



*Testimony of*

*New York State Congress of Parents & Teachers  
(NYS Parent Teacher Association)*

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*and*

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*NYS Education Budget*

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*Albany*

I am Kyle McCauley Belokopitsky, the Executive Director of the New York State Congress of Parents and Teachers, Inc. (NYS PTA), and am proud to represent nearly 300,000 members of NYS PTA and the parents of 2.6 million New York school children. I am honored to be joined by Adrienne Gliha-Bell, NYS PTA Rural School Specialist from Warrensburg PTA and Roberto Rijos, President of Yonkers PTA.

NYS PTA appreciates the opportunity to comment on how the Executive Budget impacts children and families statewide.

Thank you to Assembly Finance Chair Weinstein, Senate Finance Chair Krueger, Assembly Education Chair Benedetto, Senate Education Chair Shelley Mayer and members of the Assembly for your continued commitment to ALL children, their families, and our schools.

In the past decade, students with disabilities increased 14% or 45,705 children, students receiving free or reduced priced lunch increased by 15% or an additional 183,077 children and remains at levels of more than half of all students in NY, and English Language Learners (ELL) students increased by 18% or an additional 36,078 children to our current high of 237,000 children.

Yet, support for our children hasn't kept up with their needs.

Despite these challenges, our schools continue to do more for our children, working each day to make every child's potential a reality. The need to provide students and schools with adequate, stable resources, programs and services grows, especially this year, with real federal uncertainties.

## **EDUCATION ISSUES**

### **School Aid**

The state constitutional obligation to fund a high-quality education for each and every New York student remains unfilled. Unfortunately, state aid as allocated in the Executive Budget proposal is insufficient to address student need.

While the \$338 million increase in Foundation Aid, \$409 million allocation for expense-based aid, and the \$157 million in unallocated school aid through the Fiscal Stabilization Fund is a good starting point for negotiations, we are concerned that this is less than half of the \$2.2 billion school aid increase called for by NYS PTA and other educational advocates.

The Executive Budget school aid allocation generally includes an increase of \$956 million:

- \$338 million as an increase in Foundation Aid, with \$50 million for community school with set aside in Foundation Aid
- \$409 million for expense based aids, and a new expense based aid formula
- \$157 million unallocated fiscal stabilization rate (not reflected on the school aid runs)
- \$10 million for after school programs
- \$15 million to expand universal pre-k, including a focus on the participation of homeless students and students with disabilities
- \$9 million to expand Early College High Schools and P-Tech programs
- \$6 million for Smart Start
- \$1.8 million for expanded free access to advanced placement for all low-need students
- \$1.5 million for Master Teacher programs

- \$1.5 million to support school-based mental health programs, and provide grants to middle schools for mental health and school climate services
- \$3 million for school districts with high suspension rates for restorative justice practices

According to conservative calculations by the NYS PTA and Educational Conference Board (ECB), our students and schools need:

- \$1.31 billion increase in Foundation Aid, which is a third of what is due to schools. This would put the state on course to fully fund the formula in three years;
- \$400 million increase in expense-based reimbursements to continue essential programs and services such as student transportation and special education; and
- \$500 million for five priority areas, including strengthening school safety, supporting struggling schools and English language learners and investing in college and career pathways.

We also call for updates to the Foundation Aid formula based on current conditions, including:

1. Update the costing out study to determine the appropriate foundation amount per pupil;
2. Update student need factors; and
3. Update and restructure the Regional Cost Index.

NYS PTA strongly supports a commitment to fully phase in the previously promised Foundation Aid of \$4 billion over the next three years. We have been asking for a true full phase-in of foundation aid for the past years.

The overwhelming majority of these funds, more than 70% or \$2.78 billion, are due to high-needs school districts and students.

A commitment must be made to both update and fully phase in the foundation aid, with a special focus on revisiting formulas for poverty, and other critical factors such as percentage of students with disabilities, ELL and homeless enrollment, geographic sparsity and enrollment growth. ALL students, and especially in our high-needs schools, need adequate support.

We strongly oppose any changes to expense-based aids which would lessen resources available to schools. Expense-based aids are a critical and necessary funding stream for many schools – especially since many school buildings are old, and in dire need of repair. Replacing outdated school buses, repairing plumbing and heating, and updating equipment is absolutely necessary, as schools have deferred these and other expenses to save programs and direct services for students. These expenses are essential, not selective, and must continue to be fully funded.

We are also concerned with the new education equity formula. While it makes sense to hold school districts accountable for reporting the distribution of funds, those in the school districts themselves understand the local and specific factors that determine education spending. The number of students with disabilities, the ELL population, or the salaries of employees with longer tenure can vary from district to district. The federal Every Student Succeeds Act and current state law already mandate the reporting of both expected expenses and actual expenses by school building. This reporting is a sufficient check and balance on the use of these funds.

### **Tax Cap Reforms Needed, the solution is NOT a Permanent Tax Cap**

Under the tax cap, districts have often been forced to make difficult budgeting choices in attempts to save programs and services for students. We are disheartened to see legislation making the tax cap permanent, without meaningful change.

NYS PTA continues to support common sense tax cap reform, that include;

1. Changing the allowable levy limit to at least two percent or CPI, **whichever is greater;**
2. Elimination of the supermajority requirement and the possibility of negative tax levy limits;
3. Allowing for exemptions like enrollment increases; and
4. Implementation of tax cap corrections which the legislature and Governor have already approved: excluding BOCES capital expenses from calculations and including Payments in Lieu of Taxes in growth factor determinations.

### **English Language Learners and their Families**

New York is the gateway for immigrant success, and we are proud that the legislature just passed the DREAM Act for our immigrant students.

We support the \$1.5 million proposal for Refugee and Immigrant Student Welcome Grants, which will allow school districts with large or increasing populations of refugees and immigrants to provide additional wrap-around community schools services including free English classes, health care and mental health services, and hiring additional counselors and psychologists.

Adequately supporting ELL students and their families continues to be a challenge for many districts and communities. Therefore, we ask that you continue to also consider:

1. Additional dedicated funding for ELL students, especially for school districts experiencing high density populations of diverse language speakers;
2. Improved current aid to address mid-year influxes of unaccompanied minor students, and increased support for districts with high unaccompanied minor populations;
3. Fiscal support for and examination of Part 154 implementation and requirements;
4. Accelerated teacher training for all educators in supporting ELL students and their families, along with expedited certification of bilingual and TSOL educators;
5. Continued and increased support for the State Education Department (SED) Office of Family Engagement, with staff dedicated to support ELL students and families; and
6. Expansion of the state's capacity to provide translation and interpretation services, especially for key parent documents, to minimize local district impact.

### **Funding for Family Engagement**

Family Engagement is a school-family partnership that raises student achievement, improves school and community relations, and increases public support for our schools.

While we are pleased that the state has invested in the My Brother's Keeper program, and are encouraged by the relatively new SED Office of Family Engagement at the State Education Department, more support is needed for a statewide systematic approach to ensure meaningful family engagement initiatives in ALL school buildings.

### **Support for Community Schools**

Community Schools continue to be an effective strategy for student and family success, and often address the health, social, and socio-emotional needs of students and their families.

While there is a \$50 million set aside included in the Foundation Aid increase, ALL schools should be afforded the opportunity to transform schools into community hubs for learning and family support and funding for any school to support this model should be included in the final State Budget. With fully phased-in Foundation Aid, more schools would be able to leverage resources to consider converting to a Community School.

### **After School Care**

NYS PTA fully supports the \$10 million allocation to fund the Empire State After School Program to create approximately 6,250 after school seats in high-needs communities. Access to low cost or free high quality (preferably school-based) after school care for children is critical and must be supported and expanded.

### **Full-Day Kindergarten Conversion**

There are still too many school districts without full-day kindergarten. In a time of fluctuating revenues, districts may be forced to offer half day or no kindergarten if they experience fiscal distress. We must not let this occur.

Therefore, we fully support proposals and any needed allocation for additional full-day kindergarten conversion aid, to incentivize the last school districts with half-day kindergarten programs to establish full-day kindergarten programs in the 2019-20 school year.

### **Pre-Kindergarten**

We continue to call for true universal pre-kindergarten for ALL students, with necessary transportation funding. All children should have complete and equal access to high-quality pre-school educational opportunities.

NYS PTA supports the \$15 million increase in pre-kindergarten funding to expand programming for three and four year olds, with a focus on the participation of homeless students and students with disabilities.

### **Early College High Schools, AP and IB Access, and CTE**

By providing predictable funding for Early College High Schools, CTE and STEM programs, New York is investing in both the economic future of our state and our children, as more than 90 percent of CTE students graduate with a Regents diploma.

NYS PTA fully supports the \$4 million increase in funding to expand Early College High School programs, and the \$5 million increase for 15 more P-Tech/Early High School programs.

We also support the additional \$1.8 million to subsidize AP and IB exams for low-income students, and \$1 million to help develop advanced courses in school districts where there are currently few advanced courses. These proposals would begin to level the playing field and provide for appropriate assistance to low-income families to support children in their preparation for college or career.

Unfortunately, not included in the budget is legislation to amend the current aid formula for both BOCES CTE programs and Special Services Aid, to provide for more fiscal support to critical CTE services. The BOCES formula hasn't been increased since 1990 and only provides aid for the first \$30,000 of a BOCES educator's salary. The corresponding Special Services Aid in the Big Five City School Districts also needs to be adjusted to reflect current labor figures. We fully support these proposals and call for their inclusion in the enacted budget.

### **Smart Start**

We support the continued investment of \$6 million for the Smart Start program, to expand computer science and engineering education. We would strongly prefer funds be available to all schools, as opposed to competitive processes, and would fully support a greater investment in these programs.

### **School Mental Health**

We strongly support the inclusion of \$1.5 million to support school-based mental health programs, and grants for middle schools for mental health and school climate services. We would ask that this amount be increased, to at least \$5 million in this coming school year.

Further, increases in Foundation Aid could support critical personnel like guidance counselors, health professionals such as school nurses, and licensed clinical social workers – who work not only to address mental health concerns, but also identify behavioral issues, and can be a positive support system for the academic system, family and community.

We are also encouraged by the proposal for a new program in middle and high schools, which will be determined by SED in consultation with the DOH, OCFS, medical experts, teachers, students and families to update the State's health standards to include up-to-date, medically accurate, comprehensive information on healthy relationships for grades 6 through 12.

It is also critical that schools strengthen partnerships with community based mental health agencies licensed by the NYS Office of Mental Health.

### **Special Education Waivers**

NYS PTA continues to oppose any proposal to allow school districts to apply for waivers from certain special education laws and regulations.

Federal and state special education requirements were enacted for sound purposes and our children must be adequately served and protected.

### **Restorative Justice**

We fully support inclusion of \$3 million for restorative justice programs in school districts with high student suspension rates which will train teachers and school leaders in alternatives to suspension. We are also pleased that funds will be released pursuant to a plan developed in conjunction with stakeholders.

NYS PTA and ECB are currently working on restorative justice recommendations, which will be shared with policy makers in the very near future.

### **Stop-Arm Cameras and increased fines for passing a School Bus**

We fully support proposals which would allow school districts to install stop-arm cameras to record illegal passing of the school buses.

We also support increased fines for passing a school bus from \$250-\$400 to \$500-\$750 for a first offense, from \$600-\$750 to \$1,000-\$1,250 for a second offense, and from \$750-\$1,000 to \$1,250-\$1,500 for a third offense.

We call on policy makers to review new guidance from the National Transportation Safety Board which call for the use of three-point harnesses on school buses. Unfortunately, the overwhelming majority of school buses are only equipped with two-point harnesses (lap belts) and lack the necessary shoulder belt as typical in a traditional motor vehicle. Three-point harnesses are the ideal safety restraint. To ensure the highest of safety standards for our students, districts will need adequate resources and support to move from two-point safety harnesses to three-point harnesses.

The NYS PTA launched a widely successful traffic initiative, Every Child Travels Safely, with support from the Governor's Traffic Safety Committee. We have held dozens and dozens of family and child educational events in schools across the state on traffic safety issues, including school bus safety, bike/scooter safety, pedestrian safety, and seat belt safety.

## **Teacher Programs**

NYS PTA supports our great teachers, and continues to support a renewed investment in professional learning, especially as we begin to implement the Next Generation State Standards and new mental health curriculum.

We are excited by the new \$3 million for We Teach NY, which will recruit 250 new teachers to fill identified needed positions in New York classrooms in 2024. NYS PTA proudly served on the joint SED-SUNY taskforce TeachNY, which was charged to develop initiatives to support the teaching profession.

We also support the continuation of the Master Teachers Program at \$1.5 million and support the continuation of the Empire State Excellence in Teaching Award. We ask for new investments to support the NYS Teacher of the Year program, and increases in funding for the Albert Shaker Grants and the National Board Certification program.

## **School Safety**

There is nothing more important than the safety and security of our children. NYS PTA has issued a statement, Every Child, Their Safety, which includes many initiatives in school safety and security:

- Many school security improvements may be a part of the school district's Smart School Bond Act plan, and we continue to call for plans that include safety and security measures be immediately expedited for approval, so that construction may begin and completed as soon as possible.
- We support increased funding for School Resource Officers at local discretion. This decision should be made in collaboration with parents, teachers, administrators, school boards, school-related professionals, with community input.
- We call for a tax-cap exemption for safety and security initiatives. School safety and security measures should be exempted from the state's tax cap, so each community can make a local decision on safety spending.
- New York State requires each school to develop a School Safety Plan. The plan must include both district-wide and building-wide information and planning. The district plan should outline district general policy, while the building plan should outline details and specific response strategies. District level plans are available for the public, building level plans are not-public and available only to first responders.
- New York State should develop a highly secure statewide platform for detailed school building mapping that is accessible (only) to first responders, that includes vulnerability and threat assessments, within the current requirement for school safety plans.
- Local districts should look at increased safety measures, such as one button lockdown systems, security film on (especially) entry doors and large entry windows, and other measures, while balancing student needs.

We also support the proposal that enhances security at schools and establish statewide standards for school safety practices, including:

- Requiring school districts and law enforcement agencies to enter into a MOU if they choose to hire a police officer to work in their school, ensuring law enforcement's role in the school is clearly defined, separated from disciplinary functions of the school, and agreed upon by all parties;
- Directing School Safety Improvement Teams to develop a model MOU as a resource for school districts and law enforcement agencies; and
- The development of standardized training curriculum specifically designed for school resource officers.

We also support legislative proposals that allow school districts to opt out of being polling places for elections, and are encouraged that the Governor has called for Election Day to be an official state holiday, which would in turn close all schools, thereby eliminating the security concerns of many in regards to schools as polling places. Allowing elections to be held in school buildings, which are typically secured from entry by non-school personnel, is a real security risk for students and educators.

### **Recovery High Schools**

We fully support expansion and access to recovery high school programs. While enacting language was included in previous enacted budgets, funding was not attached.

Thus, we strongly support the \$1 million allocation for start-up grants for the creation of new recovery high schools, and call for an increase, to at least an allocation of \$5 million, in this coming school year.

Substance use disorders continue to be a real and critical concern, and as a community, we must do better to support our children and families in crisis. Children and young adults in recovery are at high risk of relapse, especially as they return to their home/school environments. They go back to the people, places and things that often create triggers that can lead to using substances as a coping mechanism.

Recovery schools need to be in ALL communities, where students can develop sober support systems while working towards meeting educational requirements to earn their high school diploma. Recovery schools are particularly important in communities where there are little to no alternatives for young people. The stress of school and being able to make friends without the peer pressure to engage in risky behaviors, is extremely important for youth who need to develop the skills to navigate the adolescent world. Many of these students also have co-occurring mental health disorders and as such, need to learn how to address the emotional turmoil with cognitive behavioral support. Funds need to be provided not just to school systems, but to OASAS licensed treatment programs to work together to meet the recovering needs of young people.

## **HIGHER EDUCATION SUPPORT**

### **Excelsior Scholarships**

NYS PTA supports expanded access and affordability to higher education for students and families, and supports the allocation to expand the Excelsior Scholarship program to families making \$125,000 annually.

NYS PTA also supports further expansion of this program, and would support universal higher education funding and tuition for all New York students.

### **Student Loan Debt**

Student loan debt is a real financial crisis for many students and families, often plunging young adults into significant debt to pay for higher education. We hope these programs, and others, will help.

NYS PTA previously supported the proposal to create a Student Loan Ombudsman at the Department of Financial Services, and requiring all colleges to annually provide data on student loans, the prohibition of predatory practices or borrowers, and the prohibition of suspensions of professional licenses if the individual is behind or defaulted on a student loan.

We support the current proposal to require companies servicing student loans held by New Yorkers obtain a state license and meet standards consistent with the laws and regulations governing other significant lending products such as mortgages.



## **SUPPORT FOR THE WHOLE CHILD**

### **State Youth Council**

We are excited about the proposal to form a new Youth Council, made up of 62 people ages 13-21, one representing each county, who will advise the Governor and policymakers on key issues facing young people, including outreach and communication strategies on education, juvenile justice, environment, civic engagement, cyberbullying, and sexual assault and harassment.

### **Youth Employment**

We support the \$4 million increase to the Summer Youth Employment Program, and other initiatives for youth employment. Extending funding for summer employment offers students great opportunity, and while the investment may be small, it is appreciated especially in our most challenged school districts where work-based opportunities and exposure may be limited.

### **Raise the Age/Juvenile Justice**

We support the \$200 million to provide support for raising the age of criminal responsibility and reform measures, including comprehensive diversion, probation, and programming services for 16- and 17-year old youth in the juvenile detention.

We must have a thoughtful evaluation on how the roll out of Raise the Age has progressed, and work together for affirmative steps for better implementation.

NYS PTA continues to support legislation that reforms the Juvenile Justice System. Further, we must expand access to educational programs and opportunities in confinement institutions for both juveniles and adults. Many children in juvenile justice detention are not receiving adequate educational services, and these shortfalls must be immediately remedied.

### **Recreational Cannabis**

We strongly oppose the establishment of a recreational cannabis program.

The legalization and commercialization of recreational marijuana for use does not serve the greater need of society, but creates a public health threat and an open door with a mixed message to young people that using recreational marijuana is acceptable.

With a current opiate epidemic in our midst, introducing recreational marijuana to the market is counterintuitive. NYS PTA urges you to heed the recommendations from leading medical organizations and evidence based efforts by New York's own substance use disorder treatment and prevention service delivery system, and give equal attention to scrutinized data from other states that have legalized recreational marijuana use. Legalization of recreational marijuana increases risks of driving fatalities, accidents in the workplace/home and public health effects of first and second hand smoke. Marijuana edibles and THC beverages have already been marketed to minors, mirroring the marketing of vaping products a few years ago which led to an epidemic of under-age e-cigarette users.

While NYS PTA understands that medical marijuana has medicinal benefit for certain conditions qualified under State law (ie: cancer, AIDS, amyotrophic lateral sclerosis, Parkinson's disease, multiple sclerosis), we are very concerned that marijuana is an addictive drug (such as in marijuana use disorder), that can have significant adverse public health impact if it were to be legalized for non-medicinal purposes.

Further, the legalization of marijuana could increase self-medication of medical and mental health conditions not currently covered in the current medical marijuana program. If people are turning to marijuana to address

these issues, then the medical marijuana program needs amendment to ensure that people who need care are receiving appropriate treatment.

In 2017 the American Medical Association (AMA) approved a policy position, based upon recommendations from its Council on Science and Public Health, that marijuana is a dangerous drug, a serious public health concern, and that the sale of marijuana for recreational use should not be legalized.

New York must take a comprehensive review of the research regarding the health, mental health, and substance use disorder consequences to legalizing marijuana for self-medication purposes. Self-medicating with any substance, when not being guided and monitored by a medical professional, can potentially lead to substance use disorders. Marijuana use should be discouraged, especially by persons vulnerable to the drug's effects and in high-risk populations such as youth, pregnant women, women who are breastfeeding, and the mentally ill.

NYS PTA agrees that disproportionate arrests and jailing of racial and ethnic minority groups is abhorrent, yet legalizing marijuana is not going to solve this systemic problem. NYS PTA supports alternatives to incarceration and the re-evaluation of sentencing guidelines.

Further, we call for the prohibition on the placement of marijuana dispensaries in proximity to schools, daycare centers, parks, and playgrounds, and prohibit the existing medical dispensaries from automatically becoming recreational dispensaries.

### **Tobacco 21**

NYS PTA has been a leader in combating underage use of tobacco and e-cigarettes. We strongly support the new Tobacco 21 proposal which:

- raises the minimum age to purchase cigarettes and e-cigarettes from 18 to 21;
- prohibits the sale of tobacco products in all pharmacies;
- prohibits the acceptance of price reduction instruments for both tobacco products and e-cigarettes;
- prohibits the display of tobacco products or e-cigarettes in stores;
- clarifies that DOH has the authority to promulgate regulations that prohibit or restrict the sale or distribution of e-cigarettes or vapor products that have a characterizing flavor, or the use of names for characterizing flavors intended to appeal to minors;
- prohibits smoking inside and on the grounds of all hospitals licensed or operated by OMH; and
- requires that e-cigarettes be sold only through licensed dealers.

We also support the proposal which imposes a 20 percent tax on the retail sale of vapor products.

The Surgeon General declared tobacco use a “pediatric epidemic” and estimates that 600,000 middle school students and 3 million high school students smoke cigarettes. Tobacco use remains the single largest cause of preventable disease and death in the US. A recent CDC report indicates that e-cigarette use has risen dramatically in the last five years, with 1 in 6 high school students using e-cigarettes in the past month.

5.6 million Americans under 18 years are projected to die prematurely from smoking-related disease and almost one of four high school seniors is a current cigarette smoker, compared with one in three young adults and one in five adults. Every day, over 3,800 children under the age of 18 try tobacco. In New York, approximately 25.4% of high school aged students use tobacco/e-cigarettes.

Increasing the age of purchase of tobacco products to 21 is an evidence-based policy intervention known to reduce youth smoking by approximately 50% and can significantly decrease the risk of lifetime tobacco addiction by 12%. 90% of people who purchase cigarettes for distribution to minors are under 21 and raising the

age to buy tobacco and e-cigarettes could potentially eliminate minors' ability to buy from other high school students.

The American Academy of Pediatrics, the US Surgeon General, the National Academy of Medicine, and the American Lung Association all recognize the benefits of raising the sale to 21 years.

### **Heroin and Opioid Epidemic**

We strongly support an increase of \$26 million (4.1 percent) in operating and capital support for OASAS to continue to enhance prevention, treatment and recovery programs, residential service opportunities, and public awareness and education activities, including:

- adding nearly 200 new residential beds;
- funding over 1,200 new OTP slots;
- \$3.75 million in funding to support medication-assisted treatment in local jails; and
- funding and making permanent the newly created ombudsman, a joint program between OASAS and OMH, which helps individuals and their families navigate the behavioral health care system to ensure people have access to necessary care and services.

### **Behavioral Health Parity**

We fully support the proposal to ensure those suffering from Mental Health and Substance Use Disorders are not restricted from accessing health insurance benefits.

We also support requiring general hospital emergency departments to have protocols to provide substance use disorder screening, education, and treatment, and the proposal to mandates coverage of court ordered treatment only when provided by an OASAS certified program for Medicaid Managed Care.

### **Conclusion**

Every parent and family has a dream for their children. It is our job to be dream makers, ensuring every child, no matter their zip code, no matter their ethnicity, no matter their ability, no matter their gender identity, no matter their race, has the highest quality 21<sup>st</sup> century education to lead them to success in college, career or life.

We humbly ask that you continue to advocate for infusing our schools with the tools and resources necessary to accelerate the success of our children and families. Together, we can make every child's potential a reality. No other work is more important.