be a lot of
24 pressure, but thank you very much.

1 PRESIDENT CANNIZZARO: My pleasure.

2 Thank you.

3 CHAIRWOMAN WEINSTEIN: Thank you.

4 Next, the New York State School Boards
5 Association, Julie Marlette. She'll be
6 followed by the New York State Association of
7 School Business Officials, Michael Borges.

8 (Discussion off the record.)

9 CHAIRWOMAN WEINSTEIN: Oh, I'm sorry,
10 Cynthia Gallagher. That's the problem with
11 reading glasses.

12 (Laughter.)

13 CHAIRWOMAN WEINSTEIN: Sorry.

14 MS. GALLAGHER: Good afternoon.

15 And thank you for that, Julie.

16 CHAIRWOMAN WEINSTEIN: That was really
17 quick testimony you gave. Thank you.

18 (Laughter.)

19 MS. GALLAGHER: Good afternoon. Thank
20 you, Chairperson Young, Chairpersons
21 Weinstein and Nolan. Thank you very much for
22 the opportunity to present this afternoon.

23 My name is Cindy Gallagher. I
24 represent the School Administrators

1 Association of New York State, and it is an
2 honor to present on behalf of our 7,000
3 members and our 429 school districts. We
4 also have a strong consortium with the New
5 York State Federation of School
6 Administrators, and we combine forces to
7 collaborate professional development and
8 advocacy.

9 I would like to reiterate or concur
10 with many of the points that were made by my
11 colleagues. But what I'd like to do is set
12 them in the context of a few comments that
13 have been made by our members during this
14 last couple of weeks, through conference
15 calls as well as meetings. I think some of
16 their remarks will bring to life our four
17 major goals for this next budget proposal.

18 "Our district is tapped out as far as
19 going back to taxpayers with an increase --
20 we will not be able to address this year's
21 budget with any thought of a tax increase,
22 whether it be .05 percent, 1 percent, 1.2
23 percent or 1.9 percent." That's Comment No.
24 1.

1 Comment No. 2: "We would love to go
2 out to our community partners to supplement
3 our programs with their staff of social
4 workers or mental health clinicians -- except
5 they too do not have the resources to tap
6 into them."

7 "Our district is anticipating the new
8 federal requirements under ESSA, and any
9 thought of using fund balances for any kind
10 of program expansion is just not realistic."

11 Two more. "Competitive grants do not
12 help our district. I can demonstrate need
13 and have data point after data point, but we
14 cannot compete with the eligibility criteria
15 that focus on districts labeled as
16 high-need."

17 And then lastly: "As the state moves
18 to computer-based testing, we need to build a
19 technology infrastructure to support the
20 assessment program."

21 So with those comments as the backdrop
22 to my stating just very briefly our four
23 goals for talking about the budget today, I
24 would like to just first talk about

1 Foundation Aid and of course reiterate many
2 of the points you heard this morning that we
3 need to increase state funding.

4 When the external pressures outside of
5 school challenge our students and their
6 families, schools' only response is to expand
7 programs, look at additional hours, or to
8 intensify services. It is expensive to do
9 that in order to serve over 60 percent of the
10 students who have been identified with
11 depression and the 80 percent of students who
12 are still not receiving services who have
13 been identified as having anxiety disorders.
14 Those kinds of services are very, very
15 challenging, as you've heard already today.

16 The second priority area -- and I'm
17 going to lump three areas together:
18 Competitive grants, incentivized funding, and
19 updating the Foundation formula.

20 Competitive grants and incentivized
21 funding have their purpose, and that's really
22 to catalyze programming. But they were never
23 meant to be sustainable ways to fund
24 programs. So as you heard, many of our

1 districts are already outpaced by our
2 high-need districts. But high-need students
3 do not live in only high-need areas. Many of
4 our school districts have the same needs as
5 high-need school districts.

6 The competitive grants are not
7 sustainable. As you can see in pre-K and the
8 conversion to full-day K, even when we
9 finally meld those competitive grants we will
10 still be left with two competitive grant
11 processes.

12 So these three areas go into one of my
13 final points, which is in terms of the need
14 to update the formula. By doing so, we will
15 have a more realistic, perhaps, picture of a
16 pre-K through 12 continuum as well as the
17 needs of today's students.

18 Just very briefly, my one last area
19 would be in regard to funding sources. I
20 agree with Mark; if you went down the list of
21 the kind of funding you would see -- and we
22 applaud these grant areas -- for the Master
23 Teacher Program, the Excellence in Teaching
24 Awards, Teachers of Tomorrow, and Teacher

1 Mentor Program, you will see in that list
2 that there is one area of constituency that
3 is missing, and that's your school
4 administrators, school leaders.

5 So we respectfully request funding to
6 be allocated for the professional development
7 and learning for our administrators, who have
8 undertaken every reform initiative within the
9 last eight years without drama, without
10 protestation, and have worked diligently to
11 implement wisely and well the demands of
12 APPR, No Child Left Behind, and now ESSA.

13 So I thank you for this opportunity.
14 We'll continue to talk, I'm sure, throughout
15 this budget season. And I look forward to
16 any comments or questions you may have.

17 CHAIRWOMAN WEINSTEIN: Thank you.

18 MS. GALLAGHER: You're welcome.

19 CHAIRWOMAN WEINSTEIN: Thank you very
20 much for your presentation.

21 Okay, now, Julie Marlette, New York
22 State School Boards Association.

23 MS. MARLETTE: Thank you. Though I'm
24 always happy to be mistaken for Cindy.

1 Good afternoon, and thank you to all
2 of you who have hung in here all day with us.
3 You all have my written testimony, so I won't
4 even read a summary of it. And I'm sure
5 we'll all be spending more time together than
6 we care to and can discuss it in the weeks to
7 come. Instead, what I thought I would do is
8 just share a few responses and points that
9 occurred to me in listening to the commentary
10 throughout the day today.

11 Like Bob Lowry mentioned, I'm also a
12 member of the Educational Conference Board
13 and would echo his support for their overall
14 aid proposal, which my team worked on as a
15 part of as well. But rather than reiterating
16 those points, I wanted to speak to some
17 things that I heard and offer some perhaps
18 additional perspectives that may not be
19 reflected in our written testimony.

20 The first is in speaking to the
21 Governor's proposal to require certain
22 districts to have their building-level
23 budgets approved by the state. I think that
24 my colleagues from the Big 5 did an eloquent

1 job of explaining how that would negatively
2 impact fiscally dependent districts. So I'd
3 like to speak for just a moment on what I
4 believe the impact would be on fiscally
5 independent districts, specifically with
6 regard to circumventing the will of the
7 voters.

8 School districts are the only
9 municipalities that get direct voter approval
10 of their budgets, and I think that that
11 should be respected.

12 I think it's also worth noting that in
13 districts of smaller size that may still have
14 nine buildings, there's a need to be nimble
15 and responsive, and that a statewide approval
16 plan on a single approval at a single point
17 in time may not allow the district to be
18 responsive to changing needs within their
19 districts.

20 The second thing I wanted to speak to
21 is the proposed cap on growth in reimbursable
22 aids. I've certainly heard and read the
23 suggestion this would be a good investment
24 strategy, that this would redirect monies

1 away from lower-need districts and create a
2 greater pool of money to be put into
3 Foundation Aid -- which certainly I would
4 support, if there were more money for
5 Foundation Aid -- for higher-need districts.

6 However, in our ongoing analysis of
7 the budget and the proposed numbers, we're
8 finding that that simply doesn't pan out. If
9 you do wish to look at any written testimony,
10 I would suggest you start on page 4, where
11 we've demonstrated -- the data says that
12 high-need districts, both high-need rural and
13 high-need urban/suburban, actually see the
14 greater percentage of the budgets funded
15 through these reimbursable aids. Therefore,
16 capping them would most directly hurt our
17 highest-need districts. That would be
18 especially true with regard to capital
19 construction, where ongoing projects -- that
20 again have already been approved by voters,
21 with a certain expectation and certain data
22 points in place -- could be changed after the
23 project has already started and debt service
24 has been incurred.

1 Beyond that, for all districts that
2 participate in BOCES, I think this could be
3 incredibly damaging. I'm sorry she's not in
4 the room, because I wanted to specifically
5 note Senator Young's comments about
6 rebranding BOCES and making it cool again.

7 Now, I would certainly never point to
8 myself or really anyone on my team if we're
9 trying to make someone cool again. But I can
10 talk about the rebranding of BOCES and what
11 we should talk about it looking like. And
12 it's not the BOCES of our fathers and
13 grandfathers or voc ed or any of the other
14 negative connotations that can be there.

15 I can't give you many examples, but I
16 can point to two persons here on my own team.
17 My deputy director, Brian Fessler, is an
18 alumni of a BOCES program out of Monroe-2
19 BOCES called New Vision, which focused on law
20 and government. And if we want a
21 demonstration of college and career, he went
22 to a BOCES program to focus on college and
23 career and he sits here the deputy director
24 of government relations. So I think that's a

1 success story.

2 I would also observe that my other
3 colleague, sitting behind me, Caroline,
4 taught in the Ulster County BOCES -- not to
5 school-age students, but adult students.

6 BOCES play a much larger role in our
7 communities, and we should support them and
8 we should honor the commitment we've made to
9 those programs.

10 Third, I know there's been a lot of
11 talk about loss of enrollment, and I would
12 certainly not dispute that, on the aggregate,
13 New York has lost both population and
14 enrollment. But I always feel obligated to
15 remind everyone that year over year, slightly
16 more than a quarter of all districts see
17 enrollment growth. And if I'm running a
18 district that's seeing enrollment growth, it
19 makes very little difference to my students
20 what the statewide aggregate is.

21 At the same time, even for those
22 districts who have lost enrollment, they have
23 seen the needs of their students grow
24 exponentially. They're serving more ELLs and

1 more students with special needs than ever
2 before, and all of them need support.

3 And finally, again to speak to a very
4 specific but ongoing issue, there was a lot
5 of talk about aid being taken back earlier in
6 the day. And I would encourage you all to
7 consider the inclusion of an amnesty program
8 to allow those districts who have made
9 paperwork errors to rectify the situation
10 with the State Education Department and keep
11 the aid they've already been awarded.

12 With that, I see I'm just at the cusp
13 of time, so I'll thank you again for your
14 time and hope to answer any questions you
15 have in the future.

16 CHAIRWOMAN WEINSTEIN: Assemblyman
17 Murray.

18 ASSEMBLYMAN MURRAY: Thank you,
19 Chairwoman.

20 And thank you for coming. And I'll
21 echo your sentiments on BOCES. I said it
22 earlier, their importance can't be
23 overstated. Eastern Suffolk BOCES' technical
24 facility is in my district, as is the

1 headquarters. I've toured it many times,
2 seen what they've done with these kids and
3 what can be done and some of the
4 restrictions, some of the things holding them
5 back.

6 So I think, again, we need to put
7 more, not less, emphasis and priority on
8 BOCES and CTE programs. But -- that wasn't
9 the issue I was going to talk about, but you
10 spoke so eloquently on it I wanted to add my
11 two cents.

12 But speaking of two cents and many,
13 many more cents and dollars, let's talk
14 budgets. The 2 percent tax cap. I know none
15 are fans. But when it was passed, it was
16 passed with a promise, a promise that has
17 gone unfulfilled. That promise was to get
18 rid of unfunded mandates, or at the very
19 least make a significant reduction in
20 unfunded mandates, and I haven't seen that
21 happen.

22 How much of an impact -- and I don't
23 expect real dollars, because I'm kind of
24 catching you off guard. But how much of an

1 impact to the budgets -- because I deal with
2 many of my school boards and they say, you
3 know, they're killing us, how are we expected
4 to stay under the 2 percent while continuing
5 to fulfill the unfunded mandates that are
6 piled upon us?

7 So what percentage would you say or
8 how big of an impact is unfunded mandates on
9 the budgets?

10 MS. MARLETTE: I don't think I'd feel
11 comfortable speculating on a percentage, but
12 I can tell you that my districts in both
13 Eastern Suffolk and across the state say the
14 same thing. I think it can be hard to
15 calculate, because there's real dollar costs,
16 but there's also opportunity costs related to
17 staff time that could be used for more
18 student-based services that are directed to
19 other services.

20 I would agree that perhaps the promise
21 of mandate relief has not been kept, but I
22 would take that a step further and say --
23 again, recognizing the widespread popularity
24 of the tax cap -- it was also certainly sold,

1 although I would hesitate to say promised, as
2 a 2 percent cap. And as we all know from
3 recent years, that's simply not true. That
4 it is a 2 percent maximum growth factor that
5 in fact results in many, many districts
6 seeing far less than 2 percent. Harkening
7 back to -- correct me, Brian, two years
8 ago? -- two years ago, seeing almost 90
9 districts with negative caps.

10 ASSEMBLYMAN MURRAY: I agree, yes,
11 that was a bit misleading there.

12 And I think it's ironic to point out
13 that as we're talking about possibly putting
14 a 2 percent tax on reimbursable expenses, one
15 of which is transportation, where many of the
16 mandates are tied to. So I think it's sadly
17 ironic that that's being discussed right now.

18 But thank you very much. I appreciate
19 it.

20 MS. MARLETTE: Thank you.

21 CHAIRWOMAN WEINSTEIN: Senate.

22 SENATOR KRUEGER: Hi.

23 MS. MARLETTE: Senator Krueger.

24 SENATOR KRUEGER: Good afternoon. You

1 may have heard Senator Marcellino before ask
2 what do we think the impact of the new
3 federal 10,000 maximum combined property tax
4 and deductibility for state and local taxes
5 would have on local school districts.

6 I'm wondering whether -- and he said
7 he suspected it will translate into more
8 local budgets being voted down. Has your
9 association evaluated what you think the
10 issue will become for you and when?

11 MS. MARLETTE: I would say that my
12 association shares the Senator's concern.
13 It's unfortunately always been the case that
14 because our budgets are voted on, that if
15 someone is unhappy with essentially any part
16 of their tax bill, really their only recourse
17 is to voice that dissatisfaction with a no
18 vote on their school budget. And so we
19 certainly see that.

20 But I also think we're going to
21 potentially see districts being even more
22 conservative in what they're willing to ask
23 for, because if it goes down, you face
24 another set of bad choices to make.

1 I think that the true impact is not
2 going to be felt immediately, but over the
3 next several years will start bad and then
4 continue to get worse. But we do project it
5 as being very bad for New York, New York
6 school districts. We were actually quite
7 active as part of the national coalition in
8 trying to stop this, and plan to continue to
9 keep it up even though it's already been
10 passed because we think it would be
11 irresponsible for us to simply walk away now
12 that it's done and not continue to remind our
13 representatives about the long-term impact.

14 And I'd be happy to share any of that
15 material with you, Senator.

16 SENATOR KRUEGER: And as follow-up on
17 the same theme, the Governor had a task force
18 that explored reformation of our tax policies
19 to try to counterbalance some of the changes
20 in Washington, and the payroll tax seems to
21 have lots of discussion. But the
22 hypothetical proposal to allow local school
23 districts to create not-for-profit streams
24 that people can make contributions -- as

1 opposed to school district taxes, because
2 not-for-profit contribution will still be a
3 deduction allowed if you take that form of
4 tax -- you know, if you operate under a tax
5 filing with exclusions.

6 So I'm wondering whether your
7 association has looked at that proposal and
8 explored whether you could see school
9 districts in New York State going that road.

10 MS. MARLETTE: Well, Senator, I did
11 look at the proposal. And what I would hope
12 very much you'd remember about me from when I
13 worked for the Senate is that I know what I
14 don't know. So I've taken that proposal and
15 turned it over to our CFO, who happens to be
16 a CPA, and asked her for her comments and
17 feedback on it, which I have not yet
18 received. But when I do, I would also be
19 happy to pass that on.

20 SENATOR KRUEGER: Thank you. And you
21 can tell even the way I worded the question,
22 I should be careful about what I think I know
23 and don't know.

24 (Laughter.)

1 SENATOR KRUEGER: But I do think that
2 at least in the sort of academic tax policy
3 circles, there's a decent amount of interest
4 in doing this even though it's not clear
5 exactly how we'd do it to help ensure that
6 school districts might feel less pressure on
7 them as the property and other exclusions
8 really do probably put significant pressure
9 on, particularly in the higher-property-tax
10 areas.

11 So I look forward to hearing more from
12 you about what your expert said.

13 MS. MARLETTE: Absolutely.

14 SENATOR KRUEGER: Thank you.

15 CHAIRWOMAN WEINSTEIN: Yes, thank you
16 for being here today.

17 MS. MARLETTE: Thank you.

18 CHAIRWOMAN WEINSTEIN: Next we'll have
19 Michael Borges, New York State Association of
20 School Business Officials. He'll be followed
21 by Elliot Garcia.

22 MR. BORGES: Good afternoon. Or good
23 evening, depending on whether you're a
24 glass-half-full or half-empty person.

1 I'm Mike Borges, from the New York
2 State Association of School Business
3 Officials. Thank you, Chair Weinstein and
4 members of the committee, for allowing me to
5 speak tonight, or this afternoon.

6 I have a PowerPoint, it's very brief.
7 I'll just go through the main points of it.

8 First thing first is that the
9 Governor's proposed \$338 million increase of
10 Foundation Aid is woefully inadequate. It
11 only represents an 8 percent reduction in the
12 \$4.2 billion that's owed in Foundation Aid.
13 And at this rate it would take somewhere
14 between 12 and 14 years for the phase-in to
15 fully go into effect.

16 Although the distribution of the
17 Foundation Aid is a good start, we think it's
18 not enough. Currently with the Governor's
19 proposal, only 51 percent of the high-needs
20 suburban districts would get 25 percent of
21 their overall Foundation Aid still due. So a
22 lot has remained unchanged in the Foundation
23 Aid, and we need to have it fully funded.

24 As you can see from the next chart,

1 the high-need urban and suburban school
2 districts are the furthest from full funding
3 for the Foundation Aid. They are currently,
4 with the Governor's proposal, still only at
5 68 percent of their Foundation Aid and are
6 owed the most.

7 And you can see from the next chart
8 the 23 school districts in the state that are
9 owed a combined \$766 million in Foundation
10 Aid, which is 35 percent of the overall
11 Foundation Aid still due to school districts
12 outside the Big 5. And that's a pretty
13 substantial amount of money that's owed.
14 Many of them are small city school districts
15 as well.

16 One of the reasons why the Governor's
17 proposed Foundation Aid increase is
18 inadequate is that we have increasing student
19 need. Some of our colleagues have mentioned
20 in the past today, this evening, that we've
21 had increases in high-need students. Our
22 association released three different reports
23 over the fall documenting the growth of
24 poverty in students, documenting the growth

1 of special-need students, and documenting the
2 growth of English language learners -- all
3 high-need students which cost school
4 districts more money to educate.

5 So that's one good reason why the
6 Governor's proposal is inadequate. The other
7 one, as you can see from the chart there, you
8 can see the increases percentage-wise in
9 terms of students with disabilities and
10 English language learners. But our costs
11 continue to rise.

12 On page 8, you see that our teacher
13 retirement costs have increased by 47 percent
14 over the five years, our healthcare costs
15 have increased by 21 percent, fringe benefits
16 by 9. And all the state aid has increased by
17 21 percent. So you can see how our costs are
18 actually rising higher than the state aid
19 increases.

20 And just today TRS came out confirming
21 that the rate increase for the 2018-2019
22 school year will be 10.63 percent. That will
23 cost school districts approximately
24 \$170 million in that school year, which

1 amounts to 50 percent of the Governor's
2 proposed Foundation Aid. So you can just lop
3 off 170 off the 338, and you're not left with
4 very much.

5 The other problem is that the
6 Governor's proposal not only is inadequate
7 but shifts costs to local school districts.
8 As you can see from the pie chart on page 10,
9 10 years ago local property taxes represented
10 51 percent of school revenue. Now it's
11 55 percent. The state has shifted more and
12 more of our costs to local property
13 taxpayers.

14 And I know Assemblyman Murray had
15 talked about mandate relief and how we can
16 address that with the tax cap, and I'll get
17 to that.

18 As you can see, the Governor's
19 proposal also shifts a lot of the categorical
20 aids, the expense-based aids, to localities
21 by putting a 2 percent cap on building aid,
22 transportation, BOCES, and also reconfiguring
23 the summer special education program. We
24 estimate that the total cost shift will be

1 \$184 million. So that is significant.
2 Between inadequate aid and cost shifting,
3 this is a very costly budget for local
4 taxpayers.

5 And, you know, the Governor is on this
6 path -- on a slippery path, I think -- in
7 overreaching Albany's control over what
8 school districts do. Not only does he
9 increase community schools funding from
10 \$150 million to \$200 million, basically what
11 he's doing, he's carving out Foundation Aid
12 and then telling school districts how to
13 spend what was typically unrestricted aid.
14 School districts want more flexibility, not
15 less, in how they allocate and how they
16 distribute their funding.

17 And again, the Governor's proposal
18 lacks any kind of mandate relief or
19 flexibility in how we spend our money. So
20 it's woefully inadequate in the sense of the
21 amount of money and not recognizing our
22 increasing costs or providing us ways to
23 reduce our costs.

24 So we have a bunch of suggestions

1 about how to do it better in terms of
2 realizing the promise of Foundation Aid,
3 fully funding Foundation aid over a set
4 period of time, using better information,
5 using more updated information, removing the
6 caps. Our Foundation Aid Task Force in 2016
7 had a bunch of recommendations about how to
8 make the Foundation Aid more workable.

9 Again, on page 16, we list a whole
10 bunch of ideas about how to make our costs
11 less, how to reduce expenses for school
12 districts. Because if you can't give us a
13 sufficient amount of money, then perhaps
14 there are ways you can reduce our expenses.
15 Either way, that will save taxpayers
16 additional taxes.

17 And then one of the other things we
18 wanted to point out also -- and I think that
19 Julie pointed out as well, from School
20 Boards -- was that we're working with about
21 12 school districts looking for Building Aid
22 amnesty. For various reasons -- you know,
23 errors in reporting or errors in
24 documentation -- they're losing out on

1 approximately \$76 million in Building Aid due
2 to penalties that have been imposed by the
3 State Education Department. We're looking
4 both for the Senate and the Assembly to deal
5 with that in their budget proposals.

6 Also, the Governor eliminates
7 prior-year adjustments. For those of you who
8 don't know, prior-year adjustments are money
9 that's already owed to school districts from
10 previous years. As far as we can tell,
11 there's about \$334 million owed in prior-year
12 adjustments. The Governor plans on wiping
13 that out going forward. We think that's a
14 major mistake. Again, it's a big cost shift
15 for school districts. At the rate we're
16 going now, it would take about, what,
17 19 years to pay off the \$334 million.

18 CHAIRWOMAN WEINSTEIN: Can you --

19 MR. BORGES: I'm wrapping up, yeah.

20 And one last thing, Farm to School.

21 One of the good things in the Governor's
22 budget is he proposes more funding for school
23 districts to buy locally produced goods from
24 farmers. We want 25 cents; he proposes

1 30 cents. We want to include dairy. So I
2 think that's one of the good things.

3 And overall, I think that in
4 summation, the Executive Budget fails to
5 provide adequate funding to meet our rising
6 costs and the growth of high-need students,
7 fails to deliver on any mandate relief or
8 cost-saving measures that will reduce the
9 property tax burden, and instead shifts costs
10 from the state to local property taxpayers
11 and continues a troubling trend in
12 micromanaging school spending. Thank you.

13 CHAIRWOMAN WEINSTEIN: Thank you.

14 Next we have Elliot Garcia, New York
15 School Facilities Association. He'll be
16 followed by David Little.

17 MR. GARCIA: Good afternoon. Thank
18 you for having me.

19 CHAIRWOMAN WEINSTEIN: Good afternoon.

20 MR. GARCIA: So I'll try to brief; I
21 know you already have our testimony on file.

22 Again, my name is Elliot Garcia, I'm
23 the director of facilities and operations for
24 Hyde Park Central School District, the 3rd

1 vice president of the New York State State
2 School Facilities Association, and the
3 association's legislative committee chair.
4 I'd like to thank you all for the opportunity
5 to represent our over 600 school facilities
6 professionals, to share our recommendations
7 regarding the 2018-2019 Executive Budget and
8 present SFA's priorities.

9 In reviewing each recommendation we
10 ask ourselves, Does this proposal help to
11 improve the educational experience, and does
12 it lead to safer, cleaner, more accessible
13 learning environments?

14 The Governor's Executive Budget
15 includes support for the Breakfast After the
16 Bell program. This program seeks to increase
17 opportunities for students to eat breakfasts
18 by making healthy food options more
19 accessible. Now, as facilities professionals
20 we are committed to working with our
21 education partners to increase student
22 achievement, and we do this by balancing
23 programmatic design with implementation
24 requirements.

1 Building Aid calculations exceeded 2 percent,
2 each school district other than New York City
3 would be dialed back accordingly.

4 This proposal makes planning extremely
5 challenging and eliminates voter transparency
6 in making building project decisions.
7 Currently, a school district is able to
8 present a building construction project
9 proposal to its voters and say with
10 confidence how much the state will be
11 reimbursing for the project and how much the
12 local taxpayers will need to support that
13 project. However, under this proposal that
14 certainty is eliminated, since the amount of
15 aid will be contingent on total Building Aid
16 calculations and the amount a school district
17 may receive will fluctuate year to year.

18 While we do not have the capacity to
19 calculate the total impact this proposal will
20 have on each of our school districts, we are
21 very concerned about how this will impact our
22 relationships with our respective communities
23 and our ability to maintain and provide a
24 comprehensive learning environment for our

1 students over time.

2 SFA also supports legislation proposed
3 by Assemblymember Thiele and Senator Seward
4 to increase cost thresholds from \$100,000 to
5 \$250,000 for school construction projects.
6 Projects wholly funded through capital outlay
7 can be reimbursed through Building Aid. This
8 allows districts to avoid being subject to
9 lengthy assumed amortization schedules of 10,
10 15, and 20 years and instead receive the
11 amount they spend as they spend it. This is
12 helpful for districts, as they receive
13 funding when they need it, and for the state,
14 which then avoids paying interest on the
15 reimbursement.

16 The increase to \$250,000 does reflect
17 more realistic current costs. SFA strongly
18 supports this proposal and recommends that it
19 is added to the enacted budget.

20 We appreciate the passage of
21 legislation last year to resolve issues with
22 the property tax cap regarding capital
23 expenses within the BOCES budget. However,
24 we are disappointed that the legislation was

1 vetoed. We will continue to work with our
2 education partners to try and find a solution
3 and appreciate your ongoing support.

4 In terms of maintenance funding,
5 building and grounds maintenance is essential
6 to protecting the state's infrastructure
7 investment. However, competing priorities --
8 again, compounded by the property tax cap --
9 have resulted in a reduction in maintenance
10 funding. In addition, since there are
11 currently no minimum standards for funding
12 maintenance, many of our structures,
13 equipment, and grounds are aging faster than
14 necessary.

15 SFA is grateful to Senator Valesky and
16 Assemblymember Englebright for supporting
17 legislation to establish a minimum standard
18 for maintenance funding and allow school
19 districts to make these investments outside
20 of the restrictions of the property tax cap.
21 We encourage this in the enacted budget.

22 In conclusion, we are pleased that
23 conversations about school facilities have
24 moved beyond square footage and into the

1 development of spaces that allow teachers to
2 facilitate student-driven instruction.
3 New York State invests tremendously in our
4 school facilities and grounds, and while we
5 are discovering and planning for innovations
6 in tomorrow's classrooms, it is also our
7 responsibility to respect the investments we
8 have and maintain the facilities currently in
9 our care. This balance is necessary to meet
10 the needs of our students today and in the
11 years to come.

12 On any given day, a school facilities
13 professional may be working to create new
14 infrastructure, maintain quality spaces, or
15 repair complex equipment. In truth, nothing
16 occurs in a school building without a school
17 facilities professional. Our members pride
18 themselves on solving problems, and we impart
19 that logic in our advocacy.

20 On behalf of the New York State School
21 Facilities Association, I thank you for your
22 continued support of clean, healthy,
23 well-maintained school facilities and the
24 opportunity to offer our professional

1 insight. Thank you.

2 CHAIRWOMAN WEINSTEIN: Thank you.

3 Thank you so much for being here today. And
4 as I said, we have your full testimony as
5 part of -- it's been emailed and it's part of
6 the record.

7 MR. GARCIA: Yes, ma'am.

8 CHAIRWOMAN WEINSTEIN: Thank you for
9 being here.

10 David Little, executive director,
11 Rural Schools Association of New York State.
12 He will be followed by Rabbi Yeruchim Silber.

13 MR. LITTLE: Thank you, Madam
14 Chairman.

15 On any given month, I will travel from
16 Senator Young's district to Mr. Murray's
17 district, and I can tell you that the 325
18 school districts that we represent -- almost
19 half of the school districts in the state --
20 are in much different circumstances than
21 you've heard about throughout today, as we've
22 heard about how people are building on
23 progress that's being made.

24 Why don't I take about 30 seconds and

1 literally talk about the elephant in the
2 room. If this elephant that costs more than
3 \$60 billion in New York State to maintain
4 that we've asked to build the future of
5 New York State, this Executive Budget has
6 approached the elephant and rubbed its sides
7 and scratched its ears and put a couple of
8 peanuts in front of the elephant, all in the
9 hope that the elephant doesn't notice that
10 the amount of food that's been placed in
11 front of it is about half of what it takes to
12 continue doing the work that the elephant did
13 this year.

14 And then if that wasn't bad enough,
15 then we've said that the cost of housing the
16 elephant or transporting the elephant is
17 going to be capped and shifted to someone
18 else who I can tell you, on behalf of those
19 324 school districts, flat out can't afford
20 it.

21 What that builds between the cap on
22 the local property tax levy and the
23 insufficient state aid is simply an inability
24 of half of the school districts in this state

1 to do the job that you've required of them
2 and which the State Constitution requires of
3 them.

4 So having been out there, not only to
5 the middle of nowhere but the far side of
6 nowhere, I can tell you that over the past
7 five years, New York City has gained in
8 population, the islands and the suburbs have
9 either gained or stayed stable in population,
10 the upstate cities have stayed stable in
11 population, and yet the State of New York has
12 lost 175,000 people per year for each of
13 those five years. So they've come from those
14 rural communities.

15 They've come from those rural
16 communities because people have been leaving
17 for jobs. It's a simple jobs exodus that the
18 Great Recession caused. And so when we talk
19 about raising a tax cap of even 2 percent,
20 you're talking about people having taxes with
21 fewer people and fewer businesses than ever
22 before to try and create that.

23 Now, think about what's happened
24 within 40 years. Within the past 40 years

1 we've gone from that same community, that
2 upstate rural community that successfully
3 bailed out New York City from its financial
4 bankruptcy and is now in its own similar
5 circumstances and is asking for the same type
6 of response from the State of New York. This
7 amount is not only insufficient, but once
8 more we've passed on the opportunity to try
9 and make this thing right.

10 We've passed on the opportunity to
11 adequately assess poverty within a community.
12 We haven't figured out how much a community
13 can actually afford to pay for the education
14 of its children and have the state make up
15 the difference, as is required in the State
16 Constitution. We do none of that.

17 The Senator talked about the
18 mandates -- I could really retire in style
19 after 35 years of either working in this
20 building or addressing the people in this
21 building if I had a buck for every time
22 somebody asked me for that list of mandates,
23 which are the mandates that you want to get
24 rid of, you know, and how much would they

1 cost.

2 Well, I can tell you that the only one
3 that you've sincerely addressed in all of
4 that time has been the new retirement tier.
5 And that is significant over time, but it's
6 dramatically insufficient. New York State
7 layers on requirement over requirement
8 without ever having a section of either the
9 Executive Budget or the final State Budget
10 that says: And here are the things that you
11 don't have to do anymore.

12 As long as you continue to layer on,
13 you continue to layer on costs. And we
14 haven't provided a sufficient amount to even
15 cover, in this Executive Budget, even the
16 amount of the current costs, let alone
17 anything in addition that's going to be
18 required in the future.

19 So I guess what I bring to you is a
20 plea to recognize what's really happening out
21 there. These are communities that are
22 dramatically underserved.

23 I listened with great appreciation to
24 the Big 5 talk about the impact that

1 community schools has had on them, and the
2 plethora of new programs that are being
3 provided, and I will tell you that rural
4 communities without Police Athletic Leagues
5 and without YMCAs and without Boys and Girls
6 Clubs are desperately trying to do those
7 things, and community schools are a
8 transformative institution in those areas.
9 And yet, just like preschool and just like
10 after-school programs, we haven't provided a
11 means for public education to pull that off
12 in our rural areas.

13 You can't have a preschool if you
14 don't have the transportation aid to get the
15 kids to and from; they're in a rural area.
16 It just can't work. You can't have it if you
17 expect the communities that are so poor that
18 they can't pull off what they're doing right
19 now to front the state the money to be able
20 to start a new preschool program and expect
21 to get the money back later.

22 So my time's up, and I'll stop my
23 bludgeoning of you, but I appreciate the
24 interest and the support that you given us

1 through the years. You've done a wonderful
2 thing in allocating 70 percent of the money
3 to districts of high need in the past few
4 years, and I'd hope you'd keep that up.

5 Thank you very much.

6 CHAIRWOMAN WEINSTEIN: Thank you.

7 CHAIRWOMAN YOUNG: Thank you,
8 Mr. Little.

9 MR. LITTLE: Sure.

10 CHAIRWOMAN YOUNG: It's always good to
11 see you, and I appreciate you being such a
12 strong voice for rural schools. And there
13 are several things in the budget obviously
14 that we have to tackle. And we need to make
15 sure that we're doing the right thing for
16 every student in New York. So I appreciate
17 your advocacy.

18 MR. LITTLE: Well, thank you. Same
19 here.

20 CHAIRWOMAN WEINSTEIN: Thank you.

21 ASSEMBLYWOMAN NOLAN: Thank you.

22 CHAIRWOMAN YOUNG: Thank you.

23 CHAIRWOMAN WEINSTEIN: Next, from
24 Agudath Israel of America, Rabbi Yeruchim

1 Silber, director of government relations.

2 And he'll be followed by Jacob Adler from the
3 Orthodox Union.

4 ASSEMBLYWOMAN NOLAN: And I just want
5 to -- I too want to thank Dave Little and all
6 the work -- you know, we have some people
7 that are faithfully at these things every
8 year, no matter how late they go. They
9 testify, they enlighten us, and we appreciate
10 it. And the work he does on the rural
11 schools is very helpful to me, since I'm not
12 from a rural community. I always appreciate
13 the information very much. Thank you.

14 And it's good to see Rabbi Silber
15 here -- I think your second time? Or perhaps
16 first time.

17 RABBI SILBER: Sorry?

18 ASSEMBLYWOMAN NOLAN: Is this your
19 first time?

20 RABBI SILBER: Actually, my debut.

21 ASSEMBLYWOMAN NOLAN: That's right, it
22 is your debut.

23 RABBI SILBER: So you treat me nicely.

24 ASSEMBLYWOMAN NOLAN: So we want to

1 welcome you. You've already made a big
2 impression in the Capitol. I thought this
3 might even be your second, because you've
4 been around so much.

5 But we really want to thank you for
6 being here today and waiting so patiently. I
7 saw you in the back the entire time, and I
8 know Helene and I and all of our colleagues
9 appreciate it.

10 RABBI SILBER: Yes, thank you.

11 And Chairs Weinstein, Young, Nolan,
12 and members of the committee, I really admire
13 your perseverance for staying through this
14 all day.

15 CHAIRWOMAN WEINSTEIN: Right. So
16 you'll summarize.

17 RABBI SILBER: I will.

18 CHAIRWOMAN WEINSTEIN: Thank you.

19 RABBI SILBER: I'll be brief.

20 Just for some background, Agudath
21 Israel is a national organization,
22 headquarters in Manhattan, a full-time office
23 in Washington, D.C., eight regional offices
24 across the country, and our prime areas are

1 available, there are over 410,000 K-12
2 nonpublic school students in over 400 schools
3 in New York State. They're about
4 13.4 percent -- do the math -- of the total
5 number of students statewide. Of that
6 number, over 150,000 are in Jewish day
7 schools and yeshivas. The vast majority are
8 represented by Agudath Israel and by my
9 colleagues from the Orthodox Union, who we'll
10 hear from momentarily.

11 Now, to understand the budgetary
12 impact, if all those students attended local
13 public schools, the total cost -- between
14 federal, state, and local governments --
15 would be enormous, with a conservative
16 estimate being over \$8 billion annually,
17 based on the number of students and the
18 average cost per child of education in
19 New York State. And this number excludes the
20 capital costs involved in school
21 construction, which would easily be in the
22 area of \$4 to \$5 billion.

23 So simply put, the nonpublic school
24 community, besides offering high-quality

1 education, also saves the state billions and
2 billions of dollars.

3 Last year, New York State allocated
4 about \$300 million to the nonpublic school
5 community, primarily for various mandated
6 services. It is certainly appreciated, but
7 obviously the costs are enormous. Parents of
8 schoolchildren, a good deal of them with
9 large family size, many low- and
10 middle-income working families struggle
11 mightily to pay their tuition. In most
12 families where public school is not an
13 option -- in religious families -- school
14 tuition is often the largest household
15 expense after housing. Many times parents
16 are forced to make a choice between tuition
17 payments and a new pair of shoes for a child,
18 and sometimes even between tuition and an
19 electric bill. And so of course we turn to
20 our friends in government, to whom we are
21 saving many billions of dollars, to help us
22 ease this crushing burden.

23 There are a number of proposals that
24 have been advanced. Agudath Israel will

1 always be in support of education tax
2 credits, as introduced by Senator Golden and
3 Assemblymember Cusick. We also support an
4 individual tax credit based on family size
5 and income. These proposals have passed the
6 Senate numerous times in the past and have
7 had the support of many Assemblymembers,
8 perhaps a majority. However, due to intense
9 vocal opposition from certain interests,
10 these measures were unfortunately never
11 brought to the floor for a vote.

12 This year an exciting opportunity
13 presents itself in the form of the 529 tax
14 deduction. 529 accounts are specialized
15 accounts set up to encourage savings for
16 college education by making withdrawals from
17 those accounts tax free. The recent federal
18 tax bill enacted expanded 529 accounts to
19 cover K-12 as well. In New York State, the
20 principal contributed to the plan is also
21 deductible for state income taxes.

22 Many tax experts are under the opinion
23 that the statute as written automatically
24 includes New York's expansion to K-12. We

1 believe this should be the law of the state.
2 This would be a huge opportunity for working
3 families in New York who send their children
4 to nonpublic schools to earn a well-deserved
5 tax deduction.

6 This is all the more beneficial when
7 New York State residents are no longer able
8 to deduct state and local taxes on their
9 federal tax returns. Let's provide them with
10 other options for tax deductibility to recoup
11 those lost with the recent federal tax law.

12 And on this topic, let me take a
13 moment to refute two common misconceptions
14 about 529. One is that this is a giveaway to
15 the rich. In truth, it is completely the
16 opposite. We are not talking about interest
17 earned after many years of monies being
18 invested and put away in an account. The
19 state allows the principal deposits to be
20 tax-deductible. Any working family who pays
21 tuition can use a 529 account and receive
22 their deduction.

23 Second, there have been press reports
24 that enacting 529s in New York can cost the

1 State Treasury up to \$3 billion. This is an
2 absolute fallacy and, in our opinion, a scare
3 tactic. My colleague Avrohom Weinstock, our
4 associate director for education affairs --

5 CHAIRWOMAN WEINSTEIN: Rabbi?

6 RABBI SILBER: Yes?

7 CHAIRWOMAN WEINSTEIN: You know, I
8 think if you want to email us that report, we
9 can include it --

10 RABBI SILBER: I did. It's emailed --
11 it hasn't even been emailed, it's included in
12 my written --

13 CHAIRWOMAN WEINSTEIN: Okay. Then
14 maybe you could just move on to the other --
15 make sure --

16 RABBI SILBER: Okay. Sure.

17 CHAIRWOMAN WEINSTEIN: I want to make
18 sure you have an opportunity to mention the
19 other three issues that are so important.

20 RABBI SILBER: I got it. I want to
21 just mention a couple other things quickly.

22 Immunization mandate. Last year, the
23 New York State Budget allocated \$7.7 million
24 dollars to reimburse schools in New York

1 City, Rochester, and Buffalo the actual cost
2 of complying with a state mandate requiring
3 extensive immunization. This was long
4 overdue for many years, as you know. The
5 state was paying 60 cents per child. The
6 budget mandated that State Ed calculate the
7 actual cost per pupil up to the amount
8 allocated.

9 To our dismay, the current Executive
10 Budget did not appropriate the cost, which
11 essentially means that the department would
12 be forced to reimburse schools at the old
13 rate of 60 cents. We ask the Legislature to
14 please restore the funding for this
15 immunization mandate.

16 I see two more things, quickly.
17 Security. Last year the Legislature
18 allocated \$15 million. We know how important
19 security is -- the rise in hate crimes, our
20 schools are more vulnerable. Our belief is
21 that every child, whether they attend public
22 or nonpublic schools, is entitled to basic
23 security. In New Jersey, the state has
24 increased allocations to \$75. We ask our

1 state to be in line with our neighbors.

2 Finally, on the CAP debt, as you know,
3 for years there was an underreporting in the
4 formula in the Comprehensive Attendance
5 Policy, in the CAP. Over the years the state
6 allocated almost \$300 million to cover this
7 debt. According to our calculations, there's
8 another \$20 million outstanding. Let 2018 be
9 the year that this debt is finally retired
10 and pay the last \$20 million.

11 And so I appreciate working together
12 with everyone here. I look forward to
13 working down through this legislative session
14 and to achieve positive resolutions.

15 Thank you.

16 CHAIRWOMAN WEINSTEIN: Thank you.

17 CHAIRWOMAN YOUNG: Thank you, Rabbi.

18 Senator Krueger has a question.

19 SENATOR KRUEGER: Thank you.

20 Thank you, Rabbi, very much.

21 It wasn't brought up in your
22 testimony, but I'm curious. Is there any
23 reason you wouldn't support a mandate on
24 private schools to be mandatory reporters, as

1 all other not-for-profits and schools in
2 New York State are for children?

3 RABBI SILBER: Yes. You're talking
4 about the current bill, the current bill
5 that's before the --

6 SENATOR KRUEGER: I don't think
7 there's necessarily -- oh, excuse me. There
8 is a bill.

9 RABBI SILBER: Yeah, I believe it's
10 a --

11 SENATOR KRUEGER: Senator John Brooks?

12 RABBI SILBER: Senator Brooks' bill,
13 yes.

14 SENATOR KRUEGER: Yes.

15 RABBI SILBER: We have studied it. We
16 do not see any reason to oppose that bill,
17 no.

18 SENATOR KRUEGER: Thank you.

19 RABBI SILBER: Okay. We haven't
20 {inaudible} ...

21 CHAIRWOMAN WEINSTEIN: Thank you for
22 being here. I'm sure we'll be having
23 continued conversations about some of the
24 issues that you raised in your remarks.

1 RABBI SILBER: Thank you.

2 CHAIRWOMAN YOUNG: Thank you, Rabbi
3 Silber. Always great to see you.

4 RABBI SILBER: Likewise, Senator.

5 CHAIRWOMAN WEINSTEIN: Next, Jake
6 Adler, director of community affairs for the
7 Orthodox Union. To be followed by Jim
8 Cultrara, director for education for the
9 New York State Catholic Conference.

10 MR. ADLER: Good evening, Chair Young,
11 Chair Weinstein, Chair Nolan, members of the
12 committees. Thank you for once again
13 allowing me to testify here. And I apologize
14 at the outset for my voice. It's that time
15 of year.

16 I will not read from my testimony,
17 I'll just summarize quickly. I just want to
18 say at the outset I know there's often an
19 us-versus-them attitude about nonpublic
20 schools and public schools. I've been
21 listening to the hearing the whole day --
22 haven't been in the room, but I've been
23 listening online.

24 I just want to say at the outset I am

1 a very proud nonpublic school parent. I am a
2 very proud nonpublic school advocate, and I
3 am the very proud husband of a UFT public
4 schoolteacher in New York City. And I think
5 that we have to -- number one, I think there
6 is a way, and number two, I think we have to
7 find a way to work together and to change the
8 rhetoric on both sides that's been
9 commonplace in these halls in the last, I'd
10 say, decade or two. I do not see a reason
11 why we can't all succeed and why all of our
12 children can't get good opportunities.

13 That being said, just running through
14 some of the economic data of our schools --
15 as Yeruchim stated before, there's over
16 400,000 students in this state. My number is
17 a little less conservative than the Agudath
18 Israel of America number. We had an economic
19 study done by John Dunham, who's a noted
20 economist; he counts \$11 billion in the
21 savings to New York State and its
22 municipalities. In addition, that's 70,000
23 direct jobs employed by nonpublic schools,
24 another 15,000 jobs for other -- bus drivers,

1 other custodial support staff, things like
2 that -- and a total tax yield of over
3 \$537 million.

4 So that's kind of the economic yield
5 of the nonpublic schools. Clearly,
6 15 percent of the students in New York State,
7 \$11 billion in savings, \$537 million in tax
8 yield, those are large numbers. Not as large
9 as the public schools, but I think we need to
10 find a way to make sure that we can
11 find avenues to help those students, the
12 15 percent of students that are in nonpublic
13 schools, succeed.

14 I'm encouraged that last year the
15 Legislature and the Governor came together
16 and passed a science, technology, engineering
17 and math bill for instruction in nonpublic
18 schools. I'm encouraged that's again in the
19 Executive Budget proposal. I'd like to see
20 that increased -- obviously, as we know, this
21 is a deficit year. So I'd love to work
22 together with all of you to help move that
23 forward.

24 I think this is the single best option

1 we have for, number one, alleviating some of
2 the burden on those parents; number two,
3 improving quality of education in all of our
4 schools and keeping our kids viable in the
5 21st century.

6 That's all I've got. Thank you.

7 CHAIRWOMAN YOUNG: Thank you.

8 CHAIRWOMAN WEINSTEIN: The -- oh, do
9 you want to --

10 CHAIRWOMAN YOUNG: Senator Krueger.

11 SENATOR KRUEGER: Did you hear my
12 question for the rabbi?

13 MR. ADLER: Mandatory reporting?
14 Again, I think that's something that everyone
15 should be able to get behind.

16 SENATOR KRUEGER: Thank you.

17 MR. ADLER: Thank you.

18 CHAIRWOMAN YOUNG: Thank you, Director
19 Adler.

20 CHAIRWOMAN WEINSTEIN: Thank you.

21 CHAIRWOMAN YOUNG: Nice to see you
22 too.

23 ASSEMBLYWOMAN NOLAN: I just want
24 to --

1 CHAIRWOMAN WEINSTEIN: Jake, can you
2 sit for one minute?

3 ASSEMBLYWOMAN NOLAN: I know we're
4 going to move on -- I just -- if you have a
5 minute -- no, no, not a question. I'll just
6 chat with you on the side for a minute.

7 CHAIRWOMAN WEINSTEIN: Oh, okay.

8 ASSEMBLYWOMAN NOLAN: I don't want to
9 stop the hearing.

10 CHAIRWOMAN WEINSTEIN: Okay, we're
11 rolling along. Thank you.

12 Jim Cultrara, to be followed by
13 Christopher Goeken. Hopefully I didn't
14 mispronounce that.

15 MR. CULTRARA: Good evening, honorable
16 members. I too am going to suspend reading
17 the testimony and I'm going to hit several
18 points.

19 The first of which, the greatest need
20 is providing some assistance to our
21 tuition-paying families. And as Yeruchim
22 acknowledged, the expansion of 529 plans by
23 the federal government for K-12 tuition -- in
24 effect, New York is penalizing families for

1 taking advantage of it for K-12. It's
2 really, in effect, even though it's a
3 clawback of -- a recapturing of tax money,
4 New York is actually penalizing families by
5 not allowing those contributions to be
6 tax-deductible. That needs to be fixed.

7 And although Yeruchim and Jake focused
8 on the number of the billions of dollars that
9 we save New York, I think an equally
10 important number is to recognize if we don't
11 help tuition-paying families, what is the
12 cost to New York? Just the closing of the
13 320 Catholic schools since I've been doing
14 this for 22 years -- the closing of 300
15 Catholic schools, we estimate conservatively,
16 is costing the State of New York \$2 billion
17 that could have been avoided.

18 Second issue, mandated services and
19 CAP. The Governor acknowledged that he's
20 giving those appropriations a 3 percent
21 increase, which in fact he does. However, he
22 does two things to mitigate against that
23 increase. He eliminates, as Yeruchim said,
24 \$7 million for immunization reimbursement as

1 well as the instructional time formula that I
2 want to thank you for supporting.

3 Last year both houses included in your
4 one-house budget proposals -- as well as
5 having passed separate legislation, you tried
6 twice to restore that formula. The Governor
7 vetoed it in December. Without restoration
8 of that formula, despite the Governor's
9 3 percent increase in the appropriation, many
10 of our schools actually face an average
11 4 percent cut.

12 So again, we appreciate your efforts,
13 but we're asking you again to try to restore
14 that formula in this coming budget and to
15 restore the immunization reimbursement.

16 The State Office of Religious and
17 Independent Schools, this is the third year
18 of funding at \$800,000. I just want to
19 reiterate our appreciation for that, but also
20 acknowledge the importance of that work.
21 They are able to basically clean up an
22 unforgivable backlog of work.

23 But I want to point out that the
24 \$800,000, while helpful and has hired a

1 number of staff, it may not be sufficient for
2 that office to do the type of work in
3 overseeing the substantial equivalency of
4 private schools. So we're actually asking
5 for a slight increase, not even up to
6 \$1 million, so that that office can do that
7 work.

8 The fourth item. Senator Marcellino
9 asked Michael Mulgrew this question about the
10 flexibility that the State Education
11 Department and school districts are seeking
12 for meeting their instructional time
13 mandates, the 900 hours a year, 990 hours a
14 year, and giving them greater time to do
15 that.

16 While we don't regret -- and support
17 public schools having that flexibility, know
18 that students who come to our schools come
19 from multiple school districts, in some cases
20 15 different school districts, and they have
21 divergent calendars. The greater flexibility
22 you give to school districts, the more
23 fragmented services will be to our students,
24 especially transportation services. We're

1 asking, if you are going to give that
2 flexibility, to make sure that those services
3 are not disrupted.

4 The last item I'm going to mention is
5 something that doesn't cost anything. We're
6 asking you for Article VII language that
7 authorizes the State Education Department to
8 enter into an agreement with the Commission
9 on Independent Colleges and Universities to
10 help spend down some federal money for that.
11 So I'll advance that to you.

12 And Mr. Murray, you've mentioned a
13 number of times about mandate relief. David
14 Little was very articulate about it. We've
15 got some constructive ideas about how we can
16 provide some mandate relief for school
17 districts and how they administer services to
18 our schools, give them some administrative
19 relief, save some money, and give better
20 services to us. I'll also forward some
21 language to you.

22 Thank you very much.

23 CHAIRWOMAN WEINSTEIN: Thank you very
24 much, Jim.

1 Senator Krueger.

2 SENATOR KRUEGER: Hi, Jim.

3 The same question I just asked the
4 last two testifiers, your association's
5 position on all private schools having the
6 same mandatory reporting of abuse that public
7 schools have.

8 MR. CULTRARA: We support the Brooks
9 bill. We support the Gallivan-Nolan bill.

10 But I want to point out in the Nolan
11 bill, if I read it correctly, they also pull
12 in the City of New York. The definition of
13 "child" under the current law excludes
14 children living within the City of New York.
15 If my reading is correct, the City School
16 District of New York has been exempt. If my
17 reading is correct.

18 ASSEMBLYWOMAN NOLAN: Like many
19 things, I just want to respond, although we
20 shouldn't because the hour is late. We can
21 have a separate conversation on that.

22 There are a lot of things that the
23 City of New York pioneered in doing standards
24 on, many, many different things. So

1 sometimes the state came after the fact, and
2 then the city would be exempted. We are
3 talking to all of our of colleagues about
4 something that would include everyone. But
5 that will be, I think, a subject for another
6 conversation. You're correct, but the
7 reality is -- it's not a fault of the city.
8 It was actually being ahead of the curve from
9 everybody else. But we can talk about it
10 again another time.

11 MR. CULTRARA: That's good. So we
12 support a plan to protect all children.

13 SENATOR KRUEGER: Thank you very much.

14 CHAIRWOMAN WEINSTEIN: Thank you.

15 ASSEMBLYWOMAN NOLAN: And we
16 appreciate -- really, I appreciate, Jim, the
17 great -- you're always available and
18 accessible to the Education Committee, and a
19 really outstanding advocate for the nonpublic
20 schools.

21 So thank you very much.

22 MR. CULTRARA: Thank you.

23 CHAIRWOMAN WEINSTEIN: Next is
24 Christopher Goeken, executive director,

1 Association of Public Broadcasting Stations
2 of New York. And he'll be followed by Randi
3 Levine, Advocates for Children.

4 MR. GOEKEN: Good afternoon, and thank
5 you very much. You all have my testimony
6 already, so I'll actually -- I won't even so
7 much as summarize as make a couple of
8 points --

9 ASSEMBLYWOMAN NOLAN: Actually, I
10 don't, so somebody's got to get me a copy.

11 MR. GOEKEN: I'm so sorry.

12 CHAIRWOMAN WEINSTEIN: All of the
13 testimony has been submitted, just for
14 everybody's clarification. It was submitted
15 by email yesterday. Thank you all for doing
16 that. It was emailed to all members of the
17 Ways and Means Committee and the relevant
18 committees.

19 ASSEMBLYWOMAN NOLAN: Thank you. We
20 have it now, too.

21 MR. GOEKEN: Terrific.

22 So my name is Christopher Goeken, and
23 I represent all nine public television
24 stations throughout New York State. We have

1 small stations like the Watertown station, we
2 have large national flagship stations like
3 WNET Channel 13 in New York, and every type
4 of station in between. And each station is
5 unique, and they're each a part of their
6 local community and respond to their local
7 community.

8 One of the things that I heard several
9 times today was about technology in schools
10 and in relation to the bond act in
11 particular. And a lot of schools have made
12 great advancements in putting in SMART Boards
13 and projectors and laptops and whatnot.

14 While the content that the teachers
15 use on that is equally important to the
16 technology itself, and it's something that
17 PBS has been providing for free to New York
18 State teachers for several years -- and I
19 want to just highlight that. It's in my
20 testimony. But what we have is called PBS
21 LearningMedia, and this is a tool that allows
22 teachers in New York State to use digital
23 content in their classrooms for free and
24 very, very easily.

1 It's plug and play. If a teacher
2 wants incorporate a video, incorporate an
3 audio from a speech or even original
4 documents from throughout U.S. or New York
5 history, they can go to PBS LearningMedia and
6 do a simple search and they get lots of
7 options right away. It's a very simple
8 interface.

9 More than that, we create lesson plans
10 that are aligned to national and state
11 standards. We have over 6,000 lesson plans
12 on there that are aligned to national and
13 state standards that run the gamut, not only
14 STEM subjects but over to arts, over to
15 culture. And this is something special for
16 New York State teachers. About a third of
17 the teachers in New York State use PBS
18 LearningMedia right now, and we'd love to see
19 that number go up even higher.

20 The best way I can describe it is
21 this. If I'm a teacher and I want to teach
22 about the Vietnam War, well, I know that Ken
23 Burns just did this amazing 17-hour
24 miniseries which was very moving -- I

1 recommend it to everybody. But I can't go
2 through the 17 hours as a teacher, I'm way
3 too busy to find the five or 10 minutes that
4 are appropriate for what I want to teach my
5 students that day.

6 So what we do at PBS and the public
7 media stations in New York is we go through
8 our content and we find clips -- five,
9 10 minutes from Ken Burns, from Nature, from
10 Wild Kratts, from Curious George, from
11 American Experience. And we take those
12 clips, we make them available for free in an
13 easy way for teachers to use, build a lesson
14 plan around it. And that includes classroom
15 discussions, it includes things that the
16 students can do at home.

17 And what's great about our system is
18 that you can send students home to watch the
19 videos with their families, get them engaged
20 at home, and you're not sending them to
21 YouTube or other some other place where
22 there's crazy stuff and bad language.

23 So I wanted to highlight that, that
24 the technology in schools really fits hand in

1 Advocates for Children of New York.

2 MS. LEVINE: Good afternoon. Thank
3 you for the opportunity to speak with you
4 today.

5 My name is Randi Levine, and I am
6 policy director at Advocates for Children of
7 New York. AFC works to ensure a high-quality
8 education for students who face barriers to
9 academic success, focusing on students from
10 low-income backgrounds. Every year, we help
11 thousands of New York families navigate the
12 education system.

13 You have our written testimony which
14 details our budget priorities. I'll
15 summarize now.

16 First, safe and supportive schools.
17 Every child deserves to attend a safe, high
18 quality school where students, teachers, and
19 staff are treated with dignity and respect.
20 However, without the training and tools
21 teachers need to support students, schools
22 too often resort to exclusionary discipline
23 like suspensions, even though evidence shows
24 that suspensions simply do not work.

1 We recommend that the budget include
2 at least \$50 million to provide schools with
3 the assistance and training needed to adopt
4 positive, age-appropriate approaches to
5 discipline that keep students in school and
6 on a positive track, such as training for
7 school staff and administrators and
8 restorative practices, and additional social
9 workers and school psychologists.

10 Second, pre-K. We appreciate that the
11 Executive Budget sustains the recent
12 increases in pre-kindergarten funding and
13 includes an additional increase of
14 \$15 million. However, this funding falls far
15 short of the amount needed to reach universal
16 access. We urge the Legislature to keep the
17 promise of universal pre-K by investing at
18 least an additional \$150 million in pre-K for
19 3-year-olds and 4-years-olds.

20 In addition, we're pleased that the
21 Board of Regents included in their 2018-2019
22 state budget priorities \$6 million for
23 inclusion pre-kindergarten programs.

24 Preschoolers with disabilities have a

1 legal right to participate in early childhood
2 programs alongside their typically developing
3 peers whenever possible. However, the state
4 has a shortage of preschool special classes
5 in integrated settings, and we're seeing
6 these classes close due to the state's low
7 reimbursement rate. We urge the Legislature
8 in this budget to increase the reimbursement
9 rate for these important programs and invest
10 funding in these classes.

11 Third, English language learners.
12 Given the growing number of ELLs, a
13 significant investment is needed to serve
14 them through a variety of approaches outlined
15 in our written testimony. The Board of
16 Regents for the past few years has
17 recommended a significant influx of resources
18 for English language learners, but the
19 Executive Budget does not include any new
20 funding for this population. We urge the
21 Legislature to negotiate a budget that
22 includes an additional \$100 million to
23 provide increased support to English language
24 learners.

1 In addition, we urge the Legislature
2 to negotiate a budget that includes the Board
3 of Regents recommendation for \$4.43 million
4 for the translation of assessments in the
5 eight most common home languages spoken in
6 New York, and the development of a Spanish
7 language arts test in order to help schools
8 meaningfully determine the progress and
9 achievement of English language learners.
10 Currently, teachers and schools do not have
11 all the necessary tools needed to accurately
12 understand how ELLs are performing.

13 Fourth, the special education waiver.
14 Advocates for Children opposes the Executive
15 Budget proposal to allow school districts,
16 approved private schools, and BOCES to seek
17 waivers from important protections contained
18 in New York State law for students with
19 disabilities. A waiver provision as broad as
20 the one proposed in the Executive Budget
21 would erode the rights of the students with
22 disabilities and have an adverse impact on
23 them, particularly on students from
24 low-income backgrounds.

1 There's been no showing that this
2 provision will result in significant cost
3 savings for districts or actually remove any
4 barriers to serving students with
5 disabilities more effectively.

6 The Legislature has rejected this
7 proposal multiple times in the past, and
8 we're urging the Legislature once again to
9 protect the rights of students with
10 disabilities by rejecting the special
11 education waiver proposal once again this
12 year.

13 Fifth, we're very concerned that the
14 Executive Budget proposes to reduce funding
15 for summer school programs for students with
16 disabilities through a change in the
17 reimbursement methodology. This proposal is
18 estimated to reduce funding to New York City
19 by \$40 million and reduce funding to school
20 districts in the rest of the state by
21 \$30 million.

22 Certain students with disabilities
23 have a legal right to receive special
24 education services over the summer so that

1 they can avoid substantial regression in
2 between the school years. Without these
3 services, much of the progress these students
4 made during the school year would be lost.
5 We urge the Legislature to reject the
6 Executive Budget proposal to change the way
7 school districts are reimbursed for summer
8 special education programs and ensure that
9 the state does not reduce its contribution to
10 these important programs.

11 Sixth, we're concerned about the
12 proposed 2 percent cap on the growth of each
13 school district's transportation and BOCES
14 aid. You have heard a lot about that today.
15 We have some statistics in our written
16 testimony about the growing number of
17 students in temporary housing who have the
18 right to transportation and the difficulty
19 that school districts will face in providing
20 this transportation should this cap go
21 through. We urge you to reject that.

22 And finally, Foundation Aid. We echo
23 those who have spoken today and have urged
24 the Legislature to fulfill its commitment to

1 our schools by negotiating a budget that
2 includes an increase of at least \$1.4 billion
3 dollars in Foundation Aid.

4 We look forward to working with you
5 throughout the budget process. Thank you for
6 the opportunity to testify, and I'm happy to
7 answer any questions.

8 CHAIRWOMAN WEINSTEIN: Thank you.

9 Mr. Murray has a question for you.

10 ASSEMBLYMAN MURRAY: Yes. Thank you,
11 Chairwoman.

12 Just for clarification purposes,
13 regarding the first issue and the \$50 million
14 to promote safe and supportive schools. When
15 you're talking about suspension or
16 expulsions, are you talking -- are you saying
17 that you do not in any case, shape or form
18 support suspensions or expulsions?

19 MS. LEVINE: What we're asking for at
20 this point is funding to help train schools
21 in alternatives. We want to promote positive
22 school climate, and we know the research
23 shows that school districts, both in New York
24 and throughout the nation, that have

1 implemented practices such as restorative
2 practices have seen dramatic decreases in
3 school suspensions and increases in student
4 achievement.

5 So we think right now the important
6 step for the state to take in this budget
7 process is increasing funding for these
8 approaches for schools.

9 ASSEMBLYMAN MURRAY: But to clarify,
10 would it prohibit suspensions in any way?

11 MS. LEVINE: There is nothing in this
12 budget proposal that would prohibit
13 suspensions.

14 ASSEMBLYMAN MURRAY: Okay.

15 MS. LEVINE: We're working on an
16 effort legislatively to help curb the use of
17 suspensions and ensure that they are not used
18 for minor infractions --

19 ASSEMBLYMAN MURRAY: Sure, sure.

20 MS. LEVINE: -- and try to address the
21 disproportionality we see when it comes to
22 suspensions being used much more frequently
23 for students with disabilities and students
24 who are black.

1 But this budget proposal would not
2 impact when a school can give a suspension.
3 It's to help support schools so that they
4 have the tools they need to employ
5 alternatives and, whenever possible, use
6 those alternatives as a way to avoid problems
7 in the first place and then, working
8 collaboratively with students and staff to
9 resolve the problems, to address the
10 underlying behavior so that they don't
11 repeat.

12 ASSEMBLYMAN MURRAY: Okay, and I agree
13 with the direction you are going, I was just
14 making sure. Because in some cases there may
15 be a child that is being so disruptive that
16 it's unfair for the rest of the children,
17 they're not getting their appropriate
18 attention or education. I want to make sure
19 that that option in a case like that would
20 still be available. So thank you.

21 CHAIRWOMAN WEINSTEIN: Thank you.

22 Anyone here from the Long Island Pre-K
23 Initiative? You haven't checked in.

24 We will move on to Lindsay Miller,

1 executive director, New York Association on
2 Independent Living, and Chad Underwood,
3 executive director. And then next would be
4 QUALITYstarsNY, Helga Yuan Larsen, director.

5 MS. MILLER: Hello. Thank you,
6 Assemblymembers and Senators, for your time
7 tonight. My name is Lindsay Miller. I am
8 the executive director of the New York
9 Association on Independent Living, and I'm
10 joined here today by Chad Underwood. And we
11 are here seeking the Legislature's support
12 for our request of an increase to funding
13 of --

14 CHAIRWOMAN WEINSTEIN: Are both of you
15 going to be speaking?

16 MS. MILLER: Yes.

17 CHAIRWOMAN WEINSTEIN: Okay. So just
18 speak --

19 MS. MILLER: Quickly, yes.

20 CHAIRWOMAN WEINSTEIN: -- my fault.
21 Fine. We'll give you back a few seconds.

22 MS. MILLER: We're seeking an increase
23 in independent living funding to \$18 million
24 in the state budget. This funding increase

1 was recommended as part of the Board of
2 Regents recommendations for the second year
3 in a row.

4 This year, however, it was not
5 included in the Governor's budget. The
6 Governor yet again proposed level funding for
7 Independent Living Centers, which is now
8 going on over a decade of level funding.

9 This much-needed increase of only
10 \$5 million is long overdue and is essential
11 to sustaining IL services. There are 41
12 state-funded centers, and they've been
13 woefully underfunded for many years. They
14 are cross-disability nonprofits run by and
15 for people with disabilities, providing a
16 range of services that are all focused on
17 helping individuals live independently in the
18 community and addressing the social
19 determinants of health -- so services related
20 to health, employment, housing,
21 transportation, et cetera.

22 In 2016 and 2017, the network served
23 over a 100,000 people with disabilities,
24 their family members, and others -- an

1 increase of close to 20,000 over the last
2 five years, clearly demonstrating the need
3 for IL services. However, you know, had the
4 funding kept up, obviously the ability to
5 serve more would be there.

6 The only other point I want to make,
7 and then I'm going to turn it over to Chad,
8 is that ILCs also are a dedicated resource to
9 ACCES-VR, they help ACCES-VR meet their
10 mission by providing consumer-driven and
11 community-based wraparound services that
12 complement voc-rehab services.

13 And in addition, Independent Living
14 Centers save the state money. Data from
15 ACCES-VR shows that the work that ILCs do to
16 help transition people out of nursing
17 facilities and other institutions have saved
18 the state over \$2 billion since 2001.

19 I'm going to turn to it over Chad to
20 speak about the direct impact locally.

21 MR. UNDERWOOD: Thanks again. My name
22 is Chad Underwood, and I'm the chief
23 executive officer of Access to Independence,
24 one of the 41 Independent Living Centers that

1 Lindsay mentioned. We're located in Central
2 New York, the City of Cortland, the Crown
3 City.

4 I'm here to share with you that there
5 is a rising demand for our services that
6 we're not able to meet for people with all
7 sorts of disabilities -- mental health,
8 physical, blind, visually impaired. Over the
9 past 10 years, we've provided services to
10 over 4,000 people. We've helped youth and
11 adults secure competitive employment rather
12 than automatically enrolling youth with
13 disabilities into public assistance and
14 benefits as they transition to adulthood --
15 something, by the way, which banishes them to
16 a life of poverty.

17 We're providing the tools and
18 resources to help them access training, we're
19 work with the businesses to open their eyes
20 to the benefits of diversity and to the low
21 cost of certain accommodations. We
22 collaborate with ACCES-VR to work with adults
23 on benefits advisement, supportive
24 employment.

1 On behalf of our board of directors, I
2 want you to know that we are at a breaking
3 point. Last year my organization received
4 \$272,590 from the New York State Education
5 Department to provide independent living
6 services to people with disabilities,
7 disability resources to the community, and to
8 facilitate systems changes to help eliminate
9 physical and attitudinal barriers.

10 This is just 4 percent more than we
11 received 10 years ago. Over the past
12 10 years, inflation -- I'm sure you're all
13 aware of this -- has exceeded 16 percent.
14 Our health insurance costs have gone up
15 350 percent; disability, property, liability
16 insurances grew by 45 percent; our rent up
17 30 percent; and our independent living
18 specific payroll was up 25 percent.

19 Now, compound that with the current
20 tightening of the job market, minimum wage
21 increases the past few years -- and more that
22 are set to take place over the next couple of
23 years -- reduced local government capacity to
24 serve the most vulnerable people because of

1 increased mandates and tax caps. Other area
2 small nonprofits are being squeezed in much
3 the same way. Some have had to close their
4 doors or merge with regional organizations.
5 All of these factors are contributing to an
6 increase in unmet need for many people with
7 disabilities who in the past have relied on
8 such resources to survive and even thrive.
9 All of these factors are contributing to the
10 development of a perfect storm, and it
11 threatens our sustainability, all while we
12 embark on another 20 years of service to our
13 community.

14 Consider the math. People with
15 disabilities are being left behind -- our
16 sons, daughters, brothers, sisters, fathers,
17 even our grandparents. Please support our
18 effort to stop this from getting worse.
19 Thank you.

20 CHAIRWOMAN WEINSTEIN: Thank you both
21 for being here. And your full testimony is
22 part of the record.

23 Any questions?

24 SENATOR KRUEGER: Thank you very much.

1 CHAIRWOMAN YOUNG: Thank you.

2 ASSEMBLYWOMAN NOLAN: Thank you.

3 CHAIRWOMAN WEINSTEIN: Next, Helga
4 Yuan Larsen, director of QUALITYstarsNY. And
5 next after that is Mike Neppl, director of
6 government relations for the New York Library
7 Association.

8 If you could -- and quite frankly,
9 anybody who's going to be testifying, if you
10 can just be in the bottom few rows, it will
11 help us move along and get people able to
12 have dinner tonight.

13 MS. YUAN LARSEN: Thank you.

14 CHAIRWOMAN WEINSTEIN: Yes.

15 MS. YUAN LARSEN: Thank you,
16 Chairwoman Weinstein and Chairwoman Young,
17 members of the committee, for the opportunity
18 to testify before this joint legislative
19 public hearing.

20 My name is Helga Yuan Larsen, and I am
21 the director for QUALITYstarsNY. Apologies
22 for my testimony, it will not be as succinct
23 as I would like it to be. However, I want to
24 stress the importance of QUALITYstarsNY and

1 the critical role that it plays in the
2 Governor's expansion of pre-K.

3 I'm here to request that the
4 \$5 million allotted to QUALITYstarsNY in
5 Governor Cuomo's Executive Budget be
6 increased by \$3 million, as per the Board of
7 Regents, which recognizes QUALITYstarsNY's
8 value to elementary and secondary education
9 as a statewide quality assurance system that
10 safeguards high-quality early care and
11 education for our youngest children.

12 As New York State's quality rating and
13 improvement system, under the governance of
14 the New York State Early Childhood Advisory
15 Council, QUALITYstarsNY rates programs on a
16 five-star rating scale and provides targeted
17 supports for pre-K programs, Head Start
18 programs, community-based childcare centers,
19 and family childcare homes.

20 Every early childhood provider wants
21 to do their best to foster an optimal
22 learning environment for the children in
23 their care, yet this is incredible
24 challenging in a fragmented system governed

1 by independent sectors subjected to
2 inefficiencies and compounded by an industry
3 that continues to pay providers subpar wages.
4 QUALITYstarsNY is the state's best chance at
5 leveling the playing field and mitigating the
6 challenges these providers experience,
7 ensuring that every child thrives from
8 quality teaching and learning and securing
9 their trajectory for success in K through 12.

10 While we applaud Governor Cuomo's
11 commitment to continue our state's investment
12 in pre-K expansion, this growth must come
13 hand in hand with a mechanism for
14 accountability and a systematic effort to
15 improve coordination and alignment between
16 childcare, pre-K, and the K-12 systems.

17 We understand the state faces the
18 additional challenge of balancing a steep
19 budget deficit. However, building a
20 coherent, aligned birth-through-third-grade
21 system is critical to sustaining the positive
22 impacts of pre-K on children's academic and
23 social development, positive impacts which
24 more than pay for themselves from better

1 lifetime outcomes. Children from underserved
2 and impoverished communities in particular
3 flourish in early childhood programs with
4 responsive caregivers in creative and
5 stimulating learning environments. These
6 children are often enrolled in
7 community-based organizations and family
8 childcare homes because their families need
9 the extended or non-traditional hours of care
10 and value the continuity of care their child
11 has received since infancy.

12 These children benefit the most from
13 the supports offered by QUALITYstarsNY to
14 their teachers and family childcare
15 providers. It is these underserved
16 communities facing economic hardships where
17 QUALITYstarsNY prioritizes our resources. As
18 a result of our intervention, these children
19 who have special needs, who experience
20 greater risks to their social and emotional
21 development, or who are English language
22 learners enter kindergarten as confident and
23 competent learners ready to succeed in life.

24 One of the unique features of

1 QUALITYstarsNY is its inclusion of family
2 childcare providers. Across New York State,
3 a significant portion of our children, often
4 infants and toddlers from low-income families
5 who live in minority or rural neighborhoods,
6 are served in these home-based settings. Of
7 the providers that have been re-rated,
8 64 percent of them increased their star
9 rating. The ongoing professional development
10 and resources offered to family childcare
11 providers has been a hallmark of
12 QUALITYstarsNY as an intervention for the
13 most marginalized in the industry.

14 What's more, QUALITYstarsNY has been
15 proven to work across the board: 84 percent
16 of all of our programs increased their
17 quality rating scores; the number of four-
18 and five-star programs increased by
19 80 percent; 31 percent of all initially rated
20 one- and two-star programs raised their level
21 of quality to four stars within three years;
22 and all of the initially rated star programs
23 that rated four- and five-stars sustained
24 their high levels of quality.

1 An investment in QUALITYstarsNY is an
2 investment in the state's workforce. We have
3 provided scholarships to thousands of
4 teachers and providers to build their
5 competencies in curriculum and assessment,
6 designing learning environments, and engaging
7 families as partners in their child's
8 education. Many of these teachers and
9 providers were able to obtain necessary
10 credentials or a degree in early childhood
11 education which they would not have been able
12 to afford.

13 Since our inception in 2012,
14 QUALITYstarsNY has expanded across all 10
15 economic regions. Our services are no less
16 necessary downstate than they are upstate.
17 From the city's need to satisfy thousands of
18 UPK seats with trained educators, to the
19 upstate family childcare providers, every
20 region of New York benefits from an increased
21 investment in quality improvement for early
22 care in education.

23 CHAIRWOMAN WEINSTEIN: Can you wrap
24 up? Your time has expired.

1 MS. YUAN LARSEN: Yes, sure.

2 Our last funding increase in fiscal
3 year 2017 from \$3 million to \$5 million
4 allowed us to increase our capacity by
5 roughly 200 programs, a 33 percent increase
6 in enrollment totaling 740 early learning
7 programs. Despite this increase, this still
8 represents less than 5 percent of all
9 eligible programs in New York. While other
10 state QRISs have grown their participation
11 rates to at least 60 percent of all eligible
12 programs, New York continues to fall behind.
13 We have programs on a wait list eager to
14 enroll, waiting for the state to increase
15 investment so that we can provide the
16 necessary supports.

17 Providing this increase amounts to
18 less than \$300 per child to ensure
19 independent oversight of the \$3.2 billion
20 annual state investment in education.

21 Every year in which New York allows
22 QUALITYstarsNY to be flat-funded is a missed
23 opportunity for the state to champion quality
24 education for all of New York's students.

1 New York can and should position itself as a
2 national leader by establishing a
3 high-quality education system from birth
4 onwards that raises all learning programs to
5 four- and five-star levels for the tens of
6 thousands of our youngest learners.

7 Thank you for your time this
8 afternoon.

9 CHAIRWOMAN WEINSTEIN: Thank you.
10 Thank you very much for your testimony here
11 today. Thank you.

12 CHAIRWOMAN YOUNG: Thank you.

13 CHAIRWOMAN WEINSTEIN: Next, the
14 New York Library Association, Mike Neppl,
15 director of governmental relations, followed
16 by Mark Bordeau.

17 MR. NEPPL: Good evening.

18 CHAIRWOMAN WEINSTEIN: Good evening.

19 MR. NEPPL: I'm going to be very
20 brief, in the spirit of librarians who curate
21 and direct the most important information.
22 I'm going to represent them well, I hope.

23 So you have my written testimony; I
24 just want to highlight a few points here.

1 I just want to highlight a few numbers
2 from a recent Siena poll: 97 percent of
3 households making less than \$50,000 a year
4 say their local public library is an
5 important part of their local educational
6 system; 60 percent of New Yorkers have used
7 the library in the last six months;
8 10 million New Yorkers hold library cards;
9 25 percent of households earning less than
10 \$50,000 annually rely on the local public
11 library as their primary point of internet
12 access.

13 I'll bring up very quickly a tangent
14 there. I've been talking to everybody that
15 will listen about the 2020 census. The
16 federal government is hoping for a 55 percent
17 response rate online. The hard-to-count
18 populations are the exact same populations
19 that rely on the local public library for
20 internet access. So if we are defunding the
21 State Library Aid program, we are essentially
22 investing in our own status as a net donor to
23 the federal government. If we do not have an
24 accurate count here in New York, this will

1 cost us hundreds of billions of dollars over
2 the next decade.

3 The best way to combat this and ensure
4 that the most New Yorkers are counted is to
5 fully fund Library Aid so we can provide the
6 technology services that these hard-to-count
7 populations rely on -- and, of course, help
8 educate those people that come in to fill out
9 and complete the census.

10 I appreciate the committee's time
11 tonight, and we'll be talking in the coming
12 weeks. I hope you guys get some dinner and
13 have a good evening.

14 CHAIRWOMAN YOUNG: Thank you so much.

15 CHAIRWOMAN WEINSTEIN: Thank you for
16 being here. But before you leave,
17 Assemblyman Murray has a question.

18 MR. NEPPL: Sure, of course.

19 ASSEMBLYMAN MURRAY: Thank you,
20 Chairwoman.

21 Just quickly, you mentioned the
22 statutory levels and that we are far under
23 it -- I believe about \$11 million below the
24 statutory level right now?

1 MR. NEPPL: That's correct.

2 ASSEMBLYMAN MURRAY: Okay.

3 MR. NEPPL: It's year-2000-level
4 funding.

5 ASSEMBLYMAN MURRAY: Now, are we
6 seeing an increase or decrease in the number
7 of patrons who are coming to the libraries
8 over the past few years?

9 MR. NEPPL: You know, interestingly,
10 it has held steady. But people are using the
11 library much differently than they used to.
12 It's less focused on the circulating library
13 of materials, although that's certainly part
14 of the core mission and always will be. But
15 people are using the library as a meeting
16 place. You know, community groups can come
17 in and use the space, and people do, of
18 course, come in to avail themselves of
19 internet connections and technology
20 instruction.

21 ASSEMBLYMAN MURRAY: The reason I'm
22 bringing it up is we have issues with gangs,
23 we have issues with drugs, and many of the
24 times we hear from the kids, "Well, there's

1 nothing else to do."

2 Libraries are no longer buildings with
3 books. They are like community centers with
4 quite a bit of great services offered and
5 things like this -- and as you said, with the
6 internet and with programs.

7 Are we drawing more kids in, or do you
8 think we could draw more kids in if we had
9 more funding and more building aid and
10 expansion and things of that nature? Could
11 that be something that might help in the
12 effort to get these kids, you know, something
13 to do to keep them from the gangs, the drugs,
14 and things like this?

15 MR. NEPPL: Of course. But I don't
16 think -- and please don't take me the wrong
17 way, I don't think it's just about funding.

18 If I could reference a question that
19 Senator Marcellino asked earlier today: Are
20 we asking schools to do too much? I am the
21 child of two public school teachers, and I
22 will say yes, we are. And we're
23 simultaneously underfunding libraries and
24 preventing them from stepping in and

1 providing a place for instruction that may
2 best be done outside the classroom.

3 ASSEMBLYMAN MURRAY: Okay. I just
4 want to thank you for all you do. I really
5 am a very big supporter of libraries, and
6 anything I can do to help -- you know, I
7 think you deserve it and need it for all the
8 good you do for our communities, so thank
9 you.

10 MR. NEPPL: I appreciate that. And I
11 know I can always rely on the members of this
12 panel and our friends in the Legislature to
13 fight on our behalf.

14 CHAIRWOMAN YOUNG: Thank you.

15 Senator Addabbo has a question.

16 SENATOR ADDABBO: It's never one.

17 CHAIRWOMAN YOUNG: You're not out of
18 here yet, so --

19 MR. NEPPL: I was just trying to
20 accommodate, I'm sorry.

21 SENATOR ADDABBO: What would a
22 \$4 million cut mean in terms of the
23 libraries? Would it mean a reduction in
24 staff, a reduction in services? In your

1 opinion, what would the \$4 million reduction
2 mean?

3 MR. NEPPL: Well, according to SED
4 statistics, this would cost New York State
5 \$28 million this year in local library
6 services. Of course, you know these services
7 would be lost in the communities that most
8 rely on their local public library.

9 And I would be remiss if I didn't also
10 reference the Library Construction Aid
11 program; the Governor cut it by 41.5 percent.
12 The Legislature fought so hard to address the
13 need in this area. There's a \$1.7 billion
14 statewide capital need. More than half of
15 the state's libraries are 60 years old or
16 older. They were built when IT
17 infrastructure wasn't a priority. There's a
18 dramatic need for capital money in libraries
19 across the estate.

20 SENATOR ADDABBO: Thank you.

21 CHAIRWOMAN YOUNG: Thank you.

22 And I just want to say thank you so
23 much to our libraries. They are our
24 treasures across the state, they provide so

1 many services. And as you pointed out, their
2 role and their mission actually has evolved
3 with the times, and they are making sure that
4 we have the resources in the community,
5 whether it's people having access to the
6 internet and computers, applying for jobs,
7 having after-school programs and other
8 programming for kids.

9 So you truly are phenomenal, and I
10 just wanted to say thank you.

11 MR. NEPPL: Thank you. We have great
12 advocates in the Legislature.

13 CHAIRWOMAN WEINSTEIN: Thank you.

14 CHAIRWOMAN YOUNG: Take care.

15 CHAIRWOMAN WEINSTEIN: Thank you.

16 Mark Bordeau, New York School
17 Nutrition Association.

18 MR. BORDEAU: Good evening.

19 CHAIRWOMAN WEINSTEIN: Good evening.

20 MR. BORDEAU: Thank you, Senator
21 Young, Assemblywoman Weinstein, and members
22 of the committee for the opportunity to
23 testify today. My name is Mark Bordeau, and
24 I am the current senior food service director

1 for Broome Tioga BOCES, as well as the
2 current vice president of the New York School
3 Nutrition Association.

4 I am here today on behalf of the
5 4,400-plus members of the New York School
6 Nutrition Association to discuss a proposal
7 we have that would increase the per-meal
8 reimbursement rate for the first time in
9 almost 40 years, while also incentivizing
10 school nutrition programs to purchase local
11 New York food products.

12 Our goal as child nutrition
13 professionals is to ensure that every hungry
14 child has access to the healthiest, most
15 nutritional food possible. Why? Because
16 they are hungry. If we have one hungry child
17 in a classroom trying to learn, that's one
18 child too many. We thank the Governor for
19 his No Student Goes Hungry Program proposal.
20 The program's goal is the same as NYSNA's
21 goal of ensuring that every hungry child has
22 access to the healthiest, most nutritious
23 foods possible.

24 Today I would like to address

1 proposals for increasing the use of
2 farm-fresh, locally grown foods at school.
3 This proposal incentivizes schools to
4 purchase more New York-grown, produced, or
5 processed foods for school meals. The
6 proposal states that a district will be
7 reimbursed approximately 19 cents for a free-
8 or full-priced meal and approximately 5 cents
9 for a reduced-price meal if 30 percent of the
10 total food purchase comes from New
11 York-grown, produced, or processed foods.

12 The Governor has appropriated
13 \$10 million in the education portion of his
14 Executive Budget for this purpose. Again,
15 NYSNA supports the proposal, knowing that it
16 will have very positive outcomes for
17 students' health, for farmers, and for local
18 schools.

19 NYSNA kindly asks for one minor tweak.
20 Instead of saying 30 percent of total food
21 purchased, we'd like it to say 30 percent of
22 total lunch purchases for the previous school
23 year's reimbursable lunches sold. Lunch
24 purchases for lunches sold. We believe this

1 is a minor oversight that could discourage
2 districts of high needs from taking advantage
3 of incentive programs.

4 In New York State, half the children
5 are eligible to eat free meals because their
6 districts participate in a community
7 eligibility provision, or CEP. Because those
8 districts participate in CEP, they are more
9 apt to offer Breakfast After the Bell,
10 after-school snacks, and summer meals. These
11 are programs that districts with a low
12 percentage of free-lunch students may not
13 qualify for or offer. As a result, a
14 district of high needs may potentially have
15 to purchase double the amount of food,
16 New York food, as districts of low needs of
17 similar size, and receive the same amount in
18 reimbursement from the incentive.

19 Because New York product is simply
20 more expensive, the incentive would end up
21 costing the districts of high needs more
22 money, and then they would not be able to
23 afford to participate. We urge the
24 Legislature to make the small correction to

1 the current language to prevent this
2 unforeseen circumstance from occurring.

3 One final point I would like to make.

4 In my hands I have an empty milk carton.

5 This milk carton costs 6 cents, the same

6 amount of money we received for the last

7 40 years in reimbursement, unchanged. It

8 costs about 19 cents to fill this with milk.

9 I urge the legislators to leave the

10 \$10 million in the proposed budget and make

11 one minor tweak so that every district that

12 wants to fill this milk carton with New York

13 milk, that they have the chance to qualify

14 for the extra 19 cents in reimbursement.

15 This is better for our students' health, our

16 farmers, and our economy.

17 Thank you, and I'd be happy to answer

18 any questions at all.

19 CHAIRWOMAN WEINSTEIN: No? Thank you.

20 CHAIRWOMAN YOUNG: Thank you.

21 CHAIRWOMAN WEINSTEIN: Thank you for

22 being here.

23 MR. BORDEAU: Thank you.

24 CHAIRWOMAN WEINSTEIN: And thank you

1 for being so succinct.

2 Next, Peter Mannella, New York
3 Association for Pupil Transportation.

4 MR. MANNELLA: Good evening. Having
5 never run a marathon, I feel like those last
6 couple of people who run in -- now I know how
7 they feel when they run in at the tail end of
8 the race. Somebody got it -- thank you,
9 Senator.

10 Senator Young, Assemblywoman
11 Weinstein -- congratulations on your new
12 chairperson role --

13 CHAIRWOMAN WEINSTEIN: Thank you.

14 MR. MANNELLA: -- and other members of
15 the committee, I'm Peter Mannella. Pardon
16 my -- the remnants of my flu here. I'm proud
17 to serve as the executive director for NYAPT
18 and to serve our more than 600 members across
19 the state.

20 This year is one of the more
21 significant budget proposals that we've
22 experienced in many years. In the interests
23 of your time, I will simply highlight several
24 of our common areas -- you have it in full

1 print -- and I'll also focus on a couple of
2 key items.

3 First, in terms of Transportation Aid
4 for 2018-2019, we support the appropriation
5 of \$19.09 billion and urge the Legislature to
6 adopt that full funding for Transportation
7 Aid, which is important to our ability to
8 sustain our overall safety efforts for our
9 children.

10 Two, the Executive Budget includes an
11 appropriation of \$400,000 to continue the
12 benefits of the SED school bus driver
13 training program. We support this
14 appropriation and are proud of the work it
15 does, the Education Department in concert
16 with the school transportation industry.

17 Three, we support the proposal in the
18 Governor's budget to significantly increase
19 the fines that are charged to motorists
20 convicted of passing our school buses, which
21 is an epidemic issue in New York State. We
22 have supported bills in the State Legislature
23 that would accomplish that objective, and we
24 thank the legislators who sponsored those

1 bills, but we urge you to include that in
2 this year's budget as well.

3 We'd also like to just briefly call
4 your attention to two areas that are not in
5 the budget and not being discussed at this
6 point, and that would be, first, the cost of
7 school bus monitors. I won't spend a lot of
8 time because it's fleshed out in our
9 testimony, but monitors are being called on
10 more and more for behavioral problems on the
11 bus, security and safety for intruders who
12 come on the bus, as well as for pre-K, 2-,
13 3-, and 4-year-old children coming on our
14 school buses. The cost for those individuals
15 are not reimbursable under Transportation
16 Aid.

17 So before we start talking about caps
18 on aid, we need to look at what the real
19 costs are that schools are incurring for
20 those people.

21 And the second kind of quick point to
22 bring up is under ESSA, foster care children
23 are being treated differently for their
24 needs. This is something that has actually

1 been brought to our attention by SED. To the
2 extent that child welfare agencies can help
3 in paying for the transportation of foster
4 care students to their home -- to their
5 school of choice -- that's wonderful, but
6 that won't cover all the costs. And we're
7 hoping that foster care transportation can be
8 aidable under Transportation Aid, which it is
9 not today.

10 Our three larger issues I'd like to
11 touch on quickly. One is Transportation Aid
12 for pre-K. Yet again, the pre-kindergarten
13 program which is doing so many good things
14 for kids is not reaching some children
15 because school districts are not offering the
16 program or parents can't get the children
17 there because there's no bus. It's not an
18 aidable expense, and we would really request
19 that the Legislature attend to that issue and
20 allow us to bill for transportation that's
21 being provided to pre-K kids across the
22 state. It is currently prohibitive for
23 school districts.

24 Second of three key issues is the

1 Governor's proposal for -- I'm going to wet
2 my whistle before I said it -- stop-arm
3 cameras on school buses. Senator Young and
4 Assemblyman Magnarelli have worked
5 wonderfully with us for the past seven or
6 eight years to pass legislation like that. I
7 know Assemblyman Murray's spoken to us.

8 The Governor introduced a piece in his
9 budget that would allow for stop-arm cameras
10 to help us apprehend our estimate of between
11 40,000 and 50,000 people who pass a school
12 bus every day. The revenues from that alone
13 are significant for the state to consider.
14 The safety factors for our children are even
15 more important. So we would urge you, with
16 some tweaks in the language of the Governor's
17 bill, to enact that provision of his
18 proposal.

19 And lastly -- it's been brought up
20 here several times, so I won't go too long --
21 probably the most important thing I will
22 share is the 2 percent cap on expense-based
23 aid is not kind for transportation. We put
24 our budgets together tightly. Nobody -- and

1 no superintendent goes to a transportation
2 director and says, "Hey, spend another half a
3 million dollars." They're looked to for
4 cuts.

5 We're there when a homeless child
6 needs to be transported 50 miles to go to
7 their school, or a foster child, or a
8 special-needs child, or any child who needs
9 to get where they have to go. And that comes
10 with weather and traffic and other kinds of
11 issues that we come up with.

12 The issue here is not capping our
13 expenses. We have advocated in past years
14 for mandate relief. The proposals we put out
15 about six years ago, and that was the hot
16 topic, estimated about \$120 million a year we
17 could save on a recurring basis. We would
18 love to revisit that list of mandates that
19 could be moderated or eliminated so that we
20 can save the state and our localities money
21 over the years.

22 We're proud of the role that school
23 buses play in getting our children to school
24 every day safely. Our safety record is

1 second to none in the country, and that is
2 because of the hard work of our members.
3 Probably more importantly, the school bus
4 drivers who sit behind the wheel and get
5 those kids to school on our roads and
6 highways every day.

7 We thank you for the support that this
8 committee and the Legislature have provided
9 to us over the years and look forward to more
10 this year. Thank you very much.

11 Questions I'll take, certainly.

12 CHAIRWOMAN WEINSTEIN: Thank you.

13 CHAIRWOMAN YOUNG: Actually -- hi,
14 Peter. How are you?

15 MR. MANNELLA: Hi, there. Good. How
16 are you?

17 CHAIRWOMAN YOUNG: Great job on
18 advocating for a lot of different important
19 issues.

20 I wanted to talk about the stop-arm
21 camera. And as you pointed out, Assemblyman
22 Magnarelli and I have had a bill for several
23 years that we've tried to get done, and it is
24 wonderful to see the Governor's proposal.

1 Could you comment just briefly on the
2 differences between the legislation that we
3 have and what the Governor's proposing? And,
4 you know, are there things that we should be
5 doing to make sure that we get to a final
6 result?

7 MR. MANNELLA: I think a couple of key
8 points. One is -- and this is something
9 we've grappled with in drafting the
10 legislation we've worked on together -- he
11 does have the fines going to school
12 districts, who would then be able to work
13 with municipalities on sharing those in some
14 way.

15 That's not something we've seen
16 before. I'm not clear on how that is going
17 to work, so we need to dig that through.

18 CHAIRWOMAN YOUNG: Right, there's some
19 barriers that we need to check -- I think
20 there's some barriers in the law right now to
21 doing that, so we need to figure that out for
22 sure.

23 MR. MANNELLA: Yeah. And the second
24 is because the fines are going to the

1 districts in the proposal, he eliminates the
2 ability to do Transportation Aid to pay for
3 cameras.

4 We're thinking -- and again, this is
5 new to us too. Our take on it is that
6 smaller rural districts will likely purchase
7 cameras, they may have one or two buses they
8 want to put them on, and we're not sure that
9 the fines they collect from the cameras, how
10 important they are -- despite how important
11 they are, will pay for the cost of the
12 camera.

13 CHAIRWOMAN YOUNG: Right.

14 MR. MANNELLA: Larger school districts
15 in New York, some in Long Island, may hire
16 with some of the companies who will do all
17 the work for them, put the cameras on for
18 free. There's not really a profit margin in
19 it for some of those companies to do a small,
20 say, Chautauqua County school district that's
21 got only a few buses.

22 So we're not sure the mechanics of
23 that work. We're thrilled it's there, so we
24 want to work to kind of tighten a couple of

1 those pieces down so that we can get that
2 done.

3 CHAIRWOMAN YOUNG: Right. So I do
4 think --

5 MR. MANNELLA: But I think the
6 groundwork is there to do it.

7 CHAIRWOMAN YOUNG: -- the right
8 incentives need to be in place and the
9 economics have to work, the financing has to
10 work in order for the schools to be
11 incentivized to actually get these stop-arm
12 cameras in place.

13 Now, there was a pilot program, I
14 believe, on Long Island. Could you just
15 comment on that briefly?

16 MR. MANNELLA: There was a -- there
17 were two districts in Suffolk County
18 particularly that participated in a pilot
19 with one of the camera companies. And I
20 can't give you both districts, but there
21 was -- one of the districts, I believe, was
22 Bay Shore -- one that was looking at about
23 95 passes a day, and they only had it on two
24 buses. That's a lot of passes.

1 And when you're looking at a tight
2 budget, that's also a lot of revenue on the
3 other side if you can collect the tickets on
4 all those passes at \$250 a ticket. Not to be
5 that kind of person. But that's real, that's
6 real money. At the end of the day we'll have
7 safer kids because people will stop. But
8 that 95 on two buses is a lot of passes and
9 way exceeds any numbers from our 40,000 or
10 50,000 estimate statewide.

11 CHAIRWOMAN YOUNG: Right, I agree it's
12 a staggering figure. And it's a very
13 frightening figure, and I believe that's why
14 we do need to take action this year.

15 MR. MANNELLA: Right.

16 CHAIRWOMAN YOUNG: I think this is the
17 year to do it. And we've had several --
18 we've had some tragedies, and we've had
19 several near misses, and the fact that those
20 were only two buses in New York State -- and
21 you multiply it by how many buses?

22 MR. MANNELLA: Fifty thousand.

23 CHAIRWOMAN YOUNG: Fifty thousand. It
24 is just incredible.

1 MR. MANNELLA: I can't do math that
2 fast.

3 CHAIRWOMAN YOUNG: A mind-blowing
4 thing to think about. So we do have to take
5 action, and I appreciate all of your efforts.

6 MR. MANNELLA: Thank you very much.

7 CHAIRWOMAN WEINSTEIN: Thank you.

8 Next, New York State Parent Teacher
9 Association, Kyle Belokopitsky, executive
10 director.

11 MS. BELOKOPITSKY: Thank you, and
12 congratulations, Chairwoman. And thank you,
13 Senator. Thank you, Assemblywoman Nolan and
14 the rest of this wonderful -- Assemblymen,
15 Assemblywomen and Senators here.

16 From outstanding arts and music
17 programs -- I'm not going to read my
18 testimony, I'm going to summarize because
19 it's so late --

20 CHAIRWOMAN WEINSTEIN: Yes. And --

21 MS. BELOKOPITSKY: Lateness of the
22 day.

23 CHAIRWOMAN WEINSTEIN: Well, we -- as
24 I said earlier, we have all of the testimony.

1 MS. BELOKOPITSKY: Sure.

2 CHAIRWOMAN WEINSTEIN: And the email
3 was circulated to members.

4 MS. BELOKOPITSKY: Yes.

5 From outstanding art and music
6 programs to broader pathways to graduation,
7 to increases in community schools and
8 supports for our English language learners,
9 New York's children, educators, and schools
10 continue to succeed. However, we have real
11 challenges. According to the latest New York
12 State School Report Card, 55 percent of our
13 students are economically disadvantaged and
14 50 percent live in some level of poverty,
15 qualifying for free or reduced-priced lunch.
16 Childrens' needs don't disappear from year to
17 year, and we cannot fund schools as if they
18 do.

19 While we acknowledge the predicted
20 state deficit and challenges posed by federal
21 uncertainties, the constitutional obligation
22 to fund a high-quality education for each and
23 every New York student continues. State aid,
24 as allocated in the Executive Budget

1 proposal, is insufficient to address current
2 student need -- especially when considering
3 deferred maintenance and program cuts from
4 previous years stemming from the Gap
5 Elimination Adjustment and low tax-cap
6 levies.

7 Preserving current services for our
8 students must remain a state priority, and a
9 \$1.5 billion increase is needed just to keep
10 our schools at the same level of programs and
11 services as last year. We, alongside the
12 Educational Conference Board, call for a
13 \$2 billion increase in school aid this year.

14 We also strongly support a commitment
15 to fully phase-in the previously promised
16 Foundation Aid amount of \$4.2 billion, where
17 the overwhelming majority of these funds,
18 \$3.03 billion, are due to our high-needs
19 school districts and students.

20 We strongly oppose the proposed cap on
21 expense-based aids. Expense-based aids are a
22 critical and necessary funding stream for
23 many schools, especially since school
24 buildings are old, in dire need of repair,

1 and replacing outdated buses, plumbing and
2 heating, and updating equipment is absolutely
3 necessary, as schools have deferred these
4 expenses for many years.

5 And we must continue to support
6 families. Meaningful family engagement
7 increases student achievement, improves
8 school and community relations, and increases
9 public support for our schools. We are
10 pleased that the state has invested in the
11 My Brother's Keeper program, and are
12 encouraged by the new Office of Family
13 Engagement. However, this work is just
14 beginning, and we ask for increased support
15 for all schools and districts to improve
16 their family-engagement initiatives.

17 On English language learners, New York
18 State has long been the gateway of immigrant
19 success where economic and social success
20 relies on an educated, globally aware
21 citizenry, prepared to address the issues of
22 an ever-changing world. Therefore, we ask
23 you to consider a number of proposals in our
24 testimony.

1 Community Schools are an effective
2 strategy for student and family success, and
3 often address the health, social, and
4 socio-emotional needs of students and their
5 families. I could not say it any better than
6 the Big 5 city school districts said it today
7 in explaining their Community Schools. We
8 support those proposals.

9 We also support the \$10 million
10 allocation to fund the Empire State
11 After-School Program. We also want to talk
12 about funding for transportation for both
13 after-care and for pre-K. Our youngest
14 children must continue to be supported. One
15 district that is without full-day
16 kindergarten is too many. Therefore, we
17 fully support the proposal for full-day
18 kindergarten conversion aid for all school
19 districts. And New York State PTA continues
20 to call for a true universal pre-kindergarten
21 for all public school students, with
22 necessary transportation.

23 On mental health, we fully support
24 increased commitments to the Dignity for All

1 Students Act and mental health support grants
2 for Community Schools. We must do more with
3 these two support services for our students.

4 It is of particular importance to have
5 sufficient supports for children in schools.
6 These critical support personnel include
7 guidance counselors, health professionals --
8 such as school nurses, licensed clinical
9 social workers -- and others who not only
10 work to address mental health and other
11 concerns, but also identify behavioral issues
12 and can be a positive support system for the
13 academic system, family and community.

14 Importantly, no child should ever go
15 hungry, and we fully support the proposals to
16 expand access to food for children.
17 Breakfast After the Bell is a critical
18 initiative for many students in high-needs
19 schools. No child should ever be shamed for
20 not having enough lunch money for lunch.

21 We fully support legislation to ban
22 lunch-shaming practices in school,
23 prohibiting schools from serving an
24 alternative cold lunch -- often a piece of

1 cheese on a white bread -- to children.

2 We also support Farm to School
3 programs and support increases in
4 reimbursements for schools in any district
5 that purchases at least 30 percent of its
6 food from New York farmers. One concern,
7 however -- and I'm almost done -- is that
8 schools would be required to purchase
9 30 percent of their food from New York
10 farmers, but the reimbursement rate is only
11 increased for the lunch program.

12 On Recovery High Schools, we fully
13 support expanded access, as substance abuse
14 disorders continue to be a real and critical
15 concern. We also support continued access to
16 adolescent clubhouses and Recovery Schools in
17 any community that needs one.

18 And lastly, while not at the education
19 table, we fully support the Executive
20 proposal for e-cigarettes and vapor products,
21 as we know that unfortunately our children
22 are continuing to use vaping products and
23 tobacco at higher incidents and higher rates.

24 In conclusion, we need to build the

1 success of our community through investments
2 and support of our key resources, our
3 children. Every parent has a dream for their
4 child, and it is our job to be dream-makers.
5 It is our job to give schools the necessary
6 tools and support they need to bring those
7 dreams closer to reality. We humbly ask that
8 you continue to advocate for infusing our
9 schools with the tools and resources
10 necessary to accelerate the success of our
11 children and families. Together we can make
12 every child's potential a reality, and there
13 is no more important work.

14 I'll be happy to take questions, and
15 thank you for your time.

16 CHAIRWOMAN YOUNG: Thank you.

17 CHAIRWOMAN WEINSTEIN: Thank you for
18 being here.

19 ASSEMBLYWOMAN NOLAN: I just want to
20 add my thanks, and I appreciate your comments
21 on Dignity. And I know that you're an active
22 working mom like so many of us, and I really
23 appreciate your leadership all these years
24 and that of the PTA. I'm a proud PTA member,

1 and I'm very happy that you're here today.

2 MS. BELOKOPITSKY: And we were so
3 happy as an association to honor Assembly
4 Education Chair Cathy Nolan last session with
5 a New York State PTA Honorary Life
6 Membership.

7 ASSEMBLYWOMAN NOLAN: I feel happy
8 about that.

9 CHAIRWOMAN YOUNG: Great.

10 CHAIRWOMAN WEINSTEIN: Great. Thank
11 you.

12 MS. BELOKOPITSKY: Thank you.

13 CHAIRWOMAN WEINSTEIN: New York State
14 League of Women Voters, Marian Bott,
15 education finance specialist.

16 ASSEMBLYWOMAN NOLAN: Wonderful to see
17 you here, Marian. You're looking wonderful,
18 and we're very happy to have you with us
19 today.

20 MS. BOTT: Oh, thanks.

21 ASSEMBLYWOMAN NOLAN: You're looking
22 healthy and wonderful. Good to see you.

23 MS. BOTT: Assemblywoman Nolan, it's
24 always a pleasure to see you, and

1 Assemblywoman Weinstein. And thank you, the
2 rest of you, for hanging in there.

3 The one interesting thing about being
4 here this late is you hear everybody else's
5 testimony and you ask yourself is there
6 anything you can possibly say differently or
7 additive. I will try to be additive, but I
8 wanted to just make one quick comment.

9 Assemblyman Weinstein, do you remember
10 what year you first came to the Assembly?

11 CHAIRWOMAN WEINSTEIN: I do.

12 MS. BOTT: What year?

13 CHAIRWOMAN WEINSTEIN: I started
14 serving in 1981.

15 MS. BOTT: 1981. In 1981, I was
16 chairing a New York Junior League tutoring
17 committee organizing volunteers in a couple
18 of different high schools in New York City.
19 You came to the Junior League to explain what
20 you did, and I just want to let you know that
21 you were part of the inspiration for why I
22 thought, gee, maybe I also ought to do some
23 advocacy along the way.

24 CHAIRWOMAN WEINSTEIN: Great.

1 MS. BOTT: And I started coming to
2 Albany about 1995, doing advocacy work, and
3 changed from the Junior League to the other
4 league. So I've been doing this --

5 CHAIRWOMAN WEINSTEIN: I'm glad to see
6 my comments made some --

7 MS. BOTT: Anyway, happy to see your
8 face up here replacing Denny.

9 (Laughter.)

10 MS. BOTT: Anyway, so I just wanted to
11 turn quickly to a couple of the pages in my
12 testimony.

13 On page 7, there's a summary of our
14 recommendations. And the one thing I didn't
15 hear anything about today was either STAR or
16 a property tax circuit breaker.

17 I understand one of the reasons we
18 don't talk about that in these hearings is
19 it's sort of not considered part of the
20 education budget, but in fact we know it is.
21 So I wanted to encourage you all, now that
22 there has been a suggestion of a cutback in
23 STAR, the League does not condone the STAR
24 program as it is now configured. We've long

1 recommended a property tax circuit breaker.

2 And in light of changes in federal
3 law, one of the things we might recommend for
4 the Legislature this year is to really go
5 back into all the work that was done largely
6 through the property tax committee, the real
7 estate committees, and look at all the
8 suggestions that were made for a soundly
9 created property tax circuit breaker.

10 So with the change in federal law,
11 what that would mean is to reexamine both
12 numerator and the denominator. In other
13 words, some of the earlier forms of property
14 tax circuit breakers would have simply said,
15 well, whatever your property taxes are,
16 divide that by your family income, and
17 there's your circuit breaker. That's going
18 to be much too simplistic for what's going on
19 now.

20 So we have some brainy people in
21 finance here in Albany. I think it's worth
22 reconsidering so that we maintain a
23 progressive taxation system but, at the same
24 time, deal with what I guess our Governor

1 calls the missile that has been handed to us,
2 to maintain some equity as well as property
3 tax relief in our districts where the
4 property taxes are so high.

5 Okay, so then the second thing I
6 wanted to do is to call your attention to our
7 long-standing recommendation that the
8 Legislature resist the urge to allocate aid
9 at the end of the day according to regional
10 shares. The Legislature usually ends up
11 gravitating towards the same exact
12 percentages that have been negotiated for the
13 last, what, 30 years, Cathy Nolan? Many,
14 many years. It's always been done by shares.

15 It's always harmful, because it
16 requires basically that you twist any
17 semblance of a Foundation Aid formula into a
18 knot and disregard what is supposedly a sound
19 basis of a formula, even though it's woefully
20 underfunded.

21 So then I wanted to just point out
22 very quickly that we did a little work using
23 some sample poor districts, and I wanted to
24 just show you -- I wanted to go to Table 2 on

1 page 10. There is such a thing in the
2 Foundation Aid formula as the sharing ratio.
3 And you will note that amongst the very
4 high-need districts of Hempstead, Utica, and
5 Schenectady, there is a so-called
6 hold-harmless provision that basically limit
7 them to a state sharing ratio of 0.9.

8 And you'll see in the columns that the
9 sharing ratio, if you calculate it actually
10 for Hempstead, it would be a .99 share, for
11 example. So you might want to think about
12 how the state sharing ratio actually works.

13 And then finally, the wealth measures.
14 Other testifiers earlier today alluded to it.
15 The wealth measures really are not fairly
16 done. We count poverty very badly. We give
17 a 50/50 weighting to free and reduced-price
18 lunch and 2000 census poverty. It's never
19 been a good system, it needs to be improved,
20 and we need to look at the Small Area Income
21 Poverty Estimates and try to do a better job
22 with the weighting of poverty. It can be
23 done.

24 Thank you very much.

1 ASSEMBLYWOMAN NOLAN: Thank you.

2 CHAIRWOMAN WEINSTEIN: Thank you for
3 being here and your patience for the day.

4 MS. BOTT: Thank you.

5 CHAIRWOMAN WEINSTEIN: Thank you.

6 So our last but not least testifier
7 today is Christopher Treiber.

8 MS. BOTT: Chris was with the
9 Educational Priorities Panel when we all were
10 doing educational advocacy work 25 years ago.

11 MR. TREIBER: Yeah. A while ago.

12 CHAIRWOMAN WEINSTEIN: Interagency
13 Council of Developmental Disabilities
14 Agencies.

15 MR. TREIBER: Yes, hi. So thank you
16 so much for all of you remaining here, since
17 I am the last person.

18 So my name is Chris Treiber, I'm the
19 associate executive director for the
20 Interagency Council, and we're a nonprofit
21 membership association of about 165 agencies
22 that serve children and adults with
23 developmental disabilities.

24 And I'm here as a representative of

1 COPA, which is a coalition of provider
2 associations that formed about a year ago of
3 five associations -- the Alliance of Long
4 Island Agencies, the Cerebral Palsy
5 Associations of New York State, the
6 Developmental Disabilities Alliances of
7 Western New York, IAC, and the New York
8 Association of Emerging and Multicultural
9 Providers. And our COPA membership basically
10 has about 100 or so preschool and school-age
11 programs that serve children with
12 developmental disabilities. Our schools
13 serve about 15,000 children a day.

14 And I think it's just important to
15 understand that the children who go to our
16 schools are children who are public school
17 children. They're children of your
18 constituents. The children who attend our
19 schools are placed there by the local
20 Committee on Special Ed or Committee on
21 Preschool Special Ed when there's no place
22 available for them. So for many of the
23 children, our schools are the last
24 alternative, there are no other options for

1 them.

2 And for many years, our schools have
3 really not been funded to meet that
4 challenge. Our schools have suffered for a
5 period of no growth for many years, and only
6 recently have gotten small increases. And in
7 the Governor's budget -- and he highlights,
8 you know, the commitment that the
9 administration has made to education, saying
10 that state aid has increased by 35 percent
11 since 2012. However, in our schools, our
12 853 schools that serve children when the
13 public schools can't, their increases have
14 been 18 percent, and our preschool special ed
15 programs have only received increases of
16 6 percent during that time.

17 And the impact of that growth freeze
18 is just immense on the programs. You can see
19 in the charts I have here the amount of money
20 the programs have lost. You know, the
21 school-age programs have lost \$62 million
22 statewide in those three years, and
23 preschools have lost \$93 million. These
24 programs are really on the brink of financial

1 collapse.

2 But even more significant is the fact
3 that the programs can no longer hire teachers
4 and maintain teachers. These programs are
5 really in serious, dire straits in terms of
6 being able to have a certified teacher in
7 front of these kids.

8 We did a turnover survey of our
9 members a few months ago, and even we were
10 shocked at the turnover numbers within
11 roughly a year. In our school-age programs,
12 the teacher turnover rate is 28 percent. And
13 in our preschool programs, the turnover rate
14 is 30 percent. For the teacher assistants,
15 the rates are 30 percent and above. You can
16 substitute a teacher, you can't substitute a
17 teacher assistant. If you don't have a
18 teacher assistant, you've got to close a
19 classroom.

20 And that is what is happening. Some
21 of our programs have had to close classrooms
22 because they basically can't get enough staff
23 to run them. And then a lot of our programs
24 are using administrators and supervisors to

1 run the programs, which means that if we have
2 inexperienced and new teachers, there's no
3 one to mentor them anymore.

4 We recognize that, you know, there
5 will never be parity. But at one time the
6 salaries -- the salary disparities were much
7 more manageable, and we could keep teachers.
8 Now our children are subjected to basically
9 more than one teacher in a year. Given the
10 circumstances for a lot of our schools, a lot
11 of those kids experience more than one
12 teacher. And it's detrimental for anyone who
13 has a young child when their teacher leaves.
14 Imagine a child with autism who has two or
15 three teachers in a year, and they're brand
16 new, and there's no one to supervise them.

17 So that's really an issue, and the
18 fundamental issue is that school districts
19 can pay between \$20,000 and \$40,000 more than
20 what our schools can pay. We know that from
21 data from State Ed. And that really is a
22 significant impact.

23 The other thing I just want to mention
24 is the Special Class Integrated Settings. In

1 the Governor's budget, there is a
2 recommendation for an expansion of
3 \$50 million for UPK. Some of that money is
4 supposed to be targeted to integrated
5 classrooms. However, the programs themselves
6 are losing so much money that they're closing
7 these classrooms, especially in Long Island,
8 in Rockland, Westchester, and New York City.
9 A lot of the programs can't operate anymore,
10 they're losing the programs.

11 Our biggest concern is while State Ed
12 is working on coming up with a new funding
13 formula, which was mandated by law, they're
14 not going to really sort of have the whole
15 proposal together probably until April 1st,
16 which means that these providers are going to
17 have to suffer for another year trying to
18 manage financially. And our biggest concern
19 is they may not be available any more. And
20 New York State is under federal mandate to
21 make sure that there are inclusive options
22 for preschool kids, so without those options
23 they may not be able to meet those specific
24 mandates.

1 So just in conclusion, basically, our
2 biggest concern right now is that these
3 programs are really in fiscal straits. And
4 just think, COPA has preschools that operate
5 programs for 500, 600, 700 kids. If one of
6 those programs closed, how would New York
7 State or New York City be able to find
8 services for those kids? We don't believe
9 they would, we think those kids would end up
10 sitting at home. And these are the most
11 needy kids in the state.

12 So thank you very much.

13 CHAIRWOMAN WEINSTEIN: Thank you for
14 being here today.

15 CHAIRWOMAN YOUNG: Thank you very
16 much.

17 MR. TREIBER: Thank you.

18 CHAIRWOMAN WEINSTEIN: So this
19 concludes the State Legislature Joint Budget
20 Hearing on Elementary and Secondary
21 Education. Thank you all.

22 ASSEMBLYWOMAN NOLAN: Thank you.

23 (Whereupon, the budget hearing
24 concluded at 6:31 p.m.)

