

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

2

JOINT LEGISLATIVE HEARING
3 In the Matter of the
2019-2020 EXECUTIVE BUDGET ON
4 ELEMENTARY AND SECONDARY EDUCATION

5

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

8 February 6, 2019
9:34 a.m.

9

10 PRESIDING:

11 Senator Liz Krueger
Chair, Senate Finance Committee

12

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

14 PRESENT:

15 Senator James L. Seward
Senate Finance Committee (RM)

16

Assemblyman William A. Barclay
17 Assembly Ways & Means Committee (RM)

18 Assemblyman Michael Benedetto
Chair, Assembly Education Committee

19

Senator Shelley Mayer
20 Chair, Senate Education Committee

21 Assemblyman Sean Ryan
Chair, Assembly Committee on Libraries
22 and Education Technology

23 Senator John Liu
Chair, Senate Committee on New York City
24 Education

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3 PRESENT: (Continued)

4 Assemblyman Michael Cusick

5 Assemblyman Edward P. Ra

6 Assemblywoman Ellen Jaffee

7 Senator Robert Jackson

8 Assemblywoman Carmen E. Arroyo

9 Assemblywoman Barbara Lifton

10 Assemblyman Steven Otis

11 Senator Anna Kaplan

12 Assemblywoman Alicia Hyndman

13 Assemblywoman Latoya Joyner

14 Senator Brian A. Benjamin

15 Assemblyman Nader J. Sayegh

16 Senator Elizabeth O'C. Little

17 Assemblyman Harry B. Bronson

18 Assemblywoman Jo Anne Simon

19 Senator Velmanette Montgomery

20 Assemblywoman Diana C. Richardson

21 Senator Jen Metzger

22 Assemblywoman Mary Beth Walsh

23 Assemblywoman Nicole Malliotakis

24 Senator Gustavo Rivera

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3 PRESENT: (Continued)

4 Assemblyman Félix Ortiz

5 Assemblyman William Colton

6 Senator John E. Brooks

7 Assemblywoman Patricia Fahy

8 Assemblywoman Inez E. Dickens

9 Senator James Gaughran

10 Assemblywoman Judy Griffin

11 Assemblyman J. Gary Pretlow

12 Senator Luis R. Sepúlveda

13 Assemblywoman Aileen M. Gunther

14 Senator Kevin S. Parker

15 Assemblyman Walter T. Mosley

16 Assemblywoman Kimberly Jean-Pierre

17 Senator Kevin Thomas

18 Assemblyman Charles D. Fall

19 Senator Leroy Comrie

20 Assemblywoman Nily Rozic

21 Senator Diane J. Savino

22

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1 CHAIRWOMAN WEINSTEIN: So good
2 morning. I'm Helene Weinstein, chair of the
3 New York State Assembly Ways and Means
4 Committee, cochair of today's hearing.

5 Today we begin the ninth in a series
6 of hearings conducted by the joint fiscal
7 committees of the Legislature regarding the
8 Governor's proposed budget for fiscal year
9 2019-2020. The hearings are conducted
10 pursuant to the New York State Constitution
11 and Legislative Law.

12 Today the Assembly Ways and Means
13 Committee and the Senate Finance Committee
14 will hear testimony concerning the Governor's
15 proposal for elementary and secondary
16 education.

17 I'll introduce the members of the
18 Assembly, Senator Krueger will introduce the
19 Senate Finance Committee, and Will Barclay,
20 our ranking member, will introduce the
21 members from his conference.

22 So we have with us our new chair of
23 Education, Assemblyman Benedetto. We have
24 Assemblywoman Arroyo, Assemblyman Cusick,

1 Assemblywoman Latoya {sic}; Assemblywoman
2 Hyndman, Assemblyman Bronson, Assemblywoman
3 Jaffee, and Assemblyman Sayegh.

4 Yes, Liz.

5 CHAIRWOMAN KRUEGER: Good morning.
6 Hi. We're joined by new Chairwoman Shelley
7 Mayer of Education; Senator John Liu; Senator
8 John Brooks; Senator Anna Kaplan; Senator
9 Brian Benjamin; Senator Jim Gaughran; and
10 Senator Robert Jackson.

11 And Jim Seward is the Republican
12 ranker with me on Finance.

13 SENATOR SEWARD: And from my
14 conference we have Senator Betty Little,
15 who's the ranker on the Education Committee.

16 CHAIRWOMAN WEINSTEIN: Assemblyman
17 Barclay.

18 ASSEMBLYMAN BARCLAY: Thank you.
19 We're joined by our ranker on Education, Mary
20 Beth Walsh, and Ed Ra.

21 CHAIRWOMAN WEINSTEIN: Thank you.

22 So before I introduce the first
23 witness, I want to remind all of the
24 witnesses to keep your statements within the

1 allotted time so everyone can be afforded the
2 opportunity to speak. So the government
3 witnesses, the commissioner and chancellor,
4 have 10 minutes to make their presentations.
5 Members will then have five minutes -- the
6 Education chairs will have 10 minutes to ask
7 questions, and answers included in the 10
8 minutes, and then other members of the
9 Assembly and Senate will have five minutes
10 both for your question and the answer. So
11 we'll ask the witnesses to keep their answers
12 concise so that we try and keep within the
13 time.

14 And for people who haven't been here
15 yet for these hearings, you notice the
16 time -- well, first of all, we're in this
17 hearing room because of some mechanical
18 issues in the larger hearing room. But we do
19 have these new time clocks. They have green,
20 yellow and red lights. Green being the clock
21 starts running down. When the yellow light
22 goes on, that means you have a minute left,
23 it's time to summarize. And when the red
24 light goes on, it's going to flash and I

1 think there will be a little chime and it
2 means it's time to go.

3 So -- and for the public witnesses, we
4 do have your testimony in advance. It's been
5 circulated to the members. So please, to the
6 extent you can summarize your testimony, it
7 will allow for a more productive hearing.

8 And I just wanted to mention we have
9 two -- Assemblywoman Simon is behind me, and
10 I think Latoya -- I gave Latoya only a name.
11 So Assemblywoman Latoya Joyner, from the
12 Bronx, is with us.

13 ASSEMBLYWOMAN JOYNER: We're on a
14 first-name basis.

15 (Laughter.)

16 CHAIRWOMAN WEINSTEIN: Yeah.

17 So thank you all for being here. And
18 we start with the New York State Education
19 Department, MaryEllen Elia, commissioner.

20 COMMISSIONER ELIA: Good morning,
21 Chairs Krueger, Weinstein, Mayer and
22 Benedetto, and the members of the Senate and
23 Assembly here today. My name is MaryEllen
24 Elia, and I'm the Commissioner of Education.

1 I'm joined by Executive Deputy Commissioner
2 Beth Berlin and Senior Deputy Commissioner
3 for Education Policy Jhone Ebert.

4 You have my full testimony before you.
5 I'll speak to a few slides and then be happy
6 to address any of your questions.

7 Before I begin, I want to thank
8 Chancellor Rosa and the Board of Regents for
9 their leadership and all the important work
10 that they do, and I also want to welcome
11 Chancellor Rosa, who is with us today.

12 Our 2019 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 expansions in priority areas. As you can see
17 on Slide 2, the Board of Regents continues to
18 advocate for the full phase-in of the
19 Foundation Aid formula over a three-year
20 period. By the end of the 2021-'22 school
21 year, through a \$1.66 billion increase. This
22 increase would include a new \$85 million
23 set-aside for our English language learners,
24 or ELLs, within the Foundation Aid formula,

1 similar to the existing community school
2 set-aside you enacted three years ago.

3 Accelerating additional Foundation Aid
4 to districts through an ELL-driven formula
5 would ensure these funds are spent consistent
6 with Part 154 of the commissioner's
7 regulations that govern the requirements for
8 the education of ELLs. If enacted, the
9 department would publish guidance for school
10 districts on how to spend the additional
11 funds. The Regents and I are firmly
12 committed to our English language learners,
13 and we seek your support of our budget
14 priorities aimed at making sure that
15 districts have the resources they need to
16 help students succeed.

17 The Regents' state aid proposal would
18 also provide an increase of \$410 million for
19 reimbursement-based aids such as Building,
20 BOCES, and Transportation Aids, and, most
21 importantly, would maintain the current
22 reimbursement formulas without reducing or
23 block-granting such aid, as proposed in the
24 Executive Budget.

1 programs. We were happy to see the
2 Governor's \$15 million pre-K expansion
3 investment in this budget proposal this year.
4 But as you can see on Slide 5, the board
5 proposes investing \$26 million in pre-K
6 programs. Twenty million would allow for the
7 addition of services for 20,000 more
8 children, which would bring the overall
9 percentage of students served by New York
10 State to over 70 percent. And \$6 million
11 would provide for pilot programs to create a
12 single reimbursement structure for pre-K
13 inclusion programs serving students with
14 disabilities in classrooms with their peers.

15 The Regents Early Childhood
16 Workgroup's Blue Ribbon Committee developed a
17 series of recommendations on Slide 6 to
18 expand opportunities and improve the quality
19 of early learning programs for all students.
20 Slides 6 through 33 provide you with an
21 overview of our agency budget and the
22 legislative priorities in order to ensure
23 equity in education for all children.

24 I'll speak briefly to a few of the

1 priorities, and I ask that you take some time
2 to review the rest.

3 As you can see on Slide 10, we believe
4 it is critical that the state continue to
5 provide resources for schools to be able to
6 assess and improve their current school
7 climate; establish effective strategies for
8 building healthy, supportive, and safe
9 learning environments for students and
10 educators; encourage strong social and
11 emotional learning skills; and provide mental
12 health support for all students.

13 Building upon the critical \$2 million
14 investment in the Supportive Schools Grant
15 Program included in last year's enacted
16 budget, our \$8 million proposal would provide
17 resources for State Ed to implement the
18 initiatives to establish four additional
19 regional Technical Assistance Centers to
20 provide the leadership, training and support
21 for schools to build capacity, to create a
22 positive school environment, and provide
23 resources for the State Ed Department to
24 implement the initiative -- and increase the

1 Supportive Schools Grant Program by
2 \$6 million to enable even more school
3 districts to implement and expand their
4 action plans through partnerships with these
5 Technical Assistance Centers.

6 On Slide 11, we propose expanding
7 access to quality higher-level online
8 courses, which is a priority in our approved
9 New York State Every Student Succeeds Act
10 federal plan. Building upon the \$1.5 million
11 investment included in the Governor's budget
12 proposal, we're seeking an additional \$1.5
13 million, for a total \$3 million investment to
14 capitalize on the strength of existing
15 successful online learning programs to serve
16 additional students.

17 This strategic use of funds would
18 increase the equity and access to
19 higher-level courses and would be provided at
20 no cost to school districts -- including the
21 Big 5 -- that are high-needs and underserved.
22 We envision future support for access to a
23 broader range of higher-level coursework,
24 including dual enrollment and IB programs.

1 We would also like to thank the
2 Governor for his proposed \$2 million in
3 funding to subsidize the cost of both AP and
4 IB exams for New York State's low-income
5 students. This is yet another example of the
6 state stepping up to support a critical
7 funding need that our federal government
8 eliminated two years ago.

9 As you can see on Slide 17, we
10 continue to recommend investments in
11 high-quality professional learning for
12 educators, with a \$2.9 million funding
13 request this year. There is almost no
14 predictor as important to the success of
15 students as the quality of their teachers.
16 Having started my career as a teacher, I know
17 the immense value of this profession and the
18 unrivaled impact it has on students' futures.

19 As you know, we're moving forward with
20 the next-generation learning standards. We
21 need to avoid the mistakes of the past and
22 make sure that teachers have the professional
23 learning, support and resources to understand
24 and engage with the standards so that they

1 know how to apply them in their classroom
2 instruction.

3 I'd now like to talk about our adult
4 learners and the importance of adult literacy
5 programs. These programs assist adults in
6 becoming literate and obtaining the knowledge
7 and skills necessary for employment and
8 self-sufficiency. These adults are often
9 parents and guardians themselves and need to
10 obtain the educational skills necessary to
11 become full partners in the educational
12 development of their children. This is why,
13 at the very minimum, the restoration of the
14 Governor's \$1.5 million cut to adult literacy
15 aid is so very critical.

16 Our ability to enhance educational
17 opportunities goes beyond traditional
18 educational settings, as the department's
19 Office of Cultural Education oversees
20 museums, the state archives and libraries.
21 On Slide 27, we request that you enact the
22 Museum Education Act and provide \$5 million
23 to support students living in low-income
24 communities in urban, suburban and rural

1 settings to access these rich resources in
2 museums and cultural institutions across New
3 York State.

4 Support of our libraries results in a
5 state-of-the-art technology, book and
6 material delivery, shared e-resources,
7 community engagement, which would include the
8 2020 Census, and programs benefiting
9 New Yorkers of all ages. Our recommendation
10 is to bring library aid to the statutory
11 level of \$102.6 million total, which would
12 result in an additional \$6 million investment
13 over last year's funding level.

14 As you can see on Slide 28, your
15 investment in the library construction
16 program over the years has improved public
17 library facilities throughout the state so
18 they are safe, accessible and efficient.
19 Restoring our proposed \$20 million cut is
20 essential. The Regents' proposal goes
21 further and requests an additional \$11
22 million over last year's funding level.

23 I want to again applaud the
24 Legislature and the Executive for passing the

1 historic Raise the Age legislation last year.
2 I am pleased to be a member of the Governor's
3 Raise the Age Task Force so that I, along
4 with the Board of Regents, can be the voice
5 for our Raise the Age youth to ensure each
6 and every one of these students receives the
7 educational opportunities they deserve and
8 need.

9 After all, research has shown that
10 many of the adolescents who commit crimes and
11 enter the juvenile justice system are
12 significantly overage and under-credited,
13 some reading only at the elementary level.
14 Many are already disengaged from school,
15 having dropped out or been chronically
16 absent.

17 Research also demonstrates that
18 engaging youth in their education and future
19 is the key to reducing recidivism. We all
20 know this. I've been regularly meeting with
21 the Office of Children and Family Services
22 and the Division of Criminal Justice Services
23 to plan for the implementation of this law,
24 and it is very clear that educational

1 services need to improve. This improvement
2 will require funding to provide appropriate
3 educational opportunities to youth in these
4 settings. I urge you to support the
5 department in these efforts.

6 We support the \$200 million
7 appropriation in the Governor's budget
8 proposal for this initiative. However, we
9 urge you to ensure that this funding is also
10 used for educational purposes.

11 Finally, on Slide 30, we again ask
12 that you implement a 5 percent set-aside for
13 the administration and oversight of any new
14 education-related programs. This 5 percent
15 set-aside is common practice at the federal
16 level and in many states. The set-aside
17 provision would allow us to keep up with the
18 growing responsibilities and support your
19 districts in implementation, whether it's for
20 the pre-K, review and approval of Smart
21 Schools investment plans, enhanced
22 programming, or providing the department with
23 the staff needed to oversee the Governor's
24 proposed expansion of both P-TECH and Smart

1 Scholars Early College High School programs.

2 I want to be very clear. Although
3 we're very supportive of these models, we
4 have never been provided with state funds for
5 staff needed to implement the programs.

6 While we've deployed limited staff resources
7 to work on and oversee 37 P-TECH projects and
8 40 Smart Scholars Early College High School
9 programs, we're no longer able to take on any
10 further expansion without the provision of
11 additional staff resources in the enacted
12 budget. We need additional staff so that
13 there is appropriate oversight in order to
14 ensure quality programming is being provided,
15 because ultimately it will be the students
16 who suffer.

17 CHAIRWOMAN WEINSTEIN: Commissioner,
18 can you just wrap it up.

19 COMMISSIONER ELIA: One second.

20 CHAIRWOMAN WEINSTEIN: Sure.

21 COMMISSIONER ELIA: The agenda we've
22 laid out today includes providing resources
23 to our high-needs schools to ensure equity in
24 education for all children, including

1 critical investments in early childhood
2 education, supporting ELL students, enhancing
3 programs and services for our students with
4 disabilities, expanding access to
5 higher-level coursework, supporting and
6 developing educators, investing in our adult
7 education programs, and ensuring our
8 libraries, which are often the hub of the
9 community, are safe, accessible and
10 efficient.

11 We want to thank you again, especially
12 Speaker Heastie for the investments made in
13 the My Brother's Keeper program. I'm proud
14 of the teaching and learning I see in schools
15 throughout the state. And I trust that our
16 educators and students can continue to rise
17 to the challenge. They need your help to do
18 so, especially in these financially
19 challenging days.

20 As I've mentioned earlier, our P-12
21 programs are the most important
22 infrastructure to develop our workforce and
23 workforce pipeline, and ultimately it's our
24 best economic development strategy. So I

1 would suggest we work together to make this
2 budget provide resources and supports that
3 our students need to succeed.

4 CHAIRWOMAN WEINSTEIN: Thank you,
5 Commissioner.

6 COMMISSIONER ELIA: Thank you.

7 CHAIRWOMAN WEINSTEIN: We have a lot
8 of members here, so I'm sure some other
9 points will come out in the questioning.

10 We've been joined -- before I go to
11 our Education chair, we've been joined by
12 Assemblywoman Dickens, Assemblywoman Griffin,
13 Assemblyman Mosley, and the chair of our
14 Libraries Committee, Assemblyman Ryan.

15 CHAIRWOMAN KRUEGER: And we've been
16 joined by Senator Jen Metzger.

17 CHAIRWOMAN WEINSTEIN: Thank you.

18 So now we're going to go for some --
19 both questions and answers, to Assemblyman
20 Benedetto, chair of Education.

21 ASSEMBLYMAN BENEDETTO: I know I'm not
22 on. Oh, maybe I am. Good.

23 Good morning, Commissioner. Thank you
24 for being here.

1 COMMISSIONER ELIA: Good morning.

2 ASSEMBLYMAN BENEDETTO: We'll try to
3 make up some of the extra minutes that you
4 took, and I'll cut down on my questions here
5 a bit.

6 Number one, maybe a little different
7 than some of the other questions you'll get
8 today, but the 4410, the 4201, the 853
9 schools are kind of near and dear to my
10 heart, as an educator myself coming out of
11 special education. These schools have
12 been -- well, in my own words, notoriously
13 underfunded over the years. How does it look
14 in this budget, and where do you think we
15 should go?

16 COMMISSIONER ELIA: So if you look at
17 page 21 in the slides that you have, and also
18 if you look at 22, both of those refer to --
19 page 21 and 22, both of them refer to our
20 special education programs. One of them
21 specifically requests adding \$4 million to
22 the existing \$8 million in funding for the
23 excessive teacher --

24 ASSEMBLYMAN BENEDETTO: Your mic is

1 not on.

2 (Discussion off the record.)

3 COMMISSIONER ELIA: Is that better?

4 ASSEMBLYMAN BENEDETTO: Yes, much
5 better.

6 COMMISSIONER ELIA: Okay, thank you.

7 So page 21 and 22, they refer to
8 increases in the funding that we're
9 requesting for the Excessive Teacher Turnover
10 Program. Those particular programs that
11 you've cited have had difficulty with
12 teachers. This would double that investment.

13 And we're asking for \$2 million in
14 teacher preparation funding to seek an
15 approach in collaboration with stakeholders
16 to identify incentives needed to expand the
17 quality workforce there.

18 And then on page 22, we also lay out
19 the fact that special education services
20 management is a major issue for us, and we
21 don't have a data system that allows us to
22 know exactly what all of our students across
23 the state who have IEPs need.

24 That is something that we have started

1 to develop, and we need the resources to do
2 that. I would say to you that we have been
3 working very closely with the data system
4 available to us to be able to develop a
5 resource formula for those schools that is
6 reflective of the needs that they have. For
7 a number of years there were not additional
8 funds put into the schools and they --
9 although there have been increases in the
10 last two to three years, it's not been
11 sufficient to cover their needs.

12 ASSEMBLYMAN BENEDETTO: I know that
13 there have been additional capital funds put
14 in. A lot of these schools are basically old
15 buildings, and they need repair.

16 COMMISSIONER ELIA: Absolutely.

17 ASSEMBLYMAN BENEDETTO: And so that's
18 a bit heartening.

19 It's also heartening to me to hear
20 your attention to the support of Independent
21 Living Centers -- again, a network of centers
22 throughout the state that help those who are
23 impaired get into the world, and they have
24 been notoriously underfunded over the years.

1 COMMISSIONER ELIA: And we have
2 requested a \$5 million increase that's on
3 page 26 of our slides. I will say to you
4 that these centers are absolutely critical in
5 providing opportunities for individuals, for
6 citizens of New York to be able to be
7 productive and to have working -- be in a
8 working environment as well as a normal
9 living environment. They're critical in
10 providing those resources. And again, they
11 have had substantial cuts. There's been some
12 increases for them, but it's been very modest
13 and it does not cover the needs that they
14 have.

15 ASSEMBLYMAN BENEDETTO: And they have
16 increased in number over the last years while
17 remaining flat in their \$13 million
18 allocation.

19 Let's move it on to another topic
20 here, if you would, My Brother's Keeper,
21 something which the Assembly is quite
22 interested in, and we're very proud of that
23 program. Can you give us some indication of
24 how you think that's progressing?

1 COMMISSIONER ELIA: Yes. So we all, I
2 think, are very proud of this. I know
3 particularly the Assembly and the leadership
4 of Speaker Heastie as well as the Governor's
5 ultimate support with \$20 million initially,
6 and then it's now in his budget for the \$18
7 million.

8 Just -- I want you to understand the
9 full impact of this. We are the only state
10 in the country that has established this
11 agenda for My Brother's Keeper. We have 23
12 communities. Many of you are part of
13 communities that have joined together with
14 other community resources, with mayors and
15 with other not-for-profits to support our
16 students.

17 And the programming that we're able to
18 provide across the state has been phenomenal.
19 We are soon to be presenting at their
20 national conference as one of only two states
21 that is being identified for its outstanding
22 work in supporting students and actually
23 putting in funding to make sure that there
24 are resources available to them.

1 So thank you all very much for your
2 support.

3 ASSEMBLYMAN BENEDETTO: Commissioner,
4 the question comes up many times with the
5 Smart Schools Bond Act and the funds that
6 were allocated in that. Can you give us an
7 update as to what the status of those monies
8 are?

9 COMMISSIONER ELIA: Yes. And so as
10 you know, \$2 billion was bonded for New York
11 schools. Again, one of the only states that
12 has ever done anything like that. And with a
13 bond, it's very specific requirements on what
14 can be purchased. The role that State Ed
15 plays in that is to provide information and
16 review everything that's requested and then
17 to move that forward and seek approval from
18 the board that oversees that, which is made
19 up of members -- a single member from State
20 Ed, and Beth Berlin is the one that
21 represents me on that -- and the Division of
22 Budget, as well as from SUNY and the
23 chancellor has a designee.

24 We have moved the agenda so under the

1 program, school districts can -- Special Act
2 schools are able to submit Smart Schools
3 plans. They do it in stages. They must be
4 approved, as I said, before they move
5 forward. One hundred seventy-six plans, for
6 a total of 866 million, has currently been
7 approved. And there are plans that are in
8 the queue to be approved. And as the
9 meetings are held, they're approved and those
10 funds are made available to the districts.

11 ASSEMBLYMAN BENEDETTO: Just one last
12 question from me. We're all concerned about
13 struggling schools, we're all concerned about
14 how we get them from struggling to
15 succeeding. Initiatives have been put out
16 there. Can you tell us of some of those
17 initiatives? And can you tell us how we're
18 doing as far as getting these struggling
19 schools to advance?

20 COMMISSIONER ELIA: Well, I would say
21 we recently released the accountability work
22 that's been done in the state after our plan
23 was approved by the federal government. The
24 Regents and State Ed have spend almost two

1 years in putting that plan together.

2 Yes, we do name schools that are in
3 need of comprehensive improvement or targeted
4 improvement. And we're working with those
5 schools with teams that go in, support the
6 schools in determining what issues really
7 would have caused them to not have the kind
8 of performance that's necessary to move
9 forward.

10 We have requested \$3.5 million in a
11 budget request to support those schools, and
12 we believe that that is a necessary
13 expenditure. So if we're going to take the
14 time, work through this and hold schools
15 accountable, I think it's fair to say across
16 this state that all of us understand that
17 there are many circumstances that contribute
18 to that, and schools need to have both
19 support with staff that can help them move
20 that agenda, and they have to have the
21 availability of funds.

22 We do target our Title I funds to
23 these schools specifically, and they receive
24 funds to be able to do that. We are seeking

1 a \$3.5 million budget request, however,
2 specifically to address the needs of the CSI
3 and TSI schools after each of those schools
4 has developed a community plan and the
5 community plan is reflective of the specific
6 data for that school.

7 ASSEMBLYMAN BENEDETTO: Commissioner,
8 thank you so much for your time and for the
9 time of your staff.

10 COMMISSIONER ELIA: I just want to add
11 one thing. All of you are familiar with the
12 concept of a receivership school. We had a
13 number of receivership schools that were
14 named three years ago. A number of them were
15 moved off, they have improved. We asked for
16 funding in the Governor's budget specifically
17 for schools that are newly named as
18 receivership schools, and we would like that
19 support from all of you to be able to get
20 that.

21 ASSEMBLYMAN BENEDETTO: Point well
22 taken.

23 Thank you, Madam Chair.

24 CHAIRWOMAN WEINSTEIN: Thank you.

1 Before we go to the Senate, just
2 wanted to introduce some Assemblymembers who
3 have joined us since we began: Kimberly
4 Jean-Pierre, Assemblywoman Jean-Pierre;
5 Assemblywoman Charles Fall; Assemblyman Steve
6 Otis; Assemblywoman Barbara Lifton; and
7 Assemblywoman Pat Fahy.

8 Senate?

9 CHAIRWOMAN KRUEGER: Thank you.
10 Before I go to the Senate, we've also been
11 joined by Senator Luis Sepúlveda, behind me
12 here, and Senator Kevin Parker in the
13 audience. Oh, hello -- and Senator Gustavo
14 Rivera.

15 And Shelley Mayer, our Education
16 chair, will start us out with questions.

17 SENATOR MAYER: Thank you,
18 Commissioner. Thanks for being here. Thank
19 you for your recommendations and those of the
20 Regents.

21 I did want to ask about your initial
22 recommendation of 1.66 billion in Foundation
23 Aid and the ELL set-aside. Could you just
24 briefly walk through the analytical basis

1 that gave rise to that number? It's not made
2 up, you did work to get to it. Could you
3 explain what that was?

4 COMMISSIONER ELIA: Yes. And so when
5 we've determined what that Foundation Aid
6 number should be, we have taken the amount of
7 funding that in the formula was at one point
8 determined to be the appropriate amount of
9 money to go into our schools -- and at a
10 period of time when we were in financial
11 straits, the state stopped that use of that
12 formula and then reinstated it. You may
13 remember two or three years ago there was a
14 proposal to not move forward and keep the
15 Foundation Aid number and we -- the Regents
16 were adamant that that not occur, and the
17 Regents, in State Ed's budget, came to you
18 with a reinstatement of looking at it as a
19 basis for looking at Foundation Aid as a
20 basis for our request.

21 This number for Foundation Aid of 1.66
22 reflects the Foundation Aid that is currently
23 owed to districts that had not been paid to
24 them, and a calculation of one-third

1 including the growth that we would have seen
2 if that funding had been in place. So the
3 1.66 is one-third of what actually is still
4 owed, with the amount that would have been
5 the growth.

6 SENATOR MAYER: Thank you. And on the
7 ELL proposed set-aside, what was the basis --
8 in the first place, thank you for attention
9 to ELLs in many of our districts, in cities
10 and in suburbs and in rural districts. Can
11 you just explain the basis for the 85
12 million?

13 COMMISSIONER ELIA: Yes. So when we
14 several years ago, maybe four or five, we
15 established then a new regulation, 154. We
16 redid that regulation, and it actually
17 dictated the approach we should be taking to
18 support our ELL students. And many
19 districts, as you know, have had a difficult
20 time meeting the requirements of 154. We
21 have been working with districts. And last
22 year and the year before, we had requested
23 specific funding for ELL students.

24 This is a pattern after what was done

1 with the Community Schools funding, which was
2 to include it into the Foundation Aid with
3 guidance to the field on the specific use of
4 that. So it would be -- part of the 1.66, it
5 would be 85 million set aside specifically
6 for the support for the ELL students in those
7 school districts. And we believe that that
8 moves us forward.

9 Will it handle all of the needs of our
10 ELL students? We do not believe so. But we
11 think that that is a significant attempt to
12 move towards a full implementation and
13 support for all districts on 154 while we
14 still are keeping it in the Foundation Aid.

15 SENATOR MAYER: Thank you.

16 You know, in the Executive proposal
17 there is what has been called the equity
18 plan, designating money for particular
19 schools based on certain data that was
20 reported to SED. Can you comment on what
21 SED's thoughts are on the impact of that if
22 it were implemented as proposed?

23 COMMISSIONER ELIA: Yes. So several
24 of you I'm sure are aware of the fact that

1 part of our ESSA plan included a financial
2 transparency component. We've been working
3 for two years with individuals across the
4 state, our superintendents groups, our school
5 board groups, and our teachers and all of
6 their representative groups, to talk about
7 how do we make sure that we are showing how
8 schools are in fact -- how districts are
9 spending their monies distributed to schools
10 within their districts.

11 What happens is that was conflated
12 last year when the Governor required schools,
13 particularly schools -- the Big 5 and several
14 other, I think 70, ultimately, were in a
15 position where they had to report their data
16 on the amount of money they received and then
17 how it was spent at each school.

18 We are in fact, with our financial
19 transparency, doing something similar, but I
20 want to be very clear about the difference.
21 It isn't -- our financial transparency is a
22 way to make the communities and parents and
23 everyone there be aware of how the funding is
24 being spent in districts. If there are

1 issues related to that approach with funding,
2 then it's appropriate for the individuals
3 within that district -- the school board, the
4 superintendent, the leadership -- to be able
5 to explain how the funding is being used.

6 I think there's a number of factors
7 that are complications when you're looking at
8 the data that would show -- for a particular
9 district school you might have a high
10 percentage of students with special needs and
11 therefore the funding for that school might
12 be higher. You might have a number of
13 students who were ELL students and the
14 programming for them is requiring higher. Or
15 you may have a school that has an integrated
16 inclusion model which requires more staff in
17 every classroom to be able to support
18 students. All of those factors are things
19 that need to be explained. They should be
20 available for people to discuss in a
21 community. And we believe that that's the
22 appropriate use of financial transparency.

23 That is a little different -- let me
24 take back the "little." It's different than

1 what is proposed by the Governor. The
2 Governor's proposal calls for ultimately
3 State Ed and the commissioner to step in and
4 tell schools how to fund individual -- tell
5 districts how to fund individual schools.

6 I will say there are times when we do
7 have conversations with districts on
8 particular funding patterns that they may
9 have used with certain schools that we are
10 working with. That's not uncommon. But to
11 look at every school, it would be an
12 incredible -- an incredibly difficult process
13 to know all of the innuendos and the things
14 that come out of a report like that and then
15 to be able to say based on this
16 information -- which is merely the numbers at
17 this point -- there should be a different
18 funding formula.

19 So it's very different than the
20 concept of financial transparency, which we
21 believe is particularly important. And we've
22 been working with our PTAs -- as I said, with
23 everyone, so that it becomes something that
24 people can talk about in their communities.

1 Our citizens in New York spend a lot of money
2 to support our schools, and they should be
3 able to have information about how schools
4 are funded in their communities.

5 SENATOR MAYER: Understood. And thank
6 you for that.

7 Just before -- to end on this round,
8 on the proposal of consolidation of
9 expense-based aids in the Executive Budget, I
10 know I'm concerned about the impact that will
11 have on districts who are making necessary
12 investments in what are currently
13 reimbursable aids. Can you just explain from
14 your perspective what the impact of that
15 would be if enacted?

16 COMMISSIONER ELIA: Well, basically
17 districts would spend funding, as you pointed
18 out, to make these necessary improvements,
19 and they would spend money knowing that that
20 was their cost, but when they went to get
21 paid back for it, they wouldn't get the
22 amount of money that they had spent.

23 And I think you could have districts
24 that clearly need to spend this money but

1 they aren't able to get reimbursed for it.
2 And I think that would cause a serious
3 problem with districts, and particularly our
4 districts that work very hard to provide
5 these resources and to keep up with their
6 maintenance costs, et cetera.

7 SENATOR MAYER: Thank you. And
8 lastly, I know you've reflected this several
9 times, but I think everyone agrees that SED
10 has had trouble from a staff perspective
11 keeping up with the requirements that are
12 imposed upon it.

13 Do you have an overall number of what
14 you believe SED needs in terms of staff in
15 order to comply with the current set of
16 requirements that are imposed on -- or that
17 are expected of the department?

18 COMMISSIONER ELIA: Well, we don't at
19 this point, but we'd be very happy to provide
20 that for you.

21 SENATOR MAYER: Well, I think it is a
22 frustration of districts, obviously, and of
23 the department that we can't move more
24 quickly on things. And I think that, you

1 know, there are many in the Legislature who
2 want to ensure that SED is funded
3 appropriately to do the work that you are
4 tasked to do. So it would be helpful if we
5 had that.

6 COMMISSIONER ELIA: Well, let me just
7 give you a perfect example. When the Smart
8 Schools Bond money was allocated, we received
9 no staff to be able to review those plans.
10 We do have a staff in facilities, we did get
11 some resources to be able to supplement that
12 so that we could approve the proposals that
13 were coming in for construction. But we
14 didn't get extra staff to be able to handle
15 the \$2 billion that many of you get
16 frustrated over because you hear from your
17 districts.

18 And we know that. We would like to do
19 it in a more expeditious way. But the bottom
20 line is that's bonded money, it has to be
21 reviewed very carefully, and we can't let
22 anything get funded that isn't appropriate.
23 So we have to be very careful. So that's a
24 perfect example.

1 SENATOR MAYER: Thank you. Thank you,
2 Commissioner.

3 CHAIRWOMAN KRUEGER: Thank you.
4 Assembly.

5 CHAIRWOMAN WEINSTEIN: Our ranker on
6 Education, Assemblywoman Walsh.

7 ASSEMBLYWOMAN WALSH: Good morning.
8 Good morning, Commissioner. And good morning
9 to my Senate and Assembly colleagues. I'm
10 Mary Beth Walsh. I am the new ranker on
11 Education. And I represent the 112th
12 Assembly District, which is parts of
13 Schenectady and Saratoga Counties.

14 I've got some questions for you, and I
15 do apologize if I'm at all repetitive because
16 when -- because of the room that we're in,
17 because of the situation that we're in, I was
18 kind of back there and couldn't really hear
19 all the questions and answers up till now.

20 COMMISSIONER ELIA: No problem.

21 ASSEMBLYWOMAN WALSH: All right. So
22 firstly, in the past your staff has been very
23 responsive to requests from the Legislature
24 throughout the years. But recently there

1 seems to be a change in regard to legislative
2 requests needing to go through your
3 legislative affairs office rather than
4 directly to the appropriate unit, which has
5 dramatically changed the effective and
6 efficient response times, in our opinion.

7 What has changed at the agency and why
8 does your website provide the appropriate
9 unit, phone number, and contact person if the
10 Legislature can no longer utilize them?

11 COMMISSIONER ELIA: Well, let me point
12 out that it really hasn't changed that much.
13 What we've been trying to do is be more
14 responsive.

15 And one of the things that I want to
16 take you back to is a comment that I made a
17 few moments ago about the staff that we do
18 have in the program office. If we receive 10
19 calls from several legislative offices and
20 program staff are trying to respond to those
21 10 calls and write a letter that then can
22 come and we review it, you can imagine the
23 fact that then the program work is not done
24 at all. And so we can't have that occur.

1 We want to be responsive to you, and
2 we want to track to make sure that we're
3 doing it appropriately. And several of you
4 have my personal telephone number and you
5 call me and ask me and we move around and get
6 something back to you if it's very, very
7 critical that you hear it.

8 But I will say to you the work of SED
9 must be focused on the support for our
10 schools. And we want to make sure that you
11 have answers, and we've got to balance that
12 with the fact that our program staff has to
13 be working on our schools.

14 ASSEMBLYWOMAN WALSH: Understood, and
15 thank you. And I think the feedback that we
16 were just giving is that just seems like it
17 changed. It had been very responsive for a
18 long, long time and had, you know, more
19 recently changed, and we were just wondering
20 internally what was going on. If anything.

21 COMMISSIONER ELIA: Right. So that's
22 exactly what it is --

23 ASSEMBLYWOMAN WALSH: On the requests.

24 COMMISSIONER ELIA: We want to make

1 sure the requests get responded to, we get it
2 over here as quickly as we can, and that the
3 program staff, who are working directly with
4 our schools to support schools, that they
5 have opportunities to work with them.

6 ASSEMBLYWOMAN WALSH: All right, very
7 good.

8 So -- let's see. In light of recent
9 events that we are all very well aware of in
10 our nation, it's clear that school safety
11 needs to be an extremely important priority.
12 School resource officers, who are trained law
13 enforcement officers, should be in every
14 school across the state to help ensure the
15 safety of our students. Not only are school
16 resource officers helpful in a time of
17 crisis, but can be a positive presence at
18 schools.

19 Would you be supportive of funding to
20 provide every school with a school resource
21 officer, or are there other lower-cost
22 alternatives that you would support? If you
23 could just talk about that.

24 COMMISSIONER ELIA: Yes. Before I

1 became the commissioner here, I had the
2 experience of being the superintendent of a
3 very large district, 275 schools and a staff
4 of about 32,000 people. I will say to you
5 that school safety incorporates a number of
6 different areas. And thinking that having a
7 single person on a campus makes it safe is
8 really, I think, a false positive.

9 Clearly we know the importance of
10 climate and what is happening in the school
11 as a really critical piece in having school
12 safety. And we are in fact asking for an
13 \$8 million budget increase to support
14 technical assistance centers to train schools
15 on how it is they interact with students so
16 that in fact the students are part of the
17 safety agenda in the school.

18 Secondly, I am in support of attempts
19 and work that's done. We have had a number
20 of projects come to us about the hardening of
21 schools, making sure that the doors have the
22 appropriate locks on them, that there is
23 controls at the front doors. Those are, I
24 think, very important factors in looking at

1 what is happening to keep safe schools.

2 I'm also totally supportive and have
3 worked closely, our office, with the safety
4 committee for the state that was started
5 about eight or 10 years ago -- before my
6 time -- but includes individuals from the
7 other agencies, so our police and our local
8 police as well as our State Police and
9 sheriffs. I think it's extremely important
10 that everyone is on the same page.

11 All of those components are critical.
12 There is no one magic way to make sure every
13 school is safe. And I would say to you that
14 no matter what you do, if you do have someone
15 that is on your campus as an officer, they
16 have to be trained and they have to be very,
17 very focused on the appropriate environment
18 of a campus that has children.

19 CHAIRWOMAN WEINSTEIN: Thank you.

20 Senate?

21 SENATOR KRUEGER: Thank you.

22 Senator Betty Little, the ranker on
23 Education.

24 SENATOR LITTLE: Thank you.

1 And thank you, Commissioner, and thank
2 you for all that you've done and your
3 accessibility since you've been the
4 commissioner. I'll try to be quick, which is
5 difficult for me.

6 But you mentioned the 5 million for
7 museum education programs. That's so
8 important to small schools and rural schools.
9 And children hear about museums, but they're
10 30, 40 miles away and sometimes they never
11 get to them. So I think this program would
12 help and would help the museums be able to
13 attract and provide more tours and everything
14 they need to get their message out.

15 COMMISSIONER ELIA: So there are so
16 many resources in New York. We're rich in
17 that. But if our students and our citizens
18 don't have access -- and it really is two
19 pieces. It's providing the access for our
20 public school students and our students
21 across the state to access these resources in
22 museums and libraries and our zoos and all of
23 those centers. That's very important.

24 The other part of it is to make sure

1 that they're accessible and that the
2 construction for those resources is
3 maintained. And all pieces of that are
4 critical.

5 SENATOR LITTLE: Right. And many of
6 those children in these schools might get
7 there with their families, but many of those
8 children would not have families that would
9 be taking them. So it's very important.

10 COMMISSIONER ELIA: Our budget is
11 asking for \$5 million to support the program
12 to allow students to have access and to
13 develop in those museums the programing for
14 each of the various grade levels that will be
15 matched to the standards that we have. And
16 then we're also asking for an \$11 million
17 budget request for public library
18 construction. Both of those are extremely
19 important.

20 But I would agree with you,
21 Senator Little, that it's absolutely
22 incumbent upon us to make sure that the
23 resources that we have are shared with all of
24 our students.

1 SENATOR LITTLE: Right. And very
2 important. I like the regional STEM high
3 school proposal that's in the budget. I'd
4 like to see how accessible we can make that.
5 As you know, I represent 48 different school
6 districts, although I do have two that are
7 merging. I'd love to talk to you about it.
8 They've done very, very well in the process,
9 and SED has helped them very much.

10 So my superintendents are very
11 concerned about the expense-based aids being
12 all lumped together. Of the 48 schools, I
13 have 30 who get high tax aid. And of the 30
14 who get high tax aid, I looked at two of
15 them, and their Foundation Aid increase this
16 year is a little bit over \$6,000. Now, for
17 any school the price of fuel and electricity
18 could go up over \$6,000, let alone -- so I
19 would push and agree and support more
20 Foundation Aid.

21 But in this expense-based aid, you
22 include BOCES. Now, in a lot of your big
23 city schools -- New York City don't use
24 BOCES, but it is critical to our schools in

1 upstate New York. And I understand, because
2 we looked it up for one school one time, the
3 law says that if a student wants to go to
4 BOCES and do a BOCES program, they cannot be
5 denied because of financial stress.

6 So if you're going to cap or put it
7 into this lump sum and it only increases a
8 small amount each year, that's not going to
9 work.

10 COMMISSIONER ELIA: We're not
11 supporting that, so you know.

12 SENATOR LITTLE: Great. I'm not
13 either.

14 COMMISSIONER ELIA: We are not
15 supporting that. That would affect students,
16 it would affect their placement, and it would
17 affect the opportunities to keep those
18 programs vital for all of our work.

19 SENATOR LITTLE: Good. Good. And I
20 hope that we in the Legislature do not
21 support it as well.

22 One other problem I want to mention is
23 some of my schools have applied for the
24 federal community schools program, which is

1 confusing, having one for the state, one for
2 the federal.

3 COMMISSIONER ELIA: Right.

4 SENATOR LITTLE: And they get free
5 breakfasts and free lunch for everyone. So
6 everyone in the school gets the free meals.
7 But when it comes to their free and
8 reduced-price lunch numbers to turn in for
9 Foundation Aid and for all the other programs
10 that request those, they can -- they're only
11 getting like the Medicaid-eligible students,
12 which they get automatically, but parents are
13 not filling out the federal and reduced-price
14 lunch forms because they see no need to,
15 their kids are getting a free breakfast and
16 free lunch.

17 How can we increase that? And you
18 don't even have to answer now, but it's
19 something we need to be working on because
20 it's so important.

21 COMMISSIONER ELIA: We did provide a
22 report, I think maybe one or two years ago,
23 at the request of the Legislature on the
24 whole issue of the identification of

1 individuals and then their eligibility for
2 various programs.

3 Because we have gone to the community
4 eligibility provision, which you've
5 identified, it does make it much more
6 difficult. And so the federal government as
7 well as our staff is working to try to figure
8 out the approach that we can take so that
9 that is a fair approach to take, much easier
10 for districts, not as time-consuming at all,
11 but that we get accurate numbers.

12 SENATOR LITTLE: Okay, thank you. And
13 I would hope to have more questions later.

14 CHAIRWOMAN KRUEGER: Thank you.
15 Assembly.

16 CHAIRWOMAN WEINSTEIN: Assemblyman
17 Ryan, chair of the Libraries Committee.

18 ASSEMBLYMAN RYAN: Good to see you
19 this morning.

20 COMMISSIONER ELIA: Good morning.

21 ASSEMBLYMAN RYAN: I just wanted to
22 make a first comment about the City of
23 Buffalo schools. You've been doing a lot of
24 work with our district since you came on

1 board; we thank you for that.

2 In general, we're heading in the right
3 direction in Buffalo. We're happy to have a
4 decrease in the number of receivership
5 schools and, happily, an increase in the
6 number of community schools. So, you know,
7 these are programs that we worked together to
8 put together over the last years, but we
9 really appreciate the attention that you've
10 spent in Buffalo. And we hope that you'll
11 have to require less attention there as the
12 years go on.

13 COMMISSIONER ELIA: Well, since I'm
14 from Buffalo, I'd still like to visit.

15 ASSEMBLYMAN RYAN: Well, you're always
16 welcome.

17 I just want to ask you some questions
18 about the library funding. The Governor's
19 proposal for library aid looks like a
20 decrease to general library aid funds by
21 about \$5 million.

22 COMMISSIONER ELIA: Right.

23 ASSEMBLYMAN RYAN: And that the
24 construction aid, \$14 million, was actually a

1 \$20 million increase. What was the Regents
2 recommending for these fundings?

3 COMMISSIONER ELIA: So we're asking
4 for an \$11 million budget increase for
5 accessing state-of-the-art libraries, which
6 would be the construction portion of the
7 budget. We really feel like that's
8 necessary.

9 I just want to point out if you think
10 about the libraries in your communities, they
11 are critically important for many, many
12 individuals. They provide programming for
13 pre-K children all the way through adults.
14 Kind of from, you know, birth to death, if
15 you will. And I would say to you that it's
16 absolutely critical that we make sure they're
17 accessible, that they have the necessary
18 requisite technology that's available,
19 because many of the individuals in our
20 communities don't have that. And so we're
21 very, very focused on that.

22 I would also want to bring up the
23 importance of libraries in helping to make
24 the census successful in New York in 2020.

1 This is going to be a critical issue for us.
2 And we believe the libraries, as a focal
3 point of the community, can provide
4 incredible opportunities for individuals who
5 need support as they're filling out the
6 census and that can be providing programming
7 constantly to help individuals to do the
8 census work, as well as our schools.

9 ASSEMBLYMAN RYAN: So the
10 interconnectivity is sort of a bugaboo in a
11 lot of urban and rural communities.

12 COMMISSIONER ELIA: It is.

13 ASSEMBLYMAN RYAN: And as you know, a
14 lot of homework assignments are given over
15 the internet. And the census seems to be
16 going in that same direction of your first
17 crack is supposed to be a response online.
18 But, you know, huge portions of our community
19 don't have reliable internet service, and
20 that's where the library fills in the gap.

21 COMMISSIONER ELIA: And I will say
22 cities like Buffalo have moved in that
23 direction and been much more successful.

24 We have communities -- and I know

1 several of you are in those communities and
2 represent them -- that don't have that kind
3 of connectivity, and it does affect the
4 availability across the state. We have
5 worked with our library consortiums to come
6 up with ways that they can work together and
7 have that happen, but it's not anywhere near
8 where it should be.

9 ASSEMBLYMAN RYAN: That's good.

10 I wanted to ask you a question about
11 the Regents world languages. In your Slide
12 No. 20 you talked about not being able to
13 provide translated Regents exams.

14 COMMISSIONER ELIA: That's right. We
15 really believe that translations of our
16 Regents exams in world languages is critical.
17 We're asking for a \$950,000 budget request.

18 This has been on the books for the
19 longest -- the time that I've been here,
20 certainly, almost four years now. We think
21 it's absolutely critical. We have students
22 that are very knowledgeable and they should
23 be able to take their content exams in that
24 language.

1 ASSEMBLYMAN RYAN: I agree with that.
2 But I would ask you to consider an expansion
3 of that. I know the top four or five
4 languages in New York State are often just
5 reflective of the top five languages spoken
6 in the New York City School District.

7 So for the years when this program was
8 funded, you would provide districts like
9 Buffalo the opportunity to choose off a menu
10 of five languages, but only two of the top
11 five languages in Buffalo overlapped with the
12 offerings from State Ed. So our number-one
13 spoken language besides English in Buffalo is
14 Spanish, Burmese or Arabic, and never have we
15 given the opportunity.

16 So as we're getting -- a larger
17 portion of the world's refugees are being
18 placed in upstate New York, I really think we
19 need to reconsider just giving these exams
20 based on the top five languages in the state.
21 And I would ask you to consider this sort of
22 as an analogy towards a child who has an IEP
23 and needs testing modifications. We don't
24 offer just a few set testing modifications

1 and hope you fit within there.

2 So, you know, right now in Buffalo we
3 have this really strange circumstance where
4 no Regents is translated into Swahili. So on
5 the day of the Regents exam, we'll take all
6 the kids who need that modification from
7 different schools and we'll bring them
8 together in one school -- often a school
9 they've never been to before -- but they
10 won't have the written exam to look at.
11 They'll have a translator speaking out loud
12 to the whole room reading the exam.

13 So if you could just imagine how many
14 times when you take an exam how you'd go and
15 look at it again and look at it again. This
16 really puts an onus on the student to keep
17 raising their hand asking that translator to
18 read out loud. So when we -- hopefully we'll
19 restore the funding to this. But when we do
20 it, I'd like to be able to restore it in a
21 more expansive fashion so we can really take
22 care of all the languages spoken in New York
23 State.

24 COMMISSIONER ELIA: Assemblyman Ryan,

1 you could not have said it better. We want
2 to be able to make those languages not just
3 for New York City but for every place across
4 the state. And I would agree with you, it
5 all is dependent upon the money. We haven't
6 had money in this budget since 2011. And we
7 would expand it to the top languages and then
8 move down.

9 And I will say this to you, that there
10 is a lot of correlation now, since 2011 to
11 right now, of a number of other languages
12 that should be translated. But it requires
13 the funding. You give it to us, and we'll do
14 whatever we can do to make sure that occurs.

15 ASSEMBLYMAN RYAN: Could you work to
16 provide us with a budget number of how much
17 you think it would cost to be able to provide
18 the Regents in all the languages that are
19 available to the schools?

20 COMMISSIONER ELIA: Absolutely.
21 Absolutely.

22 ASSEMBLYMAN RYAN: Great.

23 And switching subjects, in 2013 we
24 made changes in state law regarding charter

1 school dissolutions. And Buffalo has a lot
2 of charter schools. In the last three or
3 four years, about three or four charter
4 schools have closed. But we've noticed that
5 the 2013 changes really aren't tight enough.
6 So under the 2013 changes, a school had to
7 submit a dissolution plan that showed their
8 assets and their liabilities, but there's no
9 time limits on there.

10 So most recently, I discovered a
11 charter school that closed in Buffalo in 2014
12 has never submitted a dissolution plan to
13 State Ed. So theoretically, they're still a
14 school, but they haven't accepted a student
15 since 2014. And there's assets somewhere in
16 an account -- and as we know, the home
17 district is the one who sends the money to
18 that charter school. So those home districts
19 were expecting a return of the money that
20 they spent, but really it's just a ghost now.
21 It's four years later, no students, no
22 dissolution plans.

23 We've also found that there's schools
24 who dissolve that initially recorded, you

1 know, millions and millions of assets, a
2 small amount of liabilities. Once again,
3 years after they stopped taking students,
4 when they filed their final dissolution plan,
5 there's no assets left.

6 So I don't know if you have any
7 comment on that.

8 COMMISSIONER ELIA: Yes. As a matter
9 of fact, Regent Katherine Collins that
10 represents Buffalo has brought this to our
11 attention. We're in the process right now of
12 investigating that situation that you
13 mentioned earlier, and we'll make sure we
14 keep you in the loop on it.

15 ASSEMBLYMAN RYAN: And then if your
16 department could look at the 2013 changes,
17 I'd be interested to see if your department
18 had any recommendations to enhance those '13
19 changes so we can bring them up to the
20 standards that reflect what we're
21 experiencing.

22 COMMISSIONER ELIA: Great.

23 ASSEMBLYMAN RYAN: That's great. Once
24 again, we look forward to seeing you again in

1 Buffalo, and thank you for the hard work that
2 you do.

3 COMMISSIONER ELIA: Well, and thank
4 you. I think Buffalo has stepped forward as
5 a community to support its students.

6 CHAIRWOMAN WEINSTEIN: Thank you.
7 We've been joined by Assemblywoman
8 Rozic.

9 Now to the Senate.

10 SENATOR KRUEGER: Thank you.
11 Our next questioner will be John Liu,
12 chair of the Committee on New York City
13 Education.

14 SENATOR LIU: Thank you, Madam Chair.
15 And thank you, Commissioner, for
16 joining us today.

17 Notwithstanding my introduction, I
18 want to echo Assemblyman Ryan from Buffalo's
19 comments about the need to not have limited
20 English proficiency as a barrier to education
21 and to assessment of a child's education.
22 The translation services are getting lower
23 and lower in cost as well as higher and
24 higher in quality. And so whatever you can

1 do out of your existing allocations, short of
2 getting additional money, it would certainly
3 be appreciated -- certainly not just in
4 New York City, but far beyond.

5 I just wanted to ask a little bit
6 about your comments about the Foundation Aid.
7 I know you said that the Regents had
8 recommended a \$2.1 billion increase in the
9 Foundation Aid. You know, correct me if I'm
10 wrong, but I don't think you mentioned the
11 Executive Budget. But my understanding is
12 that the Executive Budget only includes a
13 \$956 million increase in Foundation Aid -- in
14 contrast, you know, less than half of the
15 Regents' recommendation.

16 Does that always happen? And, you
17 know, what do you feel about that?

18 COMMISSIONER ELIA: Well, that's an
19 interesting question.

20 (Laughter.)

21 SENATOR LIU: I mean, we'd like to
22 hear your comments about the Executive
23 Budget.

24 COMMISSIONER ELIA: And I have no

1 problems giving you them.

2 So Foundation Aid specifically, we
3 requested 1.66. And the Governor's budget
4 was 338 million, so substantially lower. And
5 then we had -- as mentioned earlier, we had
6 the 85 million for the ELL set-aside. Our
7 reimbursement-based aids was 410. That
8 actually was similar to the Governor's at
9 412.

10 The Governor did increase the amount
11 of funding that would go into Foundation Aid
12 but be designated for community schools by 50
13 million.

14 The stabilization fund that the
15 Governor put in was at 157 million. And then
16 pre-K funding; I mentioned earlier the
17 Governor did support pre-K funding at
18 15 million. We were asking for 20. Our
19 target was to be able to expand to 2,000
20 additional students statewide in that
21 four-year-old program.

22 We asked for a \$6 million support for
23 pre-K inclusion funding. We believe that our
24 students who very early in their life have

1 been identified as having some special needs
2 should have the right to be able to be in a
3 classroom in kindergarten and in pre-K
4 programming, specifically, with their
5 chronological peers. So that was an
6 extremely important part of ours. We asked
7 for \$25 million in Career and Technical
8 Education, increasing the advanced course
9 offerings that -- the Governor put in a
10 million. We want \$3 million.

11 So his total was 956, as you pointed
12 out. Ours was 2.1. So the dollar difference
13 is I think critically important. But
14 remember, our Foundation Aid number was based
15 on a three-year projection with one year of a
16 rollout this year which included the
17 increases that would normally come with that
18 amount.

19 SENATOR LIU: So yeah, that's what you
20 had made in your earlier comments, that the
21 1.66 is actually only a third --

22 COMMISSIONER ELIA: Yes.

23 SENATOR LIU: -- of what you think the
24 ultimate Foundation Aid should be.

1 COMMISSIONER ELIA: Yes.

2 SENATOR LIU: And meanwhile, the
3 Executive Budget certainly has nothing close
4 to that. And not only that, but the
5 Executive himself has said in recent months
6 that that -- you know, when you say 166 is
7 one-third, you're basically saying that the
8 true amount of increase in Foundation Aid
9 should be more like \$4 billion or even a
10 little bit more than \$4 billion.

11 COMMISSIONER ELIA: Yes. And we would
12 be happy to provide all the documentation
13 that we had in our discussions with our
14 chairs of that particular -- the school
15 funding.

16 SENATOR LIU: So, Commissioner, do you
17 believe in ghosts?

18 (Laughter.)

19 COMMISSIONER ELIA: So Senator Liu --

20 (Laughter.)

21 COMMISSIONER ELIA: -- let me -- let
22 me --

23 SENATOR LIU: I mean, I just want to
24 know what the SED feels --

1 COMMISSIONER ELIA: No, I want to
2 point out -- I want to point out what I think
3 is really a critical piece here. Our Regents
4 and the State Ed Department come together and
5 talk through this for almost a four-month
6 period. We try to balance that with what we
7 believe is close to a reality. So we did not
8 ask for \$4 billion in one year because we
9 believe that we need to be responsive as
10 well.

11 However, it's clear that we believe
12 that there should be a greater growth in the
13 Foundation Aid formula than what the Governor
14 has presented. That is part of the process,
15 as you know. We present it to you, and then
16 you use that with other information and you
17 work with the Governor and with the Senate
18 and Assembly together to come up with the
19 number.

20 SENATOR LIU: Okay. I mean, it's okay
21 to say you're not happy with the Executive
22 Budget when it comes to Foundation Aid.

23 (Laughter.)

24 COMMISSIONER ELIA: I thought that you

1 got that from my comments.

2 (Laughter.)

3 SENATOR LIU: Well, you know, somebody
4 reading the record would not necessarily get
5 that, so --

6 COMMISSIONER ELIA: Okay, let me say
7 it clearly. We are not happy that this is --

8 SENATOR LIU: Awesome.

9 (Laughter.)

10 COMMISSIONER ELIA: -- that this is
11 substantially lower than our number.

12 SENATOR LIU: Awesome. Good. So I
13 mean I think you're totally realistic, you
14 know, 1.66 is not nearly enough of what we
15 really need for our schools throughout the
16 State of New York. I'm glad to hear that you
17 agree that a little more than \$4 billion is
18 ultimately the number. 1.66 would certainly
19 be a starting point. And to phase in this
20 aid over a period of three years would be a
21 sound and is probably fiscally prudent plan
22 to proceed with. Right?

23 This is certainly what Chairperson
24 Mayer has educated me on in the last few

1 months. And I'm happy to hear that the State
2 Education Department is pretty much in line
3 with our thinking here.

4 COMMISSIONER ELIA: So this is -- as I
5 want you to understand, our Regents and
6 particularly our cochairs with our
7 chancellor, our cochairs on this particular
8 committee are Regent Mead and Regent
9 Ouderkirk, working with the chancellor,
10 multiple staff meetings, et cetera. We
11 believe that this is the prudent way to go,
12 but we also are very focused on the fact that
13 there needs to be resources in our district
14 schools across the State of New York.

15 SENATOR LIU: And speaking of those
16 district resources, I was happy to hear that
17 you talked about financial transparency and
18 the need for people to understand how much
19 money is going to the schools and for
20 districts to be open about how much money
21 they're getting.

22 But apparently -- and, you know, I
23 think you might have implied this in your
24 comments. I'm not really good with

1 implications. I like it like the cold, hard
2 facts. You know, day and night: Very clear.
3 So the financial transparency may not be
4 extending to the Division of Budget. Would
5 you agree with that? And let me tell you a
6 little bit about what I'm thinking here.

7 There's an interpretation of what the
8 Executive Budget calls for in the case of
9 individual school aid, additional aid going
10 to individual schools in this state. Now, my
11 understanding is that the Division of Budget
12 has not said exactly how much or what the
13 change would be for each individual school.
14 But local school districts, for example, the
15 New York City Department of Education, they
16 have made their own determination as to what
17 the Executive Budget calls for and have made
18 those calculations and are seeing very
19 troubling, very disturbing changes in the way
20 the state education aid is going to flow to
21 those individual schools.

22 Have you -- has the SED considered
23 what the DOB is looking at in terms of the
24 language included in the Executive Budget?

1 COMMISSIONER ELIA: Yes. We have
2 looked at the language.

3 And I just want to make it clear that
4 there is a parallel here to what we proposed
5 in our financial transparency portion of our
6 ESSA plan, which came actually as a result of
7 two years of conversations across the state
8 with many communities and parent groups, so
9 that they -- their point about understanding
10 where the funding is going that goes into a
11 district is really critical.

12 So we've been working specifically
13 with the PTA and to translate how can we make
14 a report that goes to a district and that is
15 on the webpage and that is made available
16 publicly, how can we make that
17 understandable? So our work has been
18 allowing districts themselves, who present
19 the material to us, to have a way to have
20 conversations in their community about the
21 use of funding specific schools.

22 We do not want to be in a position
23 where we tell a district under local
24 control -- the school board, the

1 superintendent -- in New York City, the
2 mayor. They have control over the
3 distribution of funds, and we want to make
4 sure that those schools that have great needs
5 receive funding. We want that to be driven
6 by the conversations and the work that is
7 done in the local school districts, since
8 that really is the concept of local control.

9 SENATOR LIU: So the Executive Budget
10 is not going to get into the business of
11 telling local school districts exactly how
12 much additional aid each individual school
13 should get?

14 COMMISSIONER ELIA: The implication --
15 and I know you don't like them, but the
16 implication in what I've read and what we
17 understand is that there would be a role for,
18 interestingly enough, for State Ed and the
19 commissioner to take where we would tell
20 schools we don't think you're spending enough
21 money here, you should spend more over here.

22 SENATOR LIU: I see.

23 COMMISSIONER ELIA: I don't see that
24 as my role.

1 SENATOR LIU: All right. Thank you
2 very much. I just want to say one last
3 sentence about the fact that the Division of
4 Budget apparently is going to release those
5 numbers by school in the month of May, well
6 after this -- hopefully well after this
7 Executive Budget is approved.

8 CHAIRWOMAN KRUEGER: Thank you,
9 Senator.

10 I just want to announce that we've
11 been joined by Senator Kevin Thomas in the
12 audience and Senator Bob Antonacci in the
13 audience.

14 And next to go is Senator -- oh, it's
15 the Assembly. I'm sorry.

16 CHAIRWOMAN WEINSTEIN: We have a long
17 list. We have a lot of members.

18 (Laughter.)

19 CHAIRWOMAN KRUEGER: Excuse me. I
20 apologize.

21 CHAIRWOMAN WEINSTEIN: Assemblywoman
22 Latoya Joyner.

23 ASSEMBLYWOMAN JOYNER: Okay, good
24 morning, Commissioner.

1 COMMISSIONER ELIA: Good morning.

2 ASSEMBLYWOMAN JOYNER: So as you are
3 fully aware about the impact of adverse
4 childhood experiences and how they impact
5 student learning -- and I know in Schenectady
6 they're doing great work around this.
7 They're having dedicated staff, behavioral
8 specialists, safe spaces, sensory rooms,
9 deescalation rooms to help children that are
10 experiencing trauma.

11 I would like to know how will
12 Foundation Aid help to address the need for
13 more trauma-informed schools and how can we
14 have more schools opt into this type of
15 learning environment for their individual
16 schools if they're interested in implementing
17 this model.

18 COMMISSIONER ELIA: Well, I'm very
19 thankful that you brought up the example of
20 Schenectady. Larry Spring, the
21 superintendent there, has done a great job in
22 focusing the funding that they have available
23 in that area. He did not receive extra
24 funding. He's using his funding to make sure

1 that he's addressing trauma-informed care and
2 the work that can be done in schools across
3 the district to support children who are in
4 crisis.

5 I would say to you that we believe
6 that not only that kind of focus -- and there
7 are a number of school districts that are
8 looking at what Schenectady has done to see
9 that as an example -- but we also believe
10 that the concept of school climate and
11 anti-bullying activities are also very
12 critical.

13 You may remember last year there was
14 an allocation that went for \$2 million that
15 was passed to support school climate
16 initiatives across the state. Some of those
17 school climate initiatives are associated
18 with safe schools. And so we established a
19 technical assistance center that would work
20 with school districts on training for staff
21 and on working on programs and plans to
22 develop the kind of program that you
23 mentioned in Schenectady. And we also gave
24 out specific grants that related to those

1 schools and/or districts that had schools
2 where there specifically was high numbers of
3 violence and/or climate issues there, where
4 there were reports of bullying, et cetera.
5 So those schools would have received a grant
6 amount, and we also put in technical
7 assistance.

8 Part of our request this year is an
9 additional \$8 million. It would support the
10 establishment of additional technical
11 centers, four more, across the state. Those
12 technical centers would provide for districts
13 the kind of training that was done in
14 Schenectady to support the staff
15 understanding and seeing the importance of
16 providing trauma-informed care for students
17 across the district. So they would be there,
18 and we would then expand the number of grants
19 available, put \$6 million into more grants
20 for those school districts that had a plan
21 that required additional funding to support
22 it.

23 ASSEMBLYWOMAN JOYNER: Okay. Well,
24 I'm looking forward to having a dedicated,

1 you know, pool of funding just specifically
2 for more trauma-informed schools. Many of
3 these kids are coming in with their own
4 emotional crises, and they need spaces and
5 they need schools having dedicated staff to
6 help address this issue specifically for the
7 individual child. It may not be necessarily
8 bullying per se, but it's an individual
9 experience that I'm looking forward to having
10 more discussions to have more schools opt
11 into this type of learning.

12 So thank you.

13 COMMISSIONER ELIA: We do have some
14 schools that are using some of their
15 community school funding. That's an
16 allowable expense for community schools. I
17 think that's what Superintendent Spring did
18 as well. And so that funding is allowed to
19 be used in training and the kinds of work
20 that can be done to put in staff members that
21 specifically are addressing those issues.

22 ASSEMBLYWOMAN JOYNER: Thank you.

23 CHAIRWOMAN WEINSTEIN: Thank you.

24 We've been joined by Assemblyman

1 Ortiz.

2 Now to the Senate.

3 SENATOR KRUEGER: Thank you.

4 Senator Jim Gaughran.

5 SENATOR GAUGHRAN: Good morning.

6 COMMISSIONER ELIA: Good morning.

7 SENATOR GAUGHRAN: Thank you,

8 Commissioner.

9 I represent a district on the North
10 Shore of Long Island that's half Nassau
11 County, half Suffolk County. It has a few of
12 the wealthiest areas in the state but many of
13 the poorest communities as well.

14 And I appreciate your discussion of
15 the difficulty of looking at individual
16 schools within a school district. And I know
17 the Governor has this concept of trying to
18 target the poorer schools within a district.
19 But in Long Island, where we historically
20 receive 12 percent of the aid and have
21 17 percent of the student population, and we
22 also have one of the highest costs of living,
23 we also have some school districts, including
24 a few in my Senate district, that are

1 considered very high wealth districts but
2 have extremely high-need neighborhoods. For
3 example, the Glen Cove School District, which
4 I represent, 65 percent of their students
5 qualify for a free and reduced lunch. And so
6 they're considered a high wealth district.
7 They have some very small pockets of wealth
8 on the North Shore, but all their schools are
9 struggling.

10 So, you know, they're penalized by
11 this aid formula. And I'm just curious as to
12 how you think we may be -- if you see that as
13 a problem and how you think we could address
14 that in this budget.

15 COMMISSIONER ELIA: So remember, the
16 formula that we have has not been changed in
17 a long while. And I've had conversations
18 with several of you on an individual basis on
19 ways that you think your districts are being
20 affected by that. We have -- as a staff, we
21 are the ones that are responsible for the
22 distribution of funding.

23 We do believe -- and our Regents have
24 been very vocal, have heard from many

1 constituents across the state the importance
2 of looking at the Foundation Aid. We are
3 very willing to do that. That really is
4 something that would have to come from this
5 body, the legislators and the Governor to
6 determine this was going to be something
7 reviewed, with potential changes over a
8 period of time.

9 I would appreciate the opportunity to
10 do that. I will say to you there are many
11 districts that I've heard from other members
12 of the Legislature saying that specific
13 thing. And I think we've got to figure out a
14 way to move forward.

15 SENATOR GAUGHRAN: And just one quick
16 question. You mentioned public libraries and
17 the census. How do you envision the role of
18 our libraries as we move forward with the
19 census as a resource opportunity?

20 COMMISSIONER ELIA: Thank you for
21 giving me the opportunity to speak about
22 that.

23 So I think the census -- and I can
24 tell you, this is a very critical thing for

1 New York State. We know that funding across
2 the board from the federal government will be
3 very connected to the census, and it will be
4 a make-or-break for the New York State
5 systems.

6 So I would say to you that libraries,
7 which are very -- they're accepted places in
8 communities. I think we need to work very
9 closely. So State Education, out of our
10 Cultural Education Department, oversees
11 libraries loosely. They are really run by
12 local boards. But we believe that we can
13 work very closely with our libraries to be
14 supporters and to set up programming so that
15 across the state there's consistency, there's
16 a communication plan, and we tell people how
17 we can help them to become part of the
18 census. And we can share with people,
19 individual citizens, the importance of that
20 occurring.

21 And I think the libraries -- and I do
22 believe also that schools are a critical part
23 in this. In my previous work those were two
24 very critical components, and particularly

1 schools, where parents with young children
2 understand the importance of some of the
3 programming that is available to them because
4 of the funding that comes from the federal
5 government, and the census will determine
6 that amount of money.

7 SENATOR GAUGHRAN: Thank you,
8 Commissioner. And thank you, Madam Chair.

9 CHAIRWOMAN KRUEGER: Thank you.
10 Assembly.

11 CHAIRWOMAN WEINSTEIN: Assemblyman Ra.

12 ASSEMBLYMAN RA: Good morning,
13 Commissioner.

14 COMMISSIONER ELIA: Good morning.

15 ASSEMBLYMAN RA: So I want to talk
16 about one of mine and I'm sure everybody's
17 favorite subjects, APPR.

18 COMMISSIONER ELIA: I'm not sure it's
19 everyone's favorite subject. I'm not seeing
20 a lot of smiles up there, but --

21 (Laughter.)

22 ASSEMBLYMAN RA: Mine neither.

23 But obviously there is a proposal in
24 this budget to make a change with regard to

1 the use of the state tests in evaluations.
2 But there's been concerns raised with that
3 language because, you know, it still is
4 working within the matrix or whatever you
5 want to call it, and really keeping that
6 student performance side of it as, you know,
7 50 percent, a major portion of the
8 evaluation. And I'm just wondering -- I
9 mean, not that you want to necessarily
10 speculate as to what it's going to ultimately
11 look like, but I know State Ed had ongoing
12 work on this and kind of that's on hold right
13 now while we wait to see what happens.

14 Specifically, the issue that has come
15 before us and the concern that's been raised
16 is that does that have the potential to cause
17 more testing in order to use some other
18 measure in the student performance side of
19 things. And I know whatever is used needs to
20 be approved by the department, so I was
21 wondering if you can comment on that or, you
22 know, what type of assessments the department
23 would be looking at to be able to be included
24 there.

1 COMMISSIONER ELIA: Yes, so we
2 really -- I can't anticipate what the
3 assessments would be submitted to us. We
4 know that an assessment-approval process
5 would be in place with that -- with the law.
6 You, both houses, have passed the law. So
7 the reason that we held -- holding the
8 committee meetings that we had scheduled was
9 that we're waiting to see so that we can be
10 part of the productive establishment of the
11 process after the law is passed or whatever
12 ends up happening.

13 I would say to you that there is one
14 known entity, and that is that there will be
15 federal assessments that must be given in
16 New York State for Grades 3 through 8. We
17 have an ESSA plan that lays out the
18 graduation requirements that we currently
19 have that may be changed. But the point is
20 there is a system in place, and if there are
21 assessments beyond those, they may already
22 exist in school districts. We don't know
23 that. We'll have to wait and see what is
24 proposed.

1 accepting through the Gates Foundation.

2 As you know -- I mean, going back
3 through the history of this, and I know
4 you're very familiar with it both here and in
5 your prior roles, the data privacy issue
6 really came to a boil a few years ago with
7 inBloom and all that. And, you know, the
8 Legislature passed some measures on the data
9 security side. I'm just wondering how some
10 of that initiative might impact the laws that
11 the Legislature had passed in terms of, you
12 know, security and privacy.

13 COMMISSIONER ELIA: Well, I'm not sure
14 if you're aware of it, but we have a data
15 privacy officer. She is an attorney, she
16 works on our staff. We've just put out regs
17 related to data privacy. It is -- I would
18 say probably we followed what would be
19 accepted across the nation as the gold
20 standard for looking at what exactly needs to
21 be reviewed and become part of the consistent
22 approach that we take related to PII,
23 identifiable information. And we're very
24 focused on it.

1 Certainly the work that was done in
2 the Legislature has driven this, because we
3 have a law that we are following in all of
4 our regulations. So I would say to you that
5 that's very important.

6 ASSEMBLYMAN RA: Thank you.

7 COMMISSIONER ELIA: You're welcome.

8 CHAIRWOMAN WEINSTEIN: Senate?

9 CHAIRWOMAN KRUEGER: Thank you.
10 Senator John Brooks.

11 SENATOR BROOKS: Thank you.

12 Good morning, Commissioner.

13 COMMISSIONER ELIA: Good morning.

14 SENATOR BROOKS: As you well know,
15 many of the districts in my Senate district
16 are significantly impacted by the ELLs
17 program. And that brings many, many
18 challenges to those school districts.

19 Sometimes we've established
20 regulations on how to measure a district
21 based on performance and graduation rates.
22 But some of those districts will get a
23 student that may be 17, 17½ years old, comes
24 into the district with a third-grade

1 education from his native country. There
2 isn't a way in the world that between 17½ and
3 21 we're going to bring him from the third to
4 the 12th grade and teach him the English
5 language on the side.

6 Districts, as you know, are very well
7 challenged by what's happening with the ELL
8 situation. You're aware that we have one
9 district that's absolutely in a crisis over
10 it. And that district, in a five-year
11 period, received 26 percent growth, and that
12 rate of growth is increasing.

13 I was at the school one day, and she
14 picked up 118 kids in one day. A hundred and
15 eighteen kids. She had to order 17 buses
16 that day with no money.

17 One of the major problems we have with
18 these students is they come midyear,
19 unplanned, many of them exceptionally
20 high-needs. We're in a situation in the one
21 district, as you know, that they do not have
22 the physical capacity for those students.
23 They've rented space at a district, which I
24 know you're not happy with. But what do they

1 do?

2 So I think that we as a state have to
3 really take a look at what the actual costs
4 of these students are, because there are so
5 many side costs. Not just the fact that
6 they're there and you have to teach them the
7 English language, but many of them come with
8 learning disabilities and other problems.
9 And the other issue we have is the school
10 districts don't have the capacity to take
11 these students.

12 So I wonder how we're looking at it
13 long-term. And then the other question would
14 be, what discussions are we having with the
15 federal government? Because these students
16 really, in the end, are the result of an
17 unfunded federal mandate. When they come to
18 our communities, we're asked to educate them
19 and pay the costs. I've got many districts
20 that are paying tens of millions of dollars
21 in expense to educate these students. It is
22 causing problems within the community. It is
23 taxing the educational system to no end. And
24 as we know, as these schools get overcrowded,

1 we start to see gang involvement at the same
2 time.

3 So my question is, how are we looking
4 at this as a separate, total issue and
5 recognizing the true costs? I think you've
6 put up \$85 million right now for ELLs. I
7 could spend that in my district alone and
8 that wouldn't be enough. So where are we
9 going with this issue over the long term?

10 COMMISSIONER ELIA: So let me point
11 out that the requirement for students within
12 our districts to be provided with educational
13 services in our schools is a state
14 requirement in New York that I'm really
15 excited that we have. Right?

16 SENATOR BROOKS: Right.

17 COMMISSIONER ELIA: I really -- I
18 believe that that is an extremely important
19 role that we play.

20 And all of our students -- in fact,
21 the recent data that came out, an assessment
22 that I think came out two or three months
23 ago, actually pointed out that the students
24 that had been in the ELL program actually,

1 after they exited the ELL program,
2 outperformed our students across the state.

3 So providing the resources is an
4 extremely important thing that we believe in,
5 and that's why we've requested the
6 \$85 million set-aside in Foundation Aid for
7 all districts that receive the Foundation
8 Aid, to make sure that they have some
9 additional resources.

10 Let me also point out to you that we
11 believe it's extremely important to have
12 training for our teachers, that we provide
13 the opportunities for certifications for
14 these teachers. We have requests in for that
15 funding as well.

16 And as you well know, we have
17 districts that I think would benefit from
18 what we talked about earlier with looking at
19 a Foundation Aid formula that was revised to
20 reflect the actual needs of districts in a
21 more comprehensive way.

22 So to respond specifically to your
23 questions, the one district that you and I
24 know we're working with right now, it is

1 beyond -- clearly, their issues are beyond
2 the population that they serve and the number
3 of students that walk in every day.

4 SENATOR BROOKS: Right.

5 COMMISSIONER ELIA: They have much
6 larger issues related to the work that's
7 being done in that district to be responsive
8 with their funding.

9 So those are all issues that I can
10 tell you we're facing. Yes, we have needs
11 for our ELL students. Particularly for our
12 SIFE students we've developed -- that is,
13 those students that have come in with
14 interrupted educational programming, and they
15 are further behind than other students. We
16 believe it's really critical. We've provided
17 resources for every district. We provide
18 training for teachers on how to work with
19 those students. Our focus has been what do
20 we do to move our students to success.

21 Two other things that you also
22 mentioned had to do with the concept of
23 proficiency, do we judge proficiency. Yes,
24 we do. But our new ESSA plan has a focus on

1 growth as well, and we think that's extremely
2 important, particularly with our ELL
3 students. So a teacher is working with ELL
4 students and moves them substantially, that
5 is all part of a formula that is part to look
6 at how well they've performed and how their
7 students are doing in a particular school.

8 And on graduation rates, some of you
9 may know we have expanded the concept of
10 graduation to not say it's got to be four
11 years or nothing. Right? We want school
12 districts and schools and parents and
13 students to understand they should stay with
14 us in school and they should end up with a
15 diploma. We're very focused on that. We
16 think that that is the appropriate way to
17 look at whether or not schools are
18 successful. What have they done to complete
19 the cycle for a kid to be successful.

20 So those are all big responses, but
21 we'd be happy to have a conversation about
22 that district.

23 SENATOR BROOKS: Thank you.

24 CHAIRWOMAN WEINSTEIN: Thank you.

1 Thank you, Commissioner.

2 Before we go to the next
3 Assemblymember, I wanted to say that
4 Assemblyman Pretlow has joined us.

5 And just a reminder to my colleagues
6 that we are being broadcast and the mikes are
7 very sensitive. So if you're not talking,
8 you might want to shut it off so there isn't
9 background talk on the broadcast interfering
10 with the speakers.

11 Next we'll go to Assemblywoman Jaffee.

12 ASSEMBLYWOMAN JAFFEE: Good afternoon,
13 I think -- not quite. Commissioner, thank
14 you so much for your leadership and really
15 moving forward.

16 You've answered most of the questions
17 that I had listed regarding our education
18 system. You know, many of our schools have
19 been struggling financially, and it really
20 has been very difficult in terms of the
21 educators really providing the appropriate
22 classroom instruction and so many issues that
23 have really impacted.

24 But phasing in the 2.1 billion that

1 you have noted here is really important in
2 terms of assuring -- we need to move forward
3 with that to be able to assure that our
4 school districts are being provided the
5 funding that enables them to offer our youth
6 the kind of education they need so they are
7 prepared for the future. I mean, this is
8 really, truly essential, and everybody has to
9 understand how important the education is.
10 And certainly with early childcare as well
11 as, as you noted, in the pre-K programs, we
12 also need assistance. Mental health programs
13 as well.

14 And that's something I wanted to raise
15 in terms of the mental health support in all
16 of our schools. In every elementary school,
17 middle school, high school, we need to have
18 psychologists or someone who has that --
19 within that field to be able to provide
20 assistance bringing youth groups together to
21 be able to give our children the chance to be
22 able to have dialogue, conversation, and then
23 recognize if there is any emotional issues
24 that need to be responded to.

1 It is so essential in preparing them
2 for the future, so essential to assure that
3 they have the stability to be able to move
4 forward academically as well. And especially
5 those, you know, with emotional difficulty.

6 And then special ed is another issue
7 that is so essential that you did, you know,
8 raise that issue, and that's very, very
9 important. So we need to provide that, it is
10 so important. And QUALITYstars is also
11 another important -- and I'm glad that you've
12 included that, because that really raises the
13 bar in terms of providing appropriate
14 education for our very young children.

15 Also, you know, as we move forward we
16 need to phase in the full Foundation Aid
17 funding so that we could actually provide our
18 schools with the access to the funding that
19 will enable them to offer a wide range of
20 programs that -- and the number of teachers
21 that we are struggling with also in terms of
22 teachers. There is a discussion -- we've had
23 a discussion about the numbers of teachers
24 that are available outside of New York City

1 is limited, and that's becoming a bit of a
2 problem. So how do we attract our youth and
3 encourage them to go into education,
4 especially when the salaries are not anywhere
5 near where they need to be? But to prepare
6 them and train them, that's one question that
7 I have that really is essential.

8 CHAIRWOMAN WEINSTEIN: You only have
9 two minutes remaining, so if you want the
10 commissioner to respond --

11 ASSEMBLYWOMAN JAFFEE: Okay. And then
12 the other is the mental health. How can we,
13 you know, truly provide it for every
14 elementary school, middle school and high
15 school to be able to provide them with those
16 services?

17 COMMISSIONER ELIA: So let me address
18 the mental health issue. New York State is
19 the first state to have passed a required
20 mental health instruction, age-appropriate
21 mental health instruction. We have been
22 working very closely with the New York State
23 Office of Mental Health and the Mental Health
24 Association of New York. We have put out

1 resources available for our districts and
2 their staffs across the state and have
3 provided trainings for them.

4 We know that there has to be more
5 support and work done, but we are very
6 focused on providing them the resources that
7 are necessary and the training that they need
8 to be able to do this.

9 We're also looking at our health
10 curriculums. And this is an issue related to
11 our staffing, but we don't have a person
12 dedicated to health and our physical
13 education, and yet our standards for health
14 right now -- the last time that they were
15 really updated in terms of a full update and
16 a review with teachers, et cetera, was in
17 1996. And so as you well know, the issues
18 that relate to health and wellness are
19 absolutely critical, including both physical
20 and mental health.

21 ASSEMBLYWOMAN JAFFEE: Physical.

22 Yeah, that was going to be my next question.

23 But -- I'm running out of time, but
24 obviously we need to follow up on the issues

1 involving East Ramapo. I want to thank you
2 for your engagement in this issue.

3 But we need to continue to -- there's
4 certainly more funding that they need
5 desperately, as well as more oversight and
6 interaction. So we need to continue doing
7 that with East Ramapo, as well as one
8 other --

9 COMMISSIONER ELIA: Let me just point
10 out --

11 ASSEMBLYWOMAN JAFFEE: One other
12 question before, because I'm -- is the
13 privates. We need to have a meeting
14 describing what's happening in our private
15 schools, because they are not -- now private
16 schools, most of them, especially in many of
17 the districts, are not providing any kind of
18 ELL education. I know you did recommend some
19 changes.

20 CHAIRWOMAN WEINSTEIN: Thank you.
21 Senate.

22 SENATOR KRUEGER: Thank you.

23 Senator Seward.

24 SENATOR SEWARD: Thank you.

1 And thank you, Commissioner, for being
2 here and also for being so accessible and
3 available to members of the Legislature and
4 our local school districts.

5 COMMISSIONER ELIA: Thank you.

6 SENATOR SEWARD: I was heartened to
7 learn of your grave concerns over the
8 Governor's proposals, including the
9 expense-based aid changes, as being harmful
10 to districts and not accounting for some
11 local conditions. And also, of course, the
12 school level funding requirements as being a
13 further state intrusion into local district
14 administration and control.

15 Would you go one step further in terms
16 of should we be doing away with the reporting
17 requirements of school districts in terms of
18 what they're spending on a school-level
19 basis? Because I know in this past budget
20 there were 75 school districts required to
21 report, the next one 300, and then ultimately
22 700 school districts.

23 COMMISSIONER ELIA: That's right.

24 That's currently in law. And I would say to

1 you I think that we need to be smart about
2 making sure that the work that we're doing in
3 State Education on financial transparency
4 dovetails with the requirements of that law
5 so that we aren't asking our districts, who
6 are taxed anyway in terms of staffing, to do
7 these kinds of reports and make sure they're
8 accurate and all -- that there's only one
9 report.

10 I think that we have been talking
11 about and working with the Division of Budget
12 as the reports were coming in, and we believe
13 that that should be done jointly and that
14 they should be working with us on the
15 reporting, ultimately so that the law can be
16 kept in place, if that's what is determined,
17 but that that meets with the requirements
18 that we have and our financial transparency.

19 SENATOR SEWARD: I heartily agree.
20 And I hear many complaints about the
21 reporting requirements of SED and other
22 agencies. And that costs money for the
23 school districts to generate reports and also
24 it requires staff on the other end to review

1 them. So wherever we can streamline that is
2 a positive.

3 COMMISSIONER ELIA: I agree.

4 SENATOR SEWARD: I wanted to shift
5 gears to the relatively new farm-to-school
6 food purchasing initiative, that 25-cent
7 increase per meal for school districts that
8 meet the 30 percent of New York State
9 products in their cafeteria. That's good for
10 our students and others who are having school
11 lunch and good for our local farmers.

12 Can you tell me how many schools have
13 actually met the minimum requirement of the
14 Farm-to-School Program and are receiving that
15 25-cent reimbursement?

16 COMMISSIONER ELIA: So I'd have to get
17 the exact number to you. We have been very
18 excited about that program because it really
19 does stimulate our local agriculture and it
20 connects the schools to their own
21 communities. Because that's where those
22 farmers are, and they're producing and we're
23 providing and buying their produce.

24 So we're very excited about it. We

1 have expanded the program, and I will get you
2 the exact numbers.

3 SENATOR SEWARD: Okay, that's great.

4 Is there anything -- also, I would be
5 interested in any suggestions you have in
6 terms of what we can do to increase
7 participation in that initiative. I mean, is
8 the 30 percent threshold too high or -- those
9 types of recommendations, so we can increase
10 participation. Because we want our local
11 farmers to benefit, as well as having healthy
12 foods in the lunchroom.

13 COMMISSIONER ELIA: So I think it's
14 important for you to know that the programs
15 that we provide through our schools -- we are
16 the state that actually feeds the most
17 children across the country so -- in our
18 lunch programs, in our breakfast programs and
19 in our summer programs.

20 We have expanded this, and I regularly
21 have meetings with the department, the
22 federal department that runs this program
23 through the Department of Health, and I think
24 it's absolutely critical that we continue

1 that.

2 And then the Farm-to-Table Program,
3 just remember that is going to take -- we've
4 put out some additional support for schools
5 to understand how they can do the
6 calculations. It's something that will take
7 time for school districts to become familiar
8 with how to do the reporting so that they
9 know they meet that 30 percent, and then how
10 to expand it.

11 So we anticipate this is the beginning
12 of the program, but we're very focused on
13 expanding it.

14 SENATOR SEWARD: Great. And we
15 appreciate any encouragement there.

16 I have more questions, but I'll ask
17 for another round. Thank you.

18 CHAIRWOMAN KRUEGER: Thank you.
19 Assembly.

20 CHAIRWOMAN WEINSTEIN: We go to
21 Assemblyman Bronson.

22 ASSEMBLYMAN BRONSON: Hello,
23 Commissioner.

24 COMMISSIONER ELIA: Hi, there.

1 ASSEMBLYMAN BRONSON: First of all, I
2 want to thank you for your service. And I --
3 you know, we in the Rochester area are going
4 through some difficult times. And your
5 efforts and your dedication to help us better
6 the school district is very welcome. So I
7 wanted to thank you for that.

8 I have a couple of questions in
9 connection with the Distinguished Educator's
10 report. You know, I support what I phrase as
11 a call to reboot the system and to look at --
12 I think he listed 11 or 12 different areas.
13 You know, naming a couple of them:
14 Governance, teaching and learning, special
15 ed, English language learners and parent and
16 community involvement, and a number of other
17 things.

18 I see his recommendations as really
19 being -- taking a comprehensive look at the
20 entire district to see where we have failed
21 our students. What alarmed me most, but
22 definitely didn't surprise me, was the
23 conclusion that in far too many instances,
24 adults' interests or needs were put ahead of

1 the students' needs for education.

2 And then, you know, his report that
3 not only gave recommendations, which we've
4 seen conclusion reports before, but this one
5 was very different. It gave detailed
6 recommendations with specific tasks on how to
7 fulfill the objectives of those
8 recommendations, and offered a timeline to
9 put it together.

10 My hope is that the school board and
11 the school district as a whole come back on
12 the deadline, I think it's February 8th --

13 COMMISSIONER ELIA: That's right.

14 ASSEMBLYMAN BRONSON: -- so it's fast
15 approaching, they come back and they
16 substantially approve and support the
17 recommended changes.

18 The key to all of this, though, is how
19 do we address this as a community? How do we
20 come together as a community to really
21 support the changes and to support our
22 students? And I think that has to happen in
23 the community-based services, it has to
24 happen throughout the district, at every

1 school and at every level of management and
2 teaching, and it also has to happen at every
3 level of government.

4 So I guess what I would like to hear
5 from you is if we can put that partnership
6 together and if we follow those
7 recommendations, what would be your reaction
8 if we came together around February 8th --
9 because we're not going to turn this around
10 in a month. We're not going to turn this
11 around probably in six months. It's going to
12 take some time. But if we show a commitment
13 to what was determined through the
14 Distinguished Educator's report and his
15 commitment to us, where would you stand in
16 that situation?

17 COMMISSIONER ELIA: Well, I think
18 you've outlined the fact that it is a
19 comprehensive report. You also alluded to
20 the fact that there were many reports done
21 prior to this time. And I will tell you no
22 one really paid attention to them, we found
23 that out. And when we looked back, we've in
24 fact -- as you I'm sure are familiar, we

1 attached all of those prior reports to this
2 one so that there was even more
3 substantiation of what exactly has to occur.

4 This is a community issue, and I think
5 the community -- I've been out there several
6 times for public community meetings, and I
7 think that there's no question that the
8 children of Rochester need to have the adults
9 in their life come forward and make the
10 necessary changes and/or address the needs of
11 that community in a much more proactive way.
12 And it cannot be we against them, and it has
13 to have everyone focused on a support for
14 change.

15 And I certainly hope that occurs.
16 We're waiting for the report on the 8th, as
17 you pointed out, and we'll see whether or not
18 there is an indication that there's an
19 understanding from the board and from the
20 district on what's necessary to move forward.

21 ASSEMBLYMAN BRONSON: Yeah, I've
22 encouraged all of those folks that you just
23 mentioned to endorse these recommendations in
24 the report and to commit to making those

1 changes.

2 What I liked about this report,
3 though, is that it gave specific tasks and
4 ways to meet the objectives and also proposed
5 a timeline. So I think this is different
6 than the earlier reports in that regard.

7 Thank you.

8 CHAIRWOMAN WEINSTEIN: Thank you.

9 Senate?

10 CHAIRWOMAN KRUEGER: Thank you.

11 Let's see. Since the last time we
12 have been joined by Senator Leroy Comrie and
13 Senator Diane Savino ended up somewhere in
14 the audience. Oh, hello, sorry. Thank you.

15 And our next up is Senator Robert
16 Jackson, who will no doubt point out his role
17 and responsibility for the CFE lawsuit.

18 (Laughter.)

19 SENATOR JACKSON: Thank you. Good
20 morning, Commissioner, how are you?

21 Let me thank you and your staff for
22 trying to do your best under the
23 circumstances.

24 I had -- several questions have been

1 responded to, but I just wanted to clearly
2 let everyone know, if you have not heard what
3 the Governor had said, he said -- the
4 Governor, our Governor Cuomo, said CFE, the
5 Campaign for Fiscal Equity, is a ghost of the
6 past and a distraction to the present.

7 And I was going to ask you, do you
8 believe that? But you've already answered
9 that. You know that's -- you don't believe
10 it. I know that based on what you and
11 Chancellor Rosa -- and what you've said here,
12 you know that the State of New York owes our
13 children over \$4 billion, and the negative
14 impact it's having on their education and
15 their families by not getting that money. I
16 know that.

17 But I say to you that I would -- I'm
18 doing a tour of the state with AQE, the
19 Alliance for Quality Education in New York,
20 and this is the Gazette of Schenectady
21 yesterday, where I visited the school to see
22 the conditions there. And we went into the
23 library, met the library teacher. And the
24 bottom line is she's the only library teacher

1 for three schools. And classes get 45
2 minutes or an hour once every two weeks.
3 Totally not acceptable.

4 I didn't ask the question, what if she
5 gets sick? What if she's on vacation? Who's
6 going to take her place? Where's the
7 continuity of the program that she has?

8 That school is owed \$2 million. They
9 want the money. And in fact the
10 superintendent that you mentioned earlier his
11 name, the district is owed \$46 million, and
12 they've filed a civil rights action against
13 New York State with the federal Department of
14 Education regarding discrimination because
15 the majority of the children in Schenectady
16 are children of color.

17 I'm just raising that these are
18 negative impacts that the budget is having on
19 our children.

20 I was with Kevin Thomas, who is now
21 the New York State Senator representing parts
22 of Hempstead, Long Island, and I stood in
23 front of the Barack Obama Elementary School.
24 The majority -- or all the children in that

1 school are free or reduced lunch-eligible;
2 75 percent are Latino, the majority of
3 everyone else are black, there's only a
4 handful of whites. Two million dollars a
5 year. And I know if I asked you as an
6 educator, what could you do with \$2 million
7 every year in order to improve the outcomes
8 of these students, I know what your answer
9 would be. I know what Chancellor Rosa's
10 would be, and the principals and teachers.

11 That's what we're dealing with. And
12 so what I want to say to you is that can you
13 tell me whether you believe that this budget
14 is enough, put forward by the Governor, to
15 provide our children the opportunity to get
16 an adequate education? And knowing that the
17 adequate education I'm talking about is the
18 minimal standard of education that the state
19 is required to give our children.

20 COMMISSIONER ELIA: So as you know,
21 Senator Jackson, the proposal that the
22 Regents and State Ed put together was a
23 continuation of Foundation Aid divided out
24 over a three-year period, with \$1.66 billion

1 requested.

2 I am very familiar, as you know, with
3 the schools in Hempstead. We've been working
4 closely with that district. I'm also very
5 familiar with Schenectady. There are needs
6 of our students, and we believe that the
7 1.66 billion that we've requested, with the
8 additional add-ons that are part of the
9 overall \$2.1 billion budget, would support
10 more needs being fulfilled in those school
11 districts.

12 SENATOR JACKSON: Well, thank you.
13 You're such an administrative diplomat in
14 putting forward your position.

15 (Laughter.)

16 COMMISSIONER ELIA: Thank you, Senator
17 Jackson.

18 SENATOR JACKSON: So I have a list of
19 schools in my district that under the
20 Executive Budget, regarding the education
21 equity formula, would not get the money that
22 they're entitled to under the Foundation Aid
23 formula. There's 40 schools.

24 And Carmen De La Rosa is the State

1 Assemblymember in the 72nd, the Juan Pablo
2 Duarte School, named after one of the
3 founders of the Dominican Republic. The
4 Eleanor Roosevelt School in the 72nd Assembly
5 District. We have the High School for Math,
6 Science and Engineering at City College, in
7 State Assemblymember Inez Dickens' district.
8 The Chelsea Prep School in Assemblymember
9 Gottfried's district. The Emily Dickinson
10 School in Danny O'Donnell's district. It is
11 like this all over the place.

12 And I understand that you've done your
13 part, and I understand that now it is up to
14 the Legislature and the Governor to get their
15 act together to fund these schools.

16 Thank you. Keep fighting for us,
17 please.

18 COMMISSIONER ELIA: Thank you.

19 CHAIRWOMAN KRUEGER: Thank you.
20 Assembly.

21 CHAIRWOMAN WEINSTEIN: We've been
22 joined by Assemblywoman Malliotakis.

23 And we go to Assemblyman Lifton for
24 questions.

1 ASSEMBLYWOMAN LIFTON: Good morning,
2 Commissioner.

3 COMMISSIONER ELIA: Good morning.

4 ASSEMBLYWOMAN LIFTON: I also want to
5 thank you very much. I think it's so clear
6 to all of us, and I'm sure everyone around
7 the state that you interact with, that you
8 are deeply committed. I'm just thanking you
9 for your concern, caring, obvious dedication
10 to the schoolchildren of New York State.
11 Commissioner, thank you very much.

12 And I want to echo the sentiments,
13 statements of my colleagues about the need to
14 fulfill the CFE decision. Thank you to my
15 colleague in the Senate for all of his work
16 on that over the years. My school districts,
17 almost all of them are still saying, you
18 know, the state gives them a lot of mandates,
19 we ask them to do a great deal, we ask them
20 to do more all the time, frankly with
21 community schools and things that we think
22 are really positive to do and good for kids
23 and good for families. But of course the
24 funding has to come with them.

1 So I very much appreciate and thank
2 you for the Regents recommendation of 1.66 on
3 Foundation Aid and the 2.1, where we are too,
4 on full aid. So thank you very much for
5 that.

6 A couple of quick questions. I
7 appreciate that you talk a lot about BOCES
8 and Career and Technical Education, obviously
9 a growing and important issue. BOCES, I can
10 see you appreciate, is very important in
11 that, upstate especially. And you know,
12 we've had to struggle trying to deal with the
13 issue of BOCES capital, the carve-out from
14 the tax cap. Efforts to deal with that
15 through legislation have not been successful.
16 And now BOCES is looking for some -- both the
17 districts and BOCES. The districts
18 understand how important BOCES is. So
19 they're trying to figure out a way that we
20 can come back at this and recognize the need
21 for BOCES capital.

22 Do you -- the Regents have any
23 thoughts on that, any proposals, any
24 suggestions? That's my first question.

1 COMMISSIONER ELIA: Well, we are very
2 focused on providing Career and Technical
3 Education. BOCES is a critical piece of
4 that -- not the only piece, but very, very
5 important. We believe that in fact by having
6 funding go through and support the
7 programming, whether it's for increasing
8 teacher salaries so that we can get experts
9 from the field to come into the BOCES and be
10 a teacher, whether it's for the capital funds
11 that are necessary. We think that that is
12 very critical.

13 I will say to you that New York State
14 as a state is very blessed to be able to have
15 the system of BOCES that provides supports
16 for our schools. And many of our districts,
17 our large districts, do access the BOCES near
18 them for some of their support. So they are
19 very, very critical in the work that they do.

20 I would also say that that CTE
21 programming that comes from the BOCES where
22 there are strong partnerships with community
23 colleges and in providing internships in
24 places where students then can move to have a

1 job, I think it's a very critical thing.
2 Without continued funding, that will not be
3 able to stay at the level that it is, even,
4 let alone to expand.

5 So those are critical funding points
6 for us, and they relate to the work that the
7 BOCES is doing.

8 ASSEMBLYWOMAN LIFTON: You don't have
9 a very specific recommendation? You're not
10 saying BOCES ought to have its own separate
11 capital line?

12 COMMISSIONER ELIA: Well, we're asking
13 for \$25 million for College and Career
14 Pathways.

15 ASSEMBLYWOMAN LIFTON: Does that
16 include capital for BOCES facilities?

17 COMMISSIONER ELIA: No, it does not.
18 No.

19 And then we also have the pathways
20 for -- that would include funding that would
21 also go to the Big 5 districts that are not
22 part of the BOCES system. So it is a
23 two-pronged approach to support CTE
24 programming.

1 ASSEMBLYWOMAN LIFTON: Thank you,
2 Commissioner. I guess that's something we
3 have to grapple with as a legislature to
4 figure out how we're going to update BOCES
5 facilities that are getting older and older
6 every year. You know, we do it for school
7 districts but we don't do it for BOCES.

8 COMMISSIONER ELIA: That's right.

9 ASSEMBLYWOMAN LIFTON: And they have
10 capital facilities as well.

11 Where are we on teacher recruitment?
12 We know that's been -- and I apologize, I got
13 in here a little late this morning. Teacher
14 recruitment, if it's not already been spoken
15 about, the importance of that. We know
16 there's a looming teacher shortage. And in
17 line with that, I'm not hearing much about
18 the edTPA or concerns, which of course we
19 were hearing a lot about a few years back,
20 and I'm wondering where all that stands.

21 COMMISSIONER ELIA: I will say I think
22 the Regents have worked over the last two
23 years to really address some of the
24 constraints and the real issues that we had

1 in certification processes. And so we
2 eliminated one of the assessments, we have
3 changed the edTPA and the approach that we're
4 taking with that and the assessments.

5 We are -- I want to call out the work
6 that's being done by NYSUT to have meetings
7 across the state to identify the fact that we
8 do have an issue related to recruitment and
9 then retention of teachers. And those are
10 all things that we're working with districts
11 on. And we have opened up the opportunity
12 for certified teachers with three years of
13 successful evaluations to be able to move
14 into New York and have a reciprocal
15 certification, which will, we hope, open up
16 opportunities for our teachers from across
17 the nation to think about New York as a great
18 place to work.

19 CHAIRWOMAN KRUEGER: Thank you,
20 Chancellor {sic}. I'm sorry --

21 ASSEMBLYWOMAN LIFTON: Thank you, that
22 would be great. That would be great.
23 Because I do still hear a lot about blocks to
24 people coming in and getting their

1 certification.

2 Thank you, Commissioner.

3 SENATOR KRUEGER: Thank you.

4 Senator Brian Benjamin.

5 SENATOR BENJAMIN: Thank you, Madam

6 Chair. Thank you, Commissioner.

7 I have a couple of questions on the
8 transparency reporting. And so I want to
9 start out with just making sure I'm clear on
10 how this actually works. So there were
11 76 school districts that had to provide the
12 school-level funding forms this past year;
13 correct?

14 COMMISSIONER ELIA: Yes, they provided
15 them to the Division of Budget.

16 SENATOR BENJAMIN: Division of Budget
17 and SED, or was it just the Division of
18 Budget?

19 COMMISSIONER ELIA: No, they provided
20 them to the Division of Budget.

21 SENATOR BENJAMIN: Okay.

22 COMMISSIONER ELIA: That was a
23 requirement that came out of law last year.
24 And it designated, over a three-year period,

1 there would be a rollout starting with about
2 70, then going to about 300, and then all the
3 districts.

4 SENATOR BENJAMIN: I'm going to get to
5 that in a second.

6 So now what determines whether their
7 request is approved or not? How do you
8 decide -- because it says DOB and SED have to
9 approve the forms. So what's the
10 determination by which you do that?

11 COMMISSIONER ELIA: So I believe that
12 you're referring to the new law that is
13 proposed.

14 SENATOR BENJAMIN: Yes.

15 COMMISSIONER ELIA: And that is
16 different than what is in place right now.

17 SENATOR BENJAMIN: Gotcha. I'm sorry.
18 And how would that work?

19 COMMISSIONER ELIA: So the proposal
20 there is that ultimately -- this is what we
21 believe -- that ultimately the fiscal
22 transparency portion of the Every Student
23 Succeeds Act plan, which was approved by the
24 federal government and now we're in the

1 process of implementing that, we have been
2 working over a two-year period to develop how
3 we want to do financial transparency
4 reporting.

5 What is in the Governor's proposal is
6 ultimately that those two, I believe, get put
7 together. That's not occurred yet. But that
8 ultimately that would occur and that there
9 would be a way to determine -- I'm not sure
10 what that is, but a way to determine whether
11 or not a school in a particular district was
12 receiving the appropriate allocations from
13 their district. And whatever the formula
14 would be, then, that would be communicated to
15 the district to indicate that they should
16 shift the approach they're taking and put
17 more funding in certain districts.

18 SENATOR BENJAMIN: And if they say no,
19 then the funding for the district gets cut?
20 Or does the funding for the school in
21 question get cut?

22 COMMISSIONER ELIA: So we believe that
23 it is in fact if a school district fails to
24 submit a plan -- this is from the actual

1 law -- the department, that's us, would be
2 required to develop and impose a plan on the
3 district specifying the increase in per-pupil
4 expenditures required at each underfunded
5 high-needs school within the district, and
6 order the officers of the school district to
7 implement such plan fully and faithfully.
8 I'm reading specifically from the
9 legislation.

10 SENATOR BENJAMIN: Understood. I
11 guess.

12 So does the -- does SED and DOB have
13 to agree or not? I mean, I'm under the
14 impression that both SED and DOB have to
15 agree for something to be approved. Is that
16 not the case? Or we don't know if that's the
17 case?

18 COMMISSIONER ELIA: So I would say to
19 you the language that I just read is what I
20 know.

21 SENATOR BENJAMIN: That's all there
22 is, okay. All right, I'll move on.

23 I want to talk to you about racial
24 disparities when it comes to school

1 suspensions. We know that there are huge
2 disparities that exist. And I don't
3 necessarily believe that any race is more
4 difficult in school than any other race.
5 Right? So if you accept that premise, the
6 question then becomes what steps can be taken
7 on a state level by your office, et cetera,
8 to try to deal with the climate in schools
9 that helped to create this dynamic? Do you
10 have any thoughts on that?

11 COMMISSIONER ELIA: Yes. We have been
12 working very closely with school districts on
13 the disproportionality that you've
14 identified. It is a reality.

15 We believe there needs to be
16 interventions in districts working on
17 training staff members, working with those
18 staff members on alternate approaches to
19 out-of-school suspension, for instance.
20 There are a number of schools that are doing
21 different types of strategies that support
22 students and teachers to understand these are
23 the things that are a problem, and here's how
24 we're going to address them.

1 Putting children on -- students out of
2 school only puts them at a disadvantage to
3 learn. And we have to figure out a way to
4 not do that. And we know that our leaders
5 across the state in our schools are very
6 focused on this. This really gets to our
7 issue of school climate and bullying.

8 Because it is an issue of school climate.

9 When you're talking about whether or not
10 certain students are going to have a higher
11 propensity to be put out of school, then
12 you're talking about the climate of that
13 school allowing that to occur. And that's --

14 SENATOR KRUEGER: I'm going to have to
15 cut you off on that --

16 COMMISSIONER ELIA: Okay. Sorry.

17 SENATOR BENJAMIN: Thank you, Madam
18 Commissioner.

19 COMMISSIONER ELIA: I'd be happy to
20 talk with you again.

21 SENATOR BENJAMIN: Thank you.

22 CHAIRWOMAN KRUEGER: The Assembly.

23 CHAIRWOMAN WEINSTEIN: Thank you.

24 Assemblywoman Inez Dickens.

1 (Off-the-record comments re mic.)

2 ASSEMBLYWOMAN DICKENS: Good morning
3 and thank you, Commissioner. And good
4 morning to my colleagues and the advocates
5 and the persons, interested persons that are
6 in attendance. And thank you for your
7 advocacy and your work.

8 Question. I was looking at what you
9 presented on ESSA as it works with the needs
10 assessments for schools that are struggling.
11 And there are -- I'm piggybacking on Senator
12 Brian Benjamin's question, because there are
13 certain schools and school districts that
14 have a higher percentage of foster children,
15 homeless students, students that are in
16 domestic violence shelters, whereby their
17 homes are changed and therefore they change
18 in the schools.

19 But those schools that they're
20 attending frequently have struggled with the
21 needs assessment and the evaluations have
22 been negatively impacted. What is ESSA doing
23 to give additional resources to schools and
24 school districts that have this particular

1 problem?

2 COMMISSIONER ELIA: So there is
3 specific funding that goes into schools based
4 on the number of homeless children that they
5 have. And so we believe that's an important
6 source of some resources for those children
7 and the particular schools that are working
8 with them.

9 We also are seeking some additional
10 funding to improve schools transition for
11 students who are in the category of neglected
12 and delinquent. And those are students who
13 have been placed in juvenile justice
14 facilities and may be leaving that juvenile
15 justice facility and going back into a
16 school. So we are working with the
17 Governor's task force. I am a member of the
18 task force. And we're working closely on
19 providing appropriate educational resources
20 there.

21 And then in our ESSA plan we actually
22 have a transition program that's approved for
23 students who are leaving those facilities and
24 going back into schools.

1 And the whole concept of the ESSA plan
2 is to look at -- if a school has been
3 identified, look at what the causes of that
4 would be. And if it is because they have
5 homeless students and/or they have a high
6 number of foster children that they're
7 working with, then what are the resources
8 that can be put to bear to support those
9 students?

10 And you're absolutely right that we
11 have to keep that in mind. I recently had a
12 conversation with Chancellor Rosa about this
13 issue of looking at if you have homeless
14 children and we've got to look at whether or
15 not the attendance data is really giving us a
16 good idea of what's happening at that school
17 and are there ways that in fact that school
18 can really try to intervene there.

19 So those are all things that are part
20 of working with the school to identify what
21 is causing the issues and what students are
22 we providing resources for and do we need to
23 provide different or more extensive resources
24 to support them.

1 ASSEMBLYWOMAN DICKENS: All right,
2 thank you so much. And DOE has told us that
3 graduations have increased. However, with
4 minority students and specifically black and
5 Latino, Hispanic students, that graduation
6 rate has decreased.

7 COMMISSIONER ELIA: No, that
8 graduation rate has not decreased --

9 ASSEMBLYWOMAN DICKENS: In New York
10 City it has.

11 COMMISSIONER ELIA: So I just did the
12 press release on all of that data. We would
13 be very pleased to provide it for you and
14 anyone else who would like to have it. The
15 graduation rate for both groups is going up.

16 But you're absolutely correct that
17 there is a gap that exists between our
18 African-American and our Hispanic students
19 and white students in the graduation rates.
20 So NYSED is focused on these achievement gaps
21 that occur, but both graduation rates have in
22 fact improved.

23 ASSEMBLYWOMAN DICKENS: I would be
24 interested in seeing the data that you're

1 talking about.

2 COMMISSIONER ELIA: Sure.

3 ASSEMBLYWOMAN DICKENS: And thank you
4 very much.

5 COMMISSIONER ELIA: You're welcome.

6 CHAIRWOMAN WEINSTEIN: Senate?

7 SENATOR KRUEGER: Thank you.

8 Senator Anna Kaplan.

9 SENATOR KAPLAN: Thank you,
10 Commissioner. So I represent District 7. We
11 pride ourselves on having --

12 CHAIRWOMAN KRUEGER: Microphone.

13 SENATOR KAPLAN: Thank you. We pride
14 ourselves on having --

15 COMMISSIONER ELIA: District 7 in New
16 York City.

17 SENATOR KAPLAN: No, Nassau County.

18 COMMISSIONER ELIA: Nassau County,
19 thank you.

20 SENATOR KAPLAN: Long Island. So we
21 have some really great schools. We also have
22 a couple of schools like Westbury and Elmont,
23 which I invite you to come and visit with me.
24 They're doing great things, but they are owed

1 a lot of money based on the Foundation Aid
2 formula.

3 So looking forward to working with my
4 Senate colleagues, and Assembly, to see what
5 we can do to really help those schools that
6 really need this funding.

7 Having said that, I also have met with
8 a lot of library administrators who told me
9 the same things as you mentioned today.
10 Libraries have really become like community
11 centers. People really gather for a lot of
12 different programs. And it's a place that a
13 lot of people really trust and feel
14 comfortable.

15 And you talked about having the census
16 being done there. So they wanted to know if
17 there was any funding, because it's going to
18 really create a lot of work for them -- if
19 there was a separate source of funding for
20 them that they could tap into to make sure
21 that they are serving the people who need
22 that help.

23 COMMISSIONER ELIA: So my
24 understanding is that the Governor has put

1 together a task force that is specifically
2 addressing the plans that need to be
3 developed for New York State related to the
4 2020 census. We plan on providing
5 information and supporting those efforts in
6 any way possible. And at this point in time
7 I don't know of any funding that's been
8 allocated, but certainly that may come as a
9 result of it.

10 And there will be schools and
11 libraries included in it. Because I would
12 say to you that -- you pointed out the issue
13 of the libraries; there's really key parts in
14 it. One thing I think you should know, and
15 this is a fascinating statistic, over
16 2.1 million children in the summer reading
17 program participate in library programs
18 across the state of New York. That includes
19 all libraries. But the reading program has
20 grown incredibly because we really have
21 focused on the work the libraries do in the
22 summer with summer reading for children. So
23 that's just an example, I think, to show that
24 libraries are very powerful community-based

1 resources that really need to be tapped to
2 support our communities.

3 SENATOR KAPLAN: That's right. And
4 the funding for them should be really --

5 COMMISSIONER ELIA: And I pointed out
6 earlier, I don't know if you were here, we
7 have requested additional funding of
8 \$5 million to provide opportunities for
9 children to access the libraries. And then
10 also, in addition, I think \$11 million
11 specifically for library facilities.

12 SENATOR KAPLAN: That's great.

13 I've also met with a lot of
14 superintendents. And they tell me about the
15 Smart School Bond Act and how they really put
16 in applications but they don't hear back. So
17 maybe I could work with your office to see
18 where some of those applications are and when
19 they can actually expect to get funding for
20 it.

21 COMMISSIONER ELIA: If you want to
22 contact us with the names of any districts,
23 we can give you an update.

24 We have provided opportunities for

1 them to go online, and they can actually see
2 exactly where they are in the process. But
3 we can provide that information for you and
4 your office as well.

5 SENATOR KAPLAN: That would be great.

6 One other question that I had was with
7 respect to security. Have all the funds from
8 the last round of the safety and security
9 capital grant gone out?

10 COMMISSIONER ELIA: So -- I believe
11 so. But again, we'll check specifically that
12 all the funds have been disbursed on that.
13 We just did a release of Safe Schools money
14 that went out, and it named specific schools
15 within I think about 10 or 12 different
16 districts. But we provided that announcement
17 over -- in both -- the Legislature, so we'll
18 make sure that you get a copy specifically.

19 SENATOR KAPLAN: That would be great.
20 And there's additional funding for this year
21 for the same purpose, correct?

22 COMMISSIONER ELIA: Well, we're
23 requesting funding for this year, and that
24 would be an \$8 million ask. We're looking

1 for 2 million of that to fund technical
2 assistance and an additional \$6 million to
3 expand the number of districts that could
4 have access to grants to be able to
5 facilitate any of the plans that they have
6 related to safe schools.

7 SENATOR KAPLAN: Thank you.

8 SENATOR KRUEGER: Thank you.

9 Assembly?

10 CHAIRWOMAN WEINSTEIN: Assemblyman
11 Barclay.

12 ASSEMBLYMAN BARCLAY: Thank you,
13 Chair.

14 And good morning, still. I had two
15 general questions and one specific question.
16 And you hit around the general questions, but
17 maybe it's worth just trying to hit them
18 again.

19 The school aid formula of course is
20 complicated. A lot would argue, and I would,
21 that it's inequitable. We obviously made
22 some steps forward with the Foundation Aid
23 and trying to simplify it a little bit.

24 If you were the ruler of New York

1 State and you could do anything, what would
2 the first thing you could do to reform
3 the schools --

4 (Laughter.)

5 COMMISSIONER ELIA: Are you making me
6 the ruler?

7 ASSEMBLYMAN BARCLAY: I wish I had
8 that power, Commissioner, but I don't. And
9 if I did, I'd probably make myself the ruler
10 first.

11 (Laughter.)

12 COMMISSIONER ELIA: I'd work with you,
13 though.

14 ASSEMBLYMAN BARCLAY: Thank you. I'd
15 hope you would.

16 COMMISSIONER ELIA: So I don't think
17 there's any question, you have a formula that
18 needs to be updated, that needs to have the
19 level of accuracy that's necessary. As you
20 know, we have changes that have gone on in
21 economic situations across the state, and
22 those are reflected in various parts of the
23 formula. And I think those should be, quote,
24 updated, but then I think you need to look at

1 the formula itself.

2 I don't want to minimize how difficult
3 this would be for all of you. Because you
4 represent areas around the state and -- I
5 mean, obviously someone comes in and you
6 change a formula, there are some people that
7 are going to like the change and there are
8 some people that are not going to like the
9 change. And so I think there's difficult
10 decisions that have to be made.

11 But as we have said, the Regents have
12 been very vocal in saying there needs to be
13 things that are shifted in this formula.

14 ASSEMBLYMAN BARCLAY: Well, I look
15 forward -- I mean, this is something -- I've
16 been in the Legislature 16 years. And again,
17 we did make some changes, but it's something
18 that's been --

19 COMMISSIONER ELIA: Bless you.

20 ASSEMBLYMAN BARCLAY: I know. Thanks.
21 Some say I'm crazy; I think it's probably
22 true. But, you know, I'm somebody that
23 always said we've got to do this, we've got
24 to do it, and we did do a little bit. But I

1 guess -- I think we've got to keep it on the
2 front burner. And I'd be happy to work with
3 the Board of Regents and anyone else who
4 wants to change it and make it for the
5 better.

6 COMMISSIONER ELIA: I think that --
7 the decision for the changes needs to come
8 from your bodies as well as the Governor.

9 ASSEMBLYMAN BARCLAY: Correct.
10 Correct.

11 In my area -- I represent Central
12 New York -- tragically, we've been losing
13 population. We've seen declining enrollment
14 in our schools. Do you have any ideas of how
15 to encourage consolidation or mergers of
16 schools, or have you guys put forth anything?

17 COMMISSIONER ELIA: Well, we have a
18 process that is in place. And I think
19 Senator Little mentioned that she has two
20 districts in her area that actually have gone
21 through consolidation, and they're doing very
22 well. But it does require a vote
23 specifically on consolidation. And we know
24 that there have been many communities that

1 have gotten to the point where they had the
2 vote and then it hasn't passed.

3 ASSEMBLYMAN BARCLAY: Right.

4 COMMISSIONER ELIA: And so I think,
5 again, those are some tough decisions that as
6 we move forward and have some of these
7 constraints, they may be forced to have more
8 serious conversations and decisions.

9 ASSEMBLYMAN BARCLAY: Yeah, I
10 understand the political reality of trying to
11 do that can be very difficult. And I think
12 you often have to try to explain, one, the
13 savings but also the improvement in education
14 that you could have through consolidation.
15 Those are compelling arguments you could
16 make. But I guess we just have to --

17 COMMISSIONER ELIA: So the difficulty,
18 as you know, comes with communities feeling
19 like they no longer have their schools.

20 ASSEMBLYMAN BARCLAY: Right.

21 COMMISSIONER ELIA: The issue,
22 however -- and I think you've hit on it -- is
23 that when you have very small schools, it's
24 much more difficult to provide the full array

1 of opportunities for kids in lots of
2 different areas, in any of the academic areas
3 and in the support areas. And so those
4 things become constricted because of the
5 funding that's available based on the numbers
6 of students. And so, you know, you have to
7 do a lot of things to make sure that happens.

8 There are some very successful
9 districts that are constrained incredibly in
10 that way but they have to double down and do
11 probably three times what a normal district
12 would have to do to be able to make those
13 things happen for their kids. Long Lake is a
14 good example. It's one of the smallest
15 districts in the country, I believe. It's
16 got 59 students K through 12. So in New York
17 we have Long Lake, and we then have New York
18 City. So the variations there are just
19 incredible.

20 But Long Lake has so many different
21 things that are happening at such an
22 incredible level. Every teacher is doing two
23 and three times the schedules that other
24 teachers might do in a larger school.

1 So communities have made these
2 decisions. I think if there's going to be
3 shifts in those decisions, it's going to
4 require an enormous amount of will from the
5 school.

6 ASSEMBLYMAN BARCLAY: All right.
7 Well, thank you, Commissioner. I'll come
8 back for my more specific question later.

9 CHAIRWOMAN WEINSTEIN: Senate?

10 SENATOR KRUEGER: Thank you.

11 I see I'm being joined by Senator
12 Velmanette Montgomery.

13 And the next questioner is Senator Jen
14 Metzger.

15 SENATOR METZGER: In the 42nd
16 District, I represent 31 school districts,
17 largely rural school districts in Sullivan,
18 Delaware, Ulster and Orange Counties. These
19 are predominantly high-tax, low-wealth school
20 districts that are collectively owed over
21 \$118 million in Foundation Aid. This is -- I
22 think around 23 of them have a combined
23 wealth ratio of below 1.

24 Our school districts are faced with

1 insufficient resources and our community
2 members, our residents, are having a hard
3 time affording their homes because of it.

4 I fully support the proposal, the
5 Regents proposal for funding, and will
6 advocate for it. I do think that the
7 overreliance on property taxes is really --
8 that's the big issue and would be interested
9 in hearing your thoughts about that. I know
10 it's a big question, but it creates huge
11 inequities across school districts,
12 geographically across the state, and it
13 divides communities against one another on
14 the question of schools.

15 On the question of mental health --
16 thank you, Assemblywoman Jaffee, for bringing
17 that up. This is really important. I've
18 been hearing from school districts that they
19 have insufficient funding for mental health.
20 The 1.5 million that's been allotted does not
21 seem sufficient to me. I would like to know
22 what you think is an adequate funding level.

23 And then finally, last question, I
24 just want to bring up the Farm-to-School

1 program. Thank you so much, Senator Seward,
2 for raising it. As chair of the Agriculture
3 Committee, I'm hugely committed to seeing
4 that program succeed and see it expand. And
5 I want to know if you think that the
6 10 million allotted is sufficient and whether
7 you've heard from school districts about
8 problems in actually participating in that
9 program, including meeting the 30 percent
10 procurement.

11 I would like to work on, rather than
12 reducing the procurement level, what can we
13 do to make it easier for school districts to
14 meet that procurement level and expand.

15 Thank you very much.

16 COMMISSIONER ELIA: Okay, so on the
17 issue of the school climate and mental health
18 resources, we are requesting -- last year we
19 received \$2 million. We put in place a
20 technical assistance center and we've
21 allocated funds through a grant program.

22 We actually had requested 10 million
23 last year. So we received 2. We're asking
24 for 8 million this year. And again, we would

1 split that funding between technical
2 assistance for school districts to get
3 support -- so training that might be needed
4 for staffs or what -- and then for particular
5 grant programs to districts that have a plan
6 that they want to implement and they need
7 additional resources to do it.

8 Also we have been working, as I
9 mentioned earlier, with the Office of Mental
10 Health at the state level in developing
11 resources for school districts that would
12 help them to implement the required mental
13 health appropriate curriculum. And we think
14 that that's extremely important. We are the
15 only state to have required mental health
16 services and resources available for schools
17 and have it be something that is -- should be
18 touching every child.

19 So that's, I think, extremely
20 important. And we believe that these issues
21 of school climate and bullying and the work
22 that we're doing on DASA, all of those are
23 very, very critical. In this time when
24 civility is not always the case, we believe

1 we have to be working with children about
2 that.

3 On the issue of the farm program, the
4 funding cycle that we have there, I think
5 you've hit on something. Initially this was
6 going to be difficult for districts to be
7 able to figure out how to do it, and we've
8 provided specific tools for them to use to be
9 able to calculate where they are and how they
10 can make sure that they hit the 30 percent
11 and then how they can make sure that they're
12 accurately projecting the funding that would
13 come in to them.

14 We can check to see what we're
15 hearing, but we know that this is going to be
16 a program that will ramp up. Right? It
17 takes time for districts to put the processes
18 in place and then be able to do it.

19 CHAIRWOMAN KRUEGER: Thank you.

20 Assembly.

21 CHAIRWOMAN WEINSTEIN: Assemblyman
22 Otis.

23 ASSEMBLYMAN OTIS: Hi, Commissioner,
24 nice to see you.

1 COMMISSIONER ELIA: Hi, there, how are
2 you?

3 ASSEMBLYMAN OTIS: Thank you for being
4 to a bunch of schools in Westchester and the
5 district I represent. Your visits are always
6 welcome.

7 I want to zero in on a question that
8 was touched upon in your Smart Schools Bond
9 Act answer, which is the Building Unit in
10 SED, which as you know -- you say it's
11 understaffed, we say it's understaffed, the
12 school districts say it's understaffed. And
13 so I get a lot of complaints from school
14 districts about the time it takes to have
15 their normal building plans approved.

16 How many people do you have in that
17 unit? How many people do we need in that
18 unit? This is something in a sense that
19 comes back to us in the Legislature to try
20 and give you the resources. But this is at
21 times slowing up projects, you know, into the
22 next school year and beyond. And so it's
23 really sort of a crisis issue for school
24 districts.

1 COMMISSIONER ELIA: So I understand
2 the crisis that they're facing, and I also
3 understand that when we don't get those
4 approvals in, sometimes the cost of their
5 projects go up and then it's even more
6 complicated for them.

7 We have put in place the opportunity
8 for districts to know where they are in the
9 process. We have controlled who gets in the
10 queue. So we had -- at one point we had
11 school districts that might have submitted to
12 get in the queue early but they really
13 weren't ready to be reviewed. And so if we
14 came to their district plan and went to
15 review it and it wasn't done, then we had to
16 take the time from that staff person to go
17 and talk to the district about you didn't
18 submit all these things that we need. So
19 nothing can go in the queue until it's ready
20 to be reviewed. That has helped some.

21 We also have developed a third-party
22 review process that a district can choose to
23 participate in which will help them to then
24 be able to get their projects reviewed by an

1 engineer or an architect and get themselves
2 like ready for approval from an outside third
3 party through a BOCES CoSer. So we think
4 that's also helped the process.

5 I don't have with me the number of the
6 exact staff members that we have, but we've
7 been working with Civil Service because the
8 difficulty comes in trying to hire architects
9 and engineers at the rate that we can pay who
10 in the real world, the private sector, they
11 in fact can get a higher salary. And so that
12 is a difficulty. We're working with Civil
13 Service to develop some other kind of
14 pathways to career growth that we can start
15 people in at a lower salary and move them
16 forward.

17 So those are all the things that we've
18 done. I think it's extremely helpful for
19 districts to be able to go on our website and
20 know exactly where they are in the process.
21 And as you know, if someone has an issue that
22 they call over, we'll see where they are and
23 figure out what the problem has been.

24 But thank you for your offer to

1 support us in this. We'll get the numbers to
2 you, and I appreciate your help.

3 ASSEMBLYMAN OTIS: Well, the one thing
4 I would add is why we are in this situation
5 is because school buildings are unique and
6 it's not something we can just farm out to a
7 local building approval process, which is
8 another way we could do it.

9 COMMISSIONER ELIA: Absolutely.
10 There's specific requirements at the state
11 level.

12 ASSEMBLYMAN OTIS: But I do think we
13 need to look at this -- you've done some good
14 things with the third-party players and stuff
15 to try and expand this. But I think in
16 addition to the problem with hiring
17 architects, we need to look again at other
18 ways to speed up this process.

19 And I know that's what you want to do
20 also --

21 COMMISSIONER ELIA: Right.

22 ASSEMBLYMAN OTIS: So it's just, I
23 think, a -- it needs to be a priority for the
24 Legislature as well to see if we can find

1 some better solutions, because this is really
2 holding up -- in some cases it's holding up
3 issues related to security improvements at
4 schools, which is a serious issue as well.
5 So --

6 COMMISSIONER ELIA: We agree.

7 ASSEMBLYMAN OTIS: -- thank you for
8 your answer, and I yield back the rest of my
9 time.

10 CHAIRWOMAN WEINSTEIN: Thank you. You
11 get extra points.

12 COMMISSIONER ELIA: You may be the
13 only one that's done that.

14 CHAIRWOMAN WEINSTEIN: Senate.

15 SENATOR KRUEGER: Thank you.

16 Senator Leroy Comrie.

17 SENATOR COMRIE: Thank you, Madam

18 Chairs.

19 Good morning, Commissioner.

20 COMMISSIONER ELIA: Good morning.

21 SENATOR COMRIE: I'm Senator Comrie.

22 I'm from Queens, School Districts 29, 28, 27,
23 primarily, just to reorientate you.

24 So I wanted to talk to you about a

1 couple of things around bullying. I see that
2 you've talked in your budget about trying to
3 put \$8 million into a budget request to
4 create high-quality school environments. I'm
5 concerned that I'm getting -- I'm sorry, I'm
6 getting questions from parents and teachers
7 and administrators about the in-school
8 suspensions that are happening within schools
9 where children that are creating chaos within
10 a classroom or a lunchroom are allowed to
11 stay in the building during the suspension
12 time. The quality of the atmosphere in the
13 school is disturbed as a response to that.
14 Those being victimized by the bullying are
15 still exposed to intimidation and fear.
16 Parents then feel that their only choice is
17 to remove their children that are doing well
18 from the building because they don't feel
19 that their child can ever get into a positive
20 school environment when the bully is still
21 within the school building.

22 I think this is counterproductive to
23 the school environment, and I think that's
24 something that we really need to look at in a

1 serious way. I would hope that you could let
2 me know if there's a statewide standard
3 regarding in-school suspensions and what is
4 being done to make sure that we can protect
5 the atmosphere of a school, and understanding
6 that we need to improve the ability of all
7 students in the school to learn.

8 COMMISSIONER ELIA: Well, I think that
9 the point that you've made that you can't
10 just say to a school district, a particular
11 school and their staff: Nobody can get
12 suspended. You have to have in the school a
13 plan in place on how you're going to deal
14 with different behaviors. And that's some of
15 the work that we're talking about related to
16 school climate.

17 How do you have, in a school, a
18 disciplined environment that can support
19 learning but also make sure that there are
20 not discriminatory practices against certain
21 groups of students? And I think that whole
22 issue has to be dealt with as the climate of
23 the school and the work that's being done by
24 the leaders of the school and the staff at

1 of a community and a school's climate, and we
2 have to address those issues.

3 SENATOR COMRIE: I agree with you,
4 those issues need to be addressed. I'm
5 concerned that I have parents that are just
6 leaving the school because they're not being
7 given a chance to address those issues or to
8 see any positive change in the school
9 environment or even participate in those
10 discussions.

11 So I would hope that we take a real
12 look at what's going on within New York City.

13 COMMISSIONER ELIA: If you'd like to
14 provide any specific information to us, we'll
15 follow up.

16 SENATOR COMRIE: I'll give you the
17 specific schools. I'll send them to your
18 office.

19 But I think that there's an overall
20 culture that I'm getting from many teachers
21 that are not just teaching within my district
22 but around the city that, you know, it's
23 creating a destabilizing environment and
24 there's no one structure that is making it a

1 positive environment for parents to feel that
2 they're getting their issues addressed and
3 that the climate is improving in the school
4 as a result.

5 And we want to make sure that the
6 public schools can attract parents that are
7 interested in being in the school. And my
8 district has one of the highest median
9 incomes; parents will just walk away as
10 opposed to -- and those are the parents that
11 we need in the schools.

12 COMMISSIONER ELIA: Right.

13 SENATOR COMRIE: Thank you.

14 SENATOR KRUEGER: Thank you.

15 Assembly.

16 CHAIRWOMAN WEINSTEIN: Assemblywoman
17 Simon.

18 (Off the record.)

19 ASSEMBLYWOMAN SIMON: Thank you,
20 Commissioner, for your testimony and for your
21 great work.

22 I wanted to address, if I could, one
23 of the points in your proposal with regard to
24 expanding access to early learning that I

1 believe is such a critical piece of what we
2 need to be doing more of in New York State.

3 And, you know, one of the points you
4 make that these services need to be
5 developmentally appropriate and responsive to
6 culture, race, ethnicity, language,
7 citizenship status, socioeconomic status.

8 And I also wanted to ask about how you saw
9 disability in that group. Because for so
10 many kids, we don't yet know what learning
11 challenges they may have. I believe we need
12 to get to a sort of universal early screening
13 for signs of reading failure, for example, to
14 see who is at risk, kids with dyslexia or
15 learning disabilities that may not be
16 diagnosed for many years.

17 Could you address that issue, please?

18 COMMISSIONER ELIA: Sure.

19 So we have requested \$20 million to
20 expand the number of seats available for
21 pre-K across New York State. That would get
22 us to almost 70 percent of the 4-year-olds in
23 New York having access to those programs.

24 The Governor's proposal, his budget

1 does propose \$15 million. And we appreciate
2 the fact that that's in there. Our proposal
3 was higher.

4 As you're aware, we had a blue ribbon
5 committee of Regents that led the work
6 related to early childhood education, and one
7 of the proposals that came from that was that
8 we wanted to -- and we've asked for funding
9 of \$6 million to expand the opportunities for
10 our students who have an IEP, who have been
11 identified early in their life that they
12 would have the ability to be in an
13 inclusionary pre-K program that then would
14 have them with their chronological peers.

15 We believe that that would be
16 particularly helpful and it would help us to
17 do this pilot to be able to determine how we
18 could appropriately fund that.

19 So we're requesting \$6 million
20 specifically for the issue of supporting an
21 inclusionary program with students with
22 disabilities and being in a regular pre-K
23 classroom with their chronological peers.

24 ASSEMBLYWOMAN SIMON: Thank you. I

1 think that's great. I think that -- and
2 first let me just sort of backtrack. There
3 was a law passed about a year or so ago, the
4 Governor signed it, that required a
5 stakeholder group to look into dyslexia and
6 the use of the word "dyslexia" in IEPs and in
7 eligibility documents.

8 And I wanted to compliment your
9 department for pulling together a great
10 stakeholder group that included people from
11 all around the state, various backgrounds and
12 disciplines, and the folks from the
13 department that worked with us on that did a
14 really terrific job.

15 But I think one of the things that
16 came through is this issue of early
17 identification for those kids, for example,
18 that traditionally would not be picked up and
19 be the IEP kids early on that you would know
20 to include into an inclusionary program. But
21 those ones that aren't showing, you know,
22 very dramatic or gross signs of having a
23 disability at that juncture and looking at
24 better ways of identifying these issues

1 earlier on so that we can address them.

2 COMMISSIONER ELIA: Yes. I was a
3 member of the Governor's Medicaid redesign
4 and the work that was done in the first
5 thousand days. And that particular workgroup
6 was also very interested in making sure that
7 if there were any issues that were seen in
8 very young children, that in fact there would
9 be a partnership between the educational
10 sector and the healthcare sector to make sure
11 that we could ultimately support those
12 children earlier and intervene with them for
13 success.

14 And I think what you're talking about
15 is exactly speaking to that issue. And many
16 times that would become available in the
17 healthcare status, if you will, of a child
18 who is 1, 2 or 3 years old and they were
19 having difficulty. Those would be
20 developmentally identifiable characteristics
21 that then that information could support
22 schools intervening early.

23 ASSEMBLYWOMAN SIMON: Thank you.

24 CHAIRWOMAN WEINSTEIN: Thank you.

1 Senate.

2 SENATOR KRUEGER: Thank you.

3 Senator Antonacci.

4 SENATOR ANTONACCI: Thank you, Madam
5 Chair.

6 Commissioner, Robert Antonacci from
7 Syracuse, New York. I, like many of my
8 colleagues, am a proud parent of a public
9 school child. My daughter turns 18 on
10 Friday, she's in the top 10 of her class, and
11 I say that more to embarrass her than
12 anything else. But --

13 (Laughter.)

14 COMMISSIONER ELIA: Well, I hope she's
15 watching.

16 SENATOR ANTONACCI: She may be.
17 Maybe.

18 And I recognize that my favorite
19 superintendent from my area, Superintendent
20 Alicea from Syracuse, is here with us today,
21 so I want to thank him for coming.

22 During my campaign -- I'm new here,
23 this is my first year -- education was a big,
24 big component of our campaign. I ran against

1 a schoolteacher, wonderful guy, a friend of
2 mine, actually, and we talked about
3 decoupling the tests, which I supported and
4 voted for. I believe in local school board
5 control, so I'm a fan of local action.

6 But I want to take a look at the macro
7 level. We're running out of students, and
8 hence population. We all know the reports
9 are out there. The Governor just announced a
10 \$2.3 billion revenue shortfall. And I know
11 that many of the education proponents are
12 asking for more money. I also believe that
13 the education aid formula is broken and we
14 need to fix that. I don't think there's any
15 disagreement amongst my colleagues. And this
16 is probably your best chance to get that
17 fixed.

18 But we spend more money per pupil than
19 any state in the union. And the reports that
20 I've looked at, U.S. World Reports, the
21 center for studies that are governed by the
22 federal government -- I forgot the exact
23 acronym -- say that our results are not up to
24 speed. Massachusetts and New Jersey, in a

1 couple of reports that I saw, are number one
2 and number two.

3 So I guess my question is, if you were
4 to get more money, what are you going to do
5 with it? How do we guarantee that the
6 taxpayers are going to get a better bang for
7 their bucks? And is it only money that we
8 need to fix, or are there other issues?

9 COMMISSIONER ELIA: Well, so let me
10 address one of the things that you brought
11 up. I do think it's difficult to look across
12 the states and say, okay, what's the
13 graduation rate in one state compared to
14 another, when the rules for graduation aren't
15 the same.

16 I also think equally, when you look at
17 test scores, unless you have a national
18 assessment that everyone has checked against
19 their standards -- which we don't have in the
20 United States -- then you can't really do
21 comparisons there.

22 So there are difficulties with that,
23 you certainly can say that certain districts
24 and states are at the top of the pack,

1 perhaps. But I think that there's some
2 question as to how you do the comparisons.

3 But regardless of that, your question
4 was to me if I was receiving more funding.
5 We're talking about districts across the
6 state receiving funding, and I think that's a
7 really key point. If I was in Syracuse and I
8 was the superintendent -- and I know Jaime is
9 here with us today -- I'm not telling him how
10 to fund his schools, but I'm telling him
11 there are ways that you can look at what's
12 working in your schools and what isn't and
13 make changes where you need to make them.
14 And very often that would require additional
15 funding. And I think if we asked him, he
16 would say that that's the case.

17 You have many other districts,
18 probably, districts that you represent, that
19 are not in the same situation as Syracuse
20 City School District, and they are relatively
21 successful in our systems. And I think that
22 we need to look at what's happening in those
23 districts, what's happening in the City of
24 Syracuse districts, and what can we do to

1 make sure that those things are shared and
2 they're a joint resource, if you will.

3 You actually in Syracuse have the
4 proposed work that's being done to put in a
5 STEM program that would be servicing all of
6 the districts around there, including
7 the STEM --

8 SENATOR ANTONACCI: Including STEAM,
9 right?

10 COMMISSIONER ELIA: Right.

11 SENATOR ANTONACCI: I think that's
12 going to be a renovation.

13 COMMISSIONER ELIA: Goodness knows I
14 should have said STEAM.

15 But I would say to you that that's a
16 perfect example of sharing resources, making
17 sure that it's available for all districts,
18 and then -- and by the way, I think that's
19 going to require additional resources either
20 coming from the community or from state
21 funding.

22 But the point is there are ways to do
23 that to improve.

24 SENATOR ANTONACCI: Okay. And thank

1 you for your full answer. I've got about a
2 minute left. I think you've already been
3 asked about this concept of rich school
4 versus poor school. And if you haven't, I
5 hope somebody else will.

6 But my question, I got -- you know, as
7 you said, I've got some ruralness to my
8 district. With the Governor's proposal
9 regarding school bus stop cameras, my
10 understanding is there's no funding for this
11 initiative. Should there be?

12 COMMISSIONER ELIA: Safety is
13 absolutely critical. If a parent sends their
14 child out to go on a bus, they have to know
15 that that is a safe environment. In many of
16 our communities, even in our rural
17 communities, the concept of having a bus stop
18 is not universal for cars to stop. And we
19 have a big problem.

20 So if that's necessary in a community,
21 I'm in favor of it, because safety is more
22 important.

23 SENATOR ANTONACCI: Thank you.

24 CHAIRWOMAN KRUEGER: Thank you.

1 Assembly.

2 CHAIRWOMAN WEINSTEIN: Assemblyman
3 Otis -- I mean Ortiz. I'm sorry, Mr. Otis
4 went already.

5 ASSEMBLYMAN ORTIZ: Ortiz and Otis is
6 similar. We get confused all the time.

7 Commissioner, good morning or good
8 afternoon, I think -- good afternoon -- and
9 thank you for being here. I have a couple of
10 questions regarding the article that came out
11 on the beautiful Daily News, this is a
12 commercial for them, about the 124 schools
13 that have been put on as struggling by the
14 state's list, which four of them happen to be
15 in my district. Three of them happen to be
16 in Red Hook, what is a very disadvantaged
17 area.

18 And I know some metric was used. I
19 just have a quick question regarding what
20 difference will this new rating system make
21 in regard to the performance of the schools
22 and what the state is planning to do in order
23 to help the schools get out of the struggling
24 list.

1 COMMISSIONER ELIA: So yes, we
2 introduced a new accountability system. It
3 is associated with the federal ESSA plan that
4 was approved last year. We are -- we put out
5 the list, and you're correct that those lists
6 probably went out about a week and a half
7 ago.

8 We are looking at a number of
9 different components that were not included
10 in our prior accountability system. So
11 instead of just proficiency, it also looks at
12 growth of students. So we feel like that is
13 a fairer way to look at and have a
14 combination of both factors. We're looking a
15 the attendance rate of students going to
16 school. Because if kids aren't in school,
17 they can't learn. We're looking at a number
18 of other factors.

19 We could -- if you -- Assemblyman
20 Ortiz, if you have a particular school that
21 you'd like us to look at, we could provide
22 you the information on the actual
23 accountability factors that would have
24 influenced that school.

1 Another factor we're looking at is the
2 performance of specific subgroups of
3 students -- so, for instance, they're
4 Hispanic students or perhaps they're
5 African-American students -- whether they are
6 in fact performing at the same level that the
7 students in that same group of students is
8 performing across the state. And if they're
9 not, then they might have been identified as
10 a targeted support and improvement school,
11 which means that they have one particular
12 group or problem at their school that they
13 need to address.

14 So we have a number of things that
15 we're doing to support them. We have an
16 integrated team going in to work with them to
17 analyze exactly what the data is showing.
18 They work with staff members at the school
19 and with students, and they see what people
20 are saying within the school is the problem.
21 And then they come up with a plan, which has
22 to be approved as a community plan. So
23 individuals from the community, including the
24 parents, et cetera, work with the leadership

1 at the school to come up with the plan. And
2 then they have -- they use funding that they
3 receive specifically -- if they're a targeted
4 school, they'll get some funding through the
5 federal government. We put money in there,
6 and then they can use that to support their
7 plan.

8 ASSEMBLYMAN ORTIZ: Okay. This is
9 great and good, good and great for the
10 people -- for my people to hear this. But
11 the main concern that I have with Red Hook
12 and Sunset Park -- for example, Red Hook is a
13 very struggling neighborhood. And I'm
14 wondering if some of the behaviors of the
15 students and the neighborhood was also
16 keeping -- was putting in place.

17 But I also would like to say that back
18 in October, when we had public hearings here,
19 October or November, I think, or last year we
20 had hearings through the Education Committee.
21 I did invite you to come to my district to
22 visit my district. And since October 13 -- I
23 would say, just to be fair, on October 29,
24 11/13, 12/12, and after -- yesterday was when

1 we finally got a response saying we're still
2 looking to find out when can we come to your
3 district.

4 Now, the schools that are on the list
5 was the schools that I mentioned to you at
6 that point that I would have loved for you to
7 come to see them before we have put them on
8 the list or they will -- even if they were
9 planning to be on the list already, that was
10 okay with me to some extent -- not that
11 that's fair. But at least you could have had
12 the opportunity to see the school, also to
13 visit and chat with the parents. In other
14 words, what I was getting from you folks on
15 the other side, the schedules, was, well,
16 we're working with New York City to see which
17 school we can go to see.

18 Well, let me just say this. I
19 represent School District 15 and School
20 District 20, and we're having another big
21 issue because according to the -- schools are
22 now funded in an equity formula, as one of
23 the Senators mentioned before. I have a
24 total of eight schools right here which I

1 share with Senator Montgomery, which I share
2 with Senators Gounardes and Parker.

3 And I hope that we can talk about this
4 in the future as well, because coming to the
5 district will be a wonderful experience for
6 you as well as for the people in my district.
7 Thank you.

8 CHAIRWOMAN WEINSTEIN: Thank you.
9 Senate?

10 COMMISSIONER ELIA: I just want to
11 respond for just a moment. Assemblyman
12 Ortiz.

13 ASSEMBLYMAN ORTIZ: (Inaudible.)

14 COMMISSIONER ELIA: Oh, I'm sorry.
15 Excuse me. I didn't want to take your time.

16 SENATOR KRUEGER: You'll just have to
17 meet with him at another time to discuss it.

18 COMMISSIONER ELIA: That would be
19 great. I'll try to do that.

20 CHAIRWOMAN KRUEGER: That was the
21 setup, so he got the meeting with you. Thank
22 you. Sorry.

23 Hi. It's my turn, so thank you.
24 You've sat down for three hours with us.

1 So just so that I make sure I
2 understand, you really do think we need to
3 fix the education funding formula so that we
4 ensure adequate funds to rural school
5 districts, school districts with high-needs
6 kids, school districts with a formula that
7 simply isn't leaving them enough for the
8 quality education. You said it would be
9 tough for us to deal with how do we do it,
10 but you agree the system we have now isn't
11 working right.

12 COMMISSIONER ELIA: I absolutely agree
13 that it needs to be reviewed.

14 SENATOR KRUEGER: Thank you.

15 And also, if I gather how you answered
16 questions, you really think that the
17 Governor's proposed change in the per-school-
18 within-district system would not get us to
19 where we need to go. Is that a fair
20 statement?

21 COMMISSIONER ELIA: So I would say to
22 you that it totally changes the focus of
23 having transparency. I think the important
24 concept of transparency is that people

1 understand it. I don't know that the
2 commissioner sitting in a building in Albany
3 or anybody in DOB are the ones that
4 understand why things are happening in
5 specific schools. The local districts are
6 responsible for that. That's local control.

7 I believe that if -- if I think that
8 there's a school that is not getting enough
9 funding, I would call the superintendent and
10 say, Listen, would you look at this? Because
11 it looks like there's something going on
12 here. But that is an important process that
13 is part of the local control. And that's why
14 you give funding to districts.

15 And we have laws related to those in
16 charge in districts. And I think it's
17 important for us to have input and talk
18 through these issues. But I am not in favor
19 of the Commissioner of Education being the
20 person that tells a district how to
21 distribute their money.

22 SENATOR KRUEGER: I agree. But I
23 don't even think it would be you. I think it
24 would be the Governor's office, actually.

1 COMMISSIONER ELIA: It's a little
2 unclear, but I think I'm named in there.

3 SENATOR KRUEGER: Okay. But again,
4 many of my colleagues have already
5 highlighted -- just, again, to reemphasize,
6 so I represent a district of Manhattan
7 Island, the small island south of us. And
8 just because of the geography and the type of
9 buildings, there's a huge number of buildings
10 technically in my district which are not
11 zoned schools. So the kids come from all
12 five boroughs -- high schools, middle
13 schools, special-need schools, all of the
14 schools for the deaf in the City of New York,
15 for example.

16 So the concept that you would define,
17 evaluate that the income of people who live
18 in certain neighborhoods somehow correlates
19 to the schools in those neighborhoods and
20 hence the kids who go to those schools is a
21 complete falsehood for the City of New York.

22 So I think many of us were trying to
23 get to that point. I just wanted to just get
24 confirmation that's how you read it also.

1 COMMISSIONER ELIA: Well, I think
2 there's explanations for all those decisions
3 that are made, and that's the part that is
4 really specific to the local community. And
5 you've just brought up a very good example of
6 it.

7 SENATOR KRUEGER: Thank you.

8 I think the very first question for
9 you was about the school bond act. What year
10 was that passed? For the technology and the
11 school buildings.

12 COMMISSIONER ELIA: Was it '14? It
13 was right before I became commissioner. We
14 didn't have too many plans that had come at
15 that time. '13 or '14 --

16 CHAIRWOMAN KRUEGER: So now it's 2019.
17 And you said --

18 COMMISSIONER ELIA: I'm sorry, it was
19 '14.

20 SENATOR KRUEGER: Thank you. So it's
21 now 2019. You said about -- less than half
22 the money has gone out the door.

23 COMMISSIONER ELIA: Yes. I think I
24 said 800 and -- 600 plans have been approved.

1 But understand, you could have more than one
2 plan for any single district. And so we have
3 600 plans approved, but it's about
4 1.28 billion. So more than a half of it's
5 gone out.

6 SENATOR KRUEGER: But the other
7 1.2 billion, people haven't requested that?

8 COMMISSIONER ELIA: No, it's actually
9 a \$2 billion bond, so it would be
10 approximately 72 million -- billion -- no,
11 720 million has not gone out yet.

12 We could have plans against that
13 amount. But we certainly don't have all the
14 plans. I mean, I would tell you there are
15 many districts that have not put their plans
16 in yet.

17 CHAIRWOMAN KRUEGER: I just want to
18 point out --

19 COMMISSIONER ELIA: My math is a
20 little bit off there, I'm sorry. Here I am
21 as the commissioner, and I have a math issue.

22 (Laughter.)

23 SENATOR KRUEGER: I just want to --
24 the Empire State building is in my district.

1 Do you know how long it took to build it?

2 COMMISSIONER ELIA: No. Do you?

3 SENATOR KRUEGER: I do, 19 months.

4 COMMISSIONER ELIA: Nineteen months?

5 CHAIRWOMAN KRUEGER: Yes.

6 And it's five years, and we still
7 can't get this money out to our school
8 districts. I'm just saying that we have --

9 COMMISSIONER ELIA: And let me point
10 out -- I think I mentioned it once, but I
11 want to say it again -- we never received any
12 staff to be able to review all the plans that
13 are required to be reviewed. And the
14 specificity with which they have to be
15 reviewed so there is not problems with the
16 bonding is very, very detailed.

17 SENATOR KRUEGER: And for the record,
18 I do not think you have adequate funding
19 within SED to do the many things we are
20 asking you to do, so I agree with you on
21 that. I'm just pointing out some things can
22 get done really quickly in the world and some
23 things just never seem to get done.

24 The Department of Health was here --

1 that was yesterday. It feels like years ago.
2 Helene and I spend many important hours of
3 our lives here -- and a question came up
4 about doing away with the religious exemption
5 for vaccinations. Given the fact that we
6 have a -- not just a crisis here in New York,
7 but a growing crisis on a national and
8 international level, does SED support ending
9 the religious exemption for vaccinations in
10 order to try to protect our children from
11 these dangerous diseases?

12 COMMISSIONER ELIA: I do not support
13 totally ending it. I do think that we look
14 very closely -- we work in partnership with
15 the Department of Health. I think we have to
16 look very closely at making sure that it is
17 as tight as it can be. But I do think that
18 there are appropriate -- should be
19 appropriate opportunities for parents who
20 want to, to request a religious exemption and
21 to prove that in fact they should have it.

22 SENATOR KRUEGER: And the Governor's
23 budget cuts \$7 million from you for
24 compliance with immunization policies. What

1 is that going to mean? What won't you be
2 able to do with the loss of \$7 million for
3 state immunizations?

4 COMMISSIONER ELIA: So I'm going to
5 have to get back with you on that.

6 SENATOR KRUEGER: Thank you. I
7 promised I wasn't going to use my whole
8 10 minutes, so thank you very much.

9 Assembly.

10 CHAIRWOMAN WEINSTEIN: Thank you.
11 We're going to go to Assemblyman Mosley now.

12 ASSEMBLYMAN MOSLEY: Thank you, Madam
13 Chair.

14 Just one question that -- it has a
15 fiscal link, but maybe it's more for my -- on
16 a grander scale. A couple of weeks ago
17 myself, along with Assemblymembers Simon and
18 Barron, held a town hall on the specialized
19 standard -- the SHSAT and the impact that the
20 number of limited seats to our standardized
21 high schools in New York City has created
22 this dynamic with parents are fighting over,
23 you know, the standards that are presently
24 now versus those who want to kind of

1 revolutionize or change the standards by
2 which we try to diversify our student body
3 populations in those standardized high
4 schools.

5 From a fiscal perspective, my position
6 has always been to always expand the number
7 of seats. If we do that, we expand the
8 number of opportunities for scholars. But at
9 the same time I know we have fiscal
10 constraints that prevent us from doing so. I
11 know we've asked a couple of the Board of
12 Regents members to be on that panel, and
13 unfortunately they could not be on those
14 panels. But for the record, from a fiscal
15 perspective on a much grander scale going
16 forward -- because sometimes we always kind
17 of look back or look at the present. But
18 going forward, do you ever see yourself in a
19 position where the state could see itself
20 building out more state-of-the-art STEM
21 schools that would meet not only current
22 demands but future demands in an effort to
23 meet the ever-changing global economy that is
24 heavily STEM-based? So that we're not always

1 looking to play catchup, but we're actually
2 kind of moving forward.

3 COMMISSIONER ELIA: So the Governor in
4 his proposal has identified a STEM school
5 that he would like to run. I mentioned one
6 that we have coming in Syracuse that is a
7 partnership with a number of private entities
8 there as well as public entities, to try to
9 put together the STEM opportunities there,
10 and it would join and bring together students
11 from a number of different districts, both
12 suburban and urban and rural there.

13 I believe that there certainly is the
14 opportunity to put in programs in districts
15 around the state, and particularly where we
16 know we have facilities available and can use
17 those facilities then to put together a
18 specific program. It might require that
19 there be some construction available for --
20 in terms of making shifts to what's available
21 in the facilities. But I would suggest to
22 you that those things would be possible, and
23 in fact those should be the areas that we are
24 expanding in terms of what's available for

1 students. Because as you pointed out, there
2 are many, many opportunities for students who
3 don't have exposure to that approach to
4 education, which is very integrated and is
5 looking at jobs and opportunities that are
6 available today for students to move into,
7 into that work environment.

8 ASSEMBLYMAN MOSLEY: So do you think
9 that from a public policy perspective the
10 manner in which we select students -- just
11 for the record, because I don't think I
12 clearly have a definitive answer on record as
13 to where you stand in regards to policy,
14 public policy in terms of admissions and
15 procedures for those who wish to enter into
16 those specialized high schools.

17 COMMISSIONER ELIA: So I think you
18 know there's law in place related to the
19 specialized high schools. I am absolutely
20 supportive of making sure that kids have
21 those opportunities. And I think that one of
22 the ways to do that is to expand those
23 placements. You have very set numbers of
24 seats available. And it is possible that

1 those be expanded and that then there's
2 opportunities for students from all over the
3 city to be able to do that. And we're not
4 talking just about New York City, but we're
5 talking about the rest of the state.

6 So if there are programs available in
7 one area and we think that they're quality
8 programs, then there should be quality
9 programs in other places where students can
10 access them.

11 ASSEMBLYMAN MOSLEY: Thank you.

12 CHAIRWOMAN WEINSTEIN: Thank you.

13 We've been joined a little while ago
14 by Assemblywoman Aileen Gunther.

15 Now to the Senate.

16 SENATOR KRUEGER: Thank you.

17 We're starting our second round, which
18 will be five minutes for the chairs and three
19 minutes for everyone else, starting with
20 chair of City Education John Liu.

21 SENATOR LIU: Thank you, Madam Chair.

22 I know a lot of people have asked you
23 this already, Commissioner. I started asking
24 you this in my first round. But you stated

1 that the law says that the SED would be able
2 to withhold funds if the school-specific
3 funding was not enacted as envisioned by the
4 Division of Budget in the Executive Budget.
5 Am I correct in understanding that's what you
6 said?

7 COMMISSIONER ELIA: Yes. Let me read
8 specifically the language so there's clarity.

9 SENATOR LIU: Well -- I'm sorry. So
10 you're going to read the language in the
11 legislation?

12 COMMISSIONER ELIA: From -- yes,
13 from --

14 SENATOR LIU: But that's
15 legislation -- that's proposed legislation,
16 right? That's proposed budget legislation.

17 COMMISSIONER ELIA: It's in the
18 Executive Budget.

19 SENATOR LIU: Okay.

20 COMMISSIONER ELIA: Is that what
21 you're asking?

22 SENATOR LIU: Yes. So bottom line, we
23 in the Legislature, we can change that
24 language. I mean, that's just proposed

1 language.

2 COMMISSIONER ELIA: Absolutely.

3 SENATOR LIU: So we can change it so
4 that the districts, meaning, you know,
5 New York City as a school district, or
6 Buffalo or Rochester, they would get their
7 money and we wouldn't have to -- the local
8 school districts wouldn't have to allocate it
9 exactly the way that the Division of Budget
10 envisions, and the school districts would
11 still get their money. That's --

12 COMMISSIONER ELIA: Yes. So let me
13 clarify what I think is a very important
14 point. I'm not sure that this proposal gets
15 to it. But I think it is very important for
16 all of us to understand that when funding
17 goes into a district, it should be allocated
18 based on the needs of the students in that
19 district.

20 And I think that's really the issue
21 that this language is getting to. There is
22 much more imposition from outside in the
23 language that's proposed than I believe is
24 important. But I do believe there has to be

1 a connection to the most-at-risk students in
2 a district and at a school to be having
3 access to the funding that's available.

4 SENATOR LIU: Sure. And the local
5 school districts presumably are taking that
6 into account. How they take it into account
7 may be -- there may be a difference between
8 how the Division of Budget takes that into
9 account and how the local school district --
10 I would defer to the local school district to
11 make those kind of decisions. And I'm
12 gathering that's -- I don't want to put words
13 in your mouth, Commissioner, but I felt like
14 that's what you were saying in response to
15 Senator Krueger.

16 COMMISSIONER ELIA: It is what I'm
17 saying. No, it absolutely is what I'm
18 saying. I think I've been very clear. I
19 really believe that what the transparency can
20 do is really make the conversation available
21 for other people in the community to be part
22 of. And I think that's important.

23 SENATOR LIU: All right. Terrific.
24 All right, just two more questions. I'm

1 running out of time here.

2 But number one, it would be helpful --
3 you can't do this right now, but helpful to
4 give us a sense, or maybe just my office a
5 sense as to where we are on the \$2 billion of
6 bonded capital. Is that all allocated
7 already, or is there still more that's --

8 COMMISSIONER ELIA: No, it is not.
9 We'll give you the updated numbers.

10 SENATOR LIU: Okay, great. And then
11 finally, the New York City mayor is very
12 proud of the increased or I guess
13 historically high graduation rates in
14 New York City. My question to you is, what
15 is your assessment of New York City
16 graduation rates relative to the rest of the
17 state? Is it really phenomenal? Is it okay?
18 Or, you know, do we still need improvement.

19 COMMISSIONER ELIA: Okay. So we need
20 improvement if it's not a hundred percent,
21 and it's not. So we need improvement. We
22 need improvement across New York State.

23 Let me point out that what we said --
24 and I just did a press conference on this and

1 released all the data. What we said very
2 clearly was there is growth in a positive way
3 and you have increases in populations of
4 students who traditionally had a bigger gap,
5 and they're starting to catch up. Those are
6 things that we should call out as positive.
7 But they aren't getting us totally where we
8 need to be. We need to make sure that we
9 know why -- what we have to do to make sure
10 every student is able to graduate with a
11 diploma in New York City and across New York
12 State.

13 SENATOR LIU: Thank you very much,
14 Commissioner.

15 Thank you, Madam Chair.

16 CHAIRWOMAN KRUEGER: Thank you.
17 Assembly.

18 CHAIRWOMAN WEINSTEIN: Thank you.

19 So we are on seconds also, and the
20 chair of our Libraries Committee, Sean Ryan.

21 CELL PHONE VIRTUAL ASSISTANT: I'm not
22 sure I understand.

23 (Laughter.)

24 COMMISSIONER ELIA: Now, was that

1 another voice saying something to me?

2 CHAIRWOMAN KRUEGER: That's Alexa.

3 ASSEMBLYMAN RYAN: I know somebody was
4 listening, but -- am I on for this now?

5 CHAIRWOMAN KRUEGER: Or Siri.

6 ASSEMBLYMAN RYAN: We talked a little
7 bit about the census and the libraries. So
8 you're not the first person to bring this to
9 my attention, but I'm having a hard time
10 understanding the sort of -- the vision. So
11 we all know the census is coming up; we all
12 know that libraries can play a role in this.
13 But can you give me a little -- some
14 thoughts, a little meat on the bone around
15 what the libraries can do? And is it
16 something that we have to anticipate and
17 budget for?

18 COMMISSIONER ELIA: So the census for
19 the very -- the first part of the census,
20 when we hope -- we hope that the largest
21 number of individuals will go on and online
22 will do and fill out the census forms. That
23 portion of it I think we would all recognize
24 that there are some communities and there's

1 some individuals that don't have access to
2 the online resources to do that. Libraries
3 do. To a varying degree, but they do.

4 I've been in some of the city
5 libraries recently, I was in Syracuse
6 Library, and they have really upgraded
7 incredibly the resources that are available
8 in their communities for individuals to go in
9 to access job applications, to go and just
10 browse the Web and do all of that.

11 So the resources are there. And if
12 individuals want to go on and have access to
13 be able to register and be -- and have the
14 census occur, they could do that in any one
15 of our libraries across the state, with
16 varying degrees of resources available.

17 It will require, however, that the
18 individuals within the library are familiar
19 with that and they can help individuals and
20 get them to where they need to be to be able
21 to do the census. So it would -- I think
22 it's an important thing that public libraries
23 be a part of that.

24 Now, this is interesting. The

1 American Library Association has stressed the
2 importance of including libraries in the
3 census outreach: "A public library is
4 located within five miles of 99 percent of
5 the hard-to-count census tracts that have
6 been identified with the lowest response rate
7 in 2010." So if we know that we have a
8 resource that is very close to the most
9 difficult census tracts to get data from,
10 wouldn't we want to use them? And aren't
11 they a resource that we all support across
12 New York State?

13 And so encouraging individuals who
14 maybe wouldn't be interested in the normal
15 course of doing the census to go to a library
16 makes it easier for them. They have a place
17 to go and they can get help and get supported
18 there.

19 Your second question on would that
20 require resources? Absolutely. We would
21 have to train, we would have to make sure
22 that there was advertising and we could get
23 people to the libraries. And then if we
24 needed to supplement some of the online

1 resources, we should do that.

2 ASSEMBLYMAN RYAN: Would you follow up
3 with me about potentially a budget number for
4 these type of resources?

5 COMMISSIONER ELIA: Sure. Sure. We
6 definitely will.

7 ASSEMBLYMAN RYAN: Thank you very
8 much, Commissioner.

9 CHAIRWOMAN WEINSTEIN: Senate?

10 CHAIRWOMAN KRUEGER: Thank you.

11 Second round, Shelley Mayer, chair of
12 Education.

13 SENATOR MAYER: Thank you, Madam
14 Chair.

15 Thank you again, Commissioner.

16 As you know, in my personal capacity I
17 have fought incredibly hard for the Yonkers
18 Public Schools, one of the most struggling of
19 the Big 5, incredibly successful with the
20 really inadequate resources they get. I know
21 I'm joined by my colleague from the Assembly,
22 Nader Sayegh here, and our leader Senator
23 Andrea Stewart-Cousins, and Gary Pretlow.
24 The four of us really are committed to fixing

1 an inequitable situation in the City of
2 Yonkers, where really remarkably the
3 superintendent and the board and the teachers
4 have managed to turn this district around.

5 But I'm asking, how can we get the
6 help of SED? I understand some of these are
7 inequities in the formula, inequities in the
8 way the Legislature funds Yonkers. But given
9 the unique structural problems that Yonkers
10 faces year after year, how can we work with
11 SED to better serve the students of Yonkers,
12 both on Operational Aid and on Building Aid,
13 where we are trying to rebuild our schools?

14 COMMISSIONER ELIA: Well, I think you
15 know I've been very involved in Yonkers and
16 actually have toured some of the schools,
17 brought attention to the fact that the
18 facilities there are sadly lacking.

19 And despite those things, as you
20 pointed out, Senator Mayer, it's clear that
21 Yonkers has overcome some challenges. They
22 have put in some incredible community school
23 models that I would say have really supported
24 the families and probably is a clear

1 indication of why they've got the kind of
2 data that's coming out of their schools and
3 the work they're doing.

4 So from a perspective of the Building
5 Aid, anything that I can do, I certainly
6 will, and bring attention to the needs that
7 Yonkers has.

8 The other areas of aid I think are
9 things that we'd have to look at in terms of
10 where there are problems in the Foundation
11 Aid formulas or in other formulas that come
12 from -- many people think state aid is the
13 bank. We are not the bank. We have a
14 formula, you tell us what the formula is, we
15 run it. And by the way, we run it on very,
16 very old software and I hope it doesn't
17 crash. But we run the formulas and then we
18 identify how much money is there for whoever.

19 So we're -- in any way that you think
20 we can, and you bring it to our attention, we
21 will certainly do that. And I want to
22 underscore your first comments about the work
23 that Yonkers has done. As a city, one of our
24 large cities in the State of New York, it's

1 just done great work.

2 SENATOR MAYER: Thank you. Thank you.

3 We look forward to working on that.

4 I would point out, and I think it's
5 come out in the testimony of my colleagues on
6 both sides of the aisle, there are individual
7 districts throughout this state that,
8 whatever the reason, are really struggling in
9 a way that just cannot be justified, whether
10 it's Ossining or Port Chester, Lackawanna,
11 some of our Long Island districts. We have
12 districts that are in extraordinary need, and
13 we have not been able really to get past what
14 seems to be some kind of stalemate, either in
15 the formula, the way the money is
16 distributed -- and some of our rural
17 districts as well.

18 I think it would be very helpful to
19 have SED's input as we begin to look at ways
20 to update the formula in terms of currency of
21 data, the data points that are used. Free
22 and reduced lunch, I think we agree, is not a
23 good proxy for poverty anymore. It would be
24 very helpful I think if we could work

1 together on coming up with new indicia of
2 poverty and new ways to judge. Because we
3 have districts that we just can't stand here
4 on the side and watch what's happening
5 anymore to them and to the kids there.

6 COMMISSIONER ELIA: And I want to
7 underscore the importance of making sure that
8 that is done with the context of how these
9 issues have been addressed in other places,
10 how formulas are working in other ways. And
11 that is something that is going to take an
12 enormous amount of time. And I would say to
13 you that it's a major agenda and it has to
14 have the backing of this group and the
15 Governor to be able to do that.

16 SENATOR MAYER: Well, I think you have
17 the backing of this group.

18 COMMISSIONER ELIA: Thank you.

19 SENATOR MAYER: Last question. On CTE
20 funding, we've been burdened by really being
21 capped in BOCES and the non-BOCES side. I
22 think you agree this is an incredibly
23 important opportunity for many of our
24 students who may not go on to four-year

1 college and for which there is employment
2 opportunity.

3 Other than getting more money, which
4 is our number-one goal, what other things can
5 we do to improve CTE participation by
6 districts and to support it?

7 COMMISSIONER ELIA: So part of the
8 Governor's proposal is the P-TECH programs.
9 We currently have 37 P-TECH programs in place
10 now.

11 And the unique part of that model is
12 that it takes the school district, a higher
13 education institution, whether it's a
14 four-year or a two-year, as well as industry
15 or a group of industry from a particular
16 area, and they partner together. That
17 provides the student with access to programs
18 that are integrated with that particular
19 area, whether it's nursing, whether it's
20 medical, whether it's manufacturing, and
21 takes the student through a four-year
22 sequence, they get a high school diploma, and
23 then they add on to that and end up getting a
24 two-year associate degree, all within the

1 sequence that they have.

2 The target for those programs and
3 spaces are not the high performing kids in
4 the district, they are the kids that, without
5 that program, probably wouldn't be
6 successful.

7 Thirty-seven of those are running
8 right now, and the Governor has proposed an
9 additional eight. We think that that also is
10 a great model to be used. The problem is it
11 requires support from SED. We don't have
12 that support to be able to give the 37.

13 But I would suggest to you that that
14 is a way that we can support the career and
15 technical kinds of programs that really are
16 successful, that have a school district and
17 higher ed working to make it work. I think
18 that's a really wonderful model.

19 The other one that is also very
20 helpful is the Early College High Schools.
21 Because that again identifies students who
22 can do that work, and then very often there
23 are partners and mentors from the community
24 who serve to support those students while

1 they're in that program. They end up very
2 often with almost a full one or two years of
3 college when they go through our high
4 schools.

5 So those are two models that have been
6 very successful. Thirty-seven in New York
7 State that are current P-TECHs, and
8 potentially eight to 10 more, those programs
9 really can make an enormous difference.

10 SENATOR MAYER: Thank you.

11 CHAIRWOMAN WEINSTEIN: So now we are
12 still on the second round, and it's three
13 minutes for each.

14 We go to Mary Beth Walsh.

15 ASSEMBLYWOMAN WALSH: Thank you.

16 Early Childhood Direction Centers.
17 They have been for decades providing services
18 to families, to professionals in terms of
19 training, and to children with special needs.
20 In my district we have the Early Childhood
21 Direction Center Capital Region at BOCES, and
22 they have an area, a service area that
23 encompasses the Capital Region, the
24 North Country, from Columbia County all the

1 way up to the Canadian border.

2 So from what I understand, on
3 December 19th the staff at Direction Centers
4 across the state were notified that their
5 contracts were not going to be renewed after
6 June of 2019, June of this year. So later
7 that same day, State Ed sent out two RFPs to
8 establish childhood and school-age family and
9 community engagement centers and regional
10 partnership centers.

11 So the concern that I have and that's
12 been expressed to me is that the existing
13 centers that are no longer going to be, come
14 June, the one that I've got has got three
15 full-time people. The RFP that was put out
16 for the replacement system, the replacement
17 center, only accounts for one full-time
18 person.

19 When you consider the work that's
20 being done by these centers -- and I mean as
21 the parent of an adult on the autism
22 spectrum, I know that it was a great comfort
23 to me to be able to reach out to a center
24 like this for direction and to be linked with

1 resources to best serve my child.

2 What can you say that would reassure
3 me and the other professionals who work in
4 the field of preschool special education that
5 the replacement is going to be an improvement
6 over what is being apparently dismantled?

7 COMMISSIONER ELIA: Well, thank you
8 for bringing that up.

9 We have reorganized and will be moving
10 towards the -- towards letting out a number
11 of new contracts. Those contracts would have
12 been up anyway. But what we have done -- and
13 it is a result of what has not occurred in
14 New York State for our special education
15 students, which is we are substantially in
16 deficit areas in a number of concerned
17 outcomes that are specific to our special ed
18 population. And we are in a position where
19 we have oversight by the federal government
20 because of that. So something has to be done
21 to reorganize and to develop the capacity
22 across the state to support students and
23 their families.

24 So on those particular centers where

1 it went from three to one, we actually have
2 reinstated one of the positions, so it's now
3 a two FTE. And we've defined how some of the
4 support staff within those departments can
5 also be used to support families.

6 But we've got to move the agenda for
7 our special education students, and they have
8 to have access across the board for
9 programming at different levels than they
10 have right now. And to do that, we have to
11 do things differently.

12 And those contracts have been in place
13 now for five years. Some multiple people
14 have -- or the same people have received them
15 multiple times, but they're a five-year
16 contract. And at this point in time we're
17 making those shifts.

18 The numbers that you had have been
19 increased.

20 CHAIRWOMAN WEINSTEIN: Thank you.

21 Senate?

22 SENATOR KRUEGER: Thank you.

23 Senator Seward.

24 SENATOR SEWARD: Thank you.

1 Commissioner, I was interested in your
2 recommendations regarding pre-K, additional
3 funding for pre-K. As a state we often talk
4 about universal pre-K, but we all know that
5 it is not universal throughout the state.
6 And I know I have a number of school
7 districts that didn't opt in at the beginning
8 of this program who apply for money -- it's a
9 competitive situation every year -- and are
10 unsuccessful in getting a pre-K program.

11 My question to you is, is the funding
12 that you're recommending in your presentation
13 to us today, would that get us to universal
14 pre-K? Or --

15 COMMISSIONER ELIA: No. Let me share
16 the numbers with you.

17 SENATOR SEWARD: Sure.

18 COMMISSIONER ELIA: It would get us to
19 approximately 70 percent of the 4-year-olds
20 across the state.

21 So we are less than that now. It
22 would add -- the funding that we're
23 requesting, which is \$20 million, it would
24 add 2,000 additional seats.

1 SENATOR SEWARD: Would you support a
2 multiyear program to get to universal pre-K?

3 COMMISSIONER ELIA: Yes. I absolutely
4 believe that that is a key element in moving
5 the entire educational program forward.

6 We've been extremely -- the Regents
7 have been very, very vocal about this. Their
8 blue ribbon committee has brought together
9 experts from around the country working with
10 our Regents and the staffs here. We believe
11 that pre-K is important. We believe it needs
12 to be a quality pre-K. And we have
13 supported, over the last two to three years,
14 a number of additions to the budget that
15 would in fact support that.

16 SENATOR SEWARD: I'm a layman when it
17 comes to education, not a professional.
18 However, everyone that I speak with who is a
19 professional tells me that that gives a
20 student a great start in terms of their
21 school career.

22 COMMISSIONER ELIA: It makes a huge
23 difference for children.

24 SENATOR SEWARD: I want to switch, in

1 the minute or so we have left, to the APPR.
2 You know, as one who has had grave concerns
3 about using these tests to evaluate teachers,
4 I'm very pleased that legislation has been
5 passed that would decouple. And we
6 appreciate the moratorium that the Regents
7 have put on this as well.

8 My question to you is, is there more
9 to do here when it comes to APPR from the
10 legislative point of view? Because aren't
11 there sections of the law, 3012 --

12 COMMISSIONER ELIA: 3020D. 3012D, I'm
13 sorry. 3012D. You were right.

14 SENATOR SEWARD: -- that would need to
15 be -- I mean, they're still on the books.

16 COMMISSIONER ELIA: Yes.

17 SENATOR SEWARD: Doesn't that need to
18 be repealed?

19 COMMISSIONER ELIA: Well, the
20 determination for the law that you have
21 both -- both houses have passed keeps 3012D
22 in place. Changes a number of components of
23 it, but 3012D was not totally taken off the
24 page. And so there are some components that

1 still exist, yes.

2 SENATOR SEWARD: Thank you.

3 CHAIRWOMAN WEINSTEIN: Thank you.

4 Assemblywoman Jaffee.

5 ASSEMBLYWOMAN JAFFEE: Thank you. I

6 was going to ask the question about the
7 pre-K. But thank you. That's very, very
8 important.

9 The second question is going to go
10 back to where I had started before.
11 Apparently within the context of the budget
12 there has been an increase in funding for
13 private schools. And, you know, that is of
14 real concern in terms of assuring that the
15 private schools are actually doing what is
16 within the context of our law, providing a
17 substantially equivalent education as the
18 public schools. And that has been a major
19 issue, a major concern in many areas,
20 especially in areas in Rockland County and
21 beyond, and the City as well.

22 Are we following up at this point? I
23 know that you wrote some additional language
24 to expand oversight. But are there people

1 been reviewed, but I would imagine anyone
2 who's been through the training -- we are
3 urging them to do the training first, so it
4 may be that that's holding it up. But we are
5 doing training across the state.

6 Remember, this is a three-year process
7 that someone in many communities -- first of
8 all, there are 1800 nonpublic schools. Those
9 1800 fall under the guidelines of the
10 substantial equivalency. The programs don't
11 affect every district in the state. There
12 are over 700 districts that have -- it's
13 approximately 300 to 350 that are affected,
14 that have nonpublic schools.

15 The process is in place, we've begun
16 the process, we've begun the training, and
17 we're working forward. Some of the
18 districts, it will take longer because of the
19 numbers that they had. Others may do it in a
20 year -- less. So all of that is part of the
21 process that is in the law designated for
22 substantial equivalency.

23 CHAIRWOMAN WEINSTEIN: Thank -- thank
24 you --

1 ASSEMBLYWOMAN JAFFEE: There is a
2 monitor that does oversight?

3 CHAIRWOMAN WEINSTEIN: Thank you.

4 COMMISSIONER ELIA: Yes, absolutely.

5 CHAIRWOMAN WEINSTEIN: Thank you.

6 We're going to Senator Jackson now for
7 three minutes.

8 SENATOR JACKSON: Thank you. Hello.

9 Hello. Three minutes?

10 So first let me thank you for spending
11 over 3½ hours responding to our questions.

12 But I just have three things I want to
13 touch base on.

14 Can you tell me approximately, if you
15 know, how many special education students are
16 there with IEPs in New York State and, more
17 specifically, New York City?

18 COMMISSIONER ELIA: I don't have that
19 number for you, Senator Jackson.

20 SENATOR JACKSON: Okay. Can you get
21 that number for me, if you don't mind, in the
22 future?

23 COMMISSIONER ELIA: So one of the
24 issues I identified is that we don't have a

1 centralized technology system in place to
2 know where all of our students are. But we
3 can get you -- whatever data we have, we'll
4 provide it for you.

5 SENATOR JACKSON: Okay, thank you. I
6 appreciate that.

7 Number two, my understanding is
8 there's approximately 20 percent of students
9 that opted out of the exams through the 8.
10 And if so, some schools are being evaluated
11 on the number of kids that opted out. My
12 understanding is that they're getting a
13 score, instead of a 4 or a 3 or 2, but
14 they're getting a 1. Which basically in
15 evaluating the needs of that particular
16 school, would show that basically, based on
17 that evaluation, they would need more money,
18 more resources in order to deal with that.

19 Is that true or not true?

20 COMMISSIONER ELIA: No, it is -- the
21 way that you've explained it is not true.

22 SENATOR JACKSON: Okay.

23 COMMISSIONER ELIA: And so yes, the
24 concept of a student taking the test is still

1 part of our ESSA plan because it's required
2 by the federal government that it be there.

3 The fact that you have a high opt-out
4 does not necessarily put you in danger of
5 being in one of those categories of either
6 CSI or TSI. It does in fact -- it is one of
7 the factors that is part of it, but it isn't
8 used to determine who's on the list or who's
9 not on the list. It is the actual
10 performance and/or growth of students. And
11 we have many schools that had high opt-outs
12 who are not on the list.

13 So let me point out one other thing.
14 You said it was 20 percent. It used to be
15 20 percent. It's down to approximately
16 18 percent.

17 SENATOR JACKSON: Okay. So the
18 students who opt out, are they given a 1
19 versus a 3 or a 4? Yes or no.

20 COMMISSIONER ELIA: No. No, they are
21 not.

22 SENATOR JACKSON: Okay. And I'll
23 discuss with you later. I only have 30
24 seconds left.

1 COMMISSIONER ELIA: Okay. We'll go
2 through it with you if you're interested.
3 We'd be interested to know --

4 SENATOR JACKSON: My next question,
5 which is the last question, how much money do
6 you need in order to carry out the programs
7 and respond to legislators and respond to
8 districts and to upgrade your computerized
9 system so you can respond to the question of
10 how many special education students? That's
11 just one example. How much money do you
12 need?

13 COMMISSIONER ELIA: So if you look
14 through the slides that we have, we have
15 designated for each particular need the
16 amount of money that we need for that need.

17 So if you look at the technology
18 system that's necessary, we have a dollar
19 amount on there. And it's specific in every
20 one of our slides. At the very top it
21 identifies that.

22 SENATOR JACKSON: So if we add it all
23 up, that's the amount of money?

24 COMMISSIONER ELIA: Yes.

1 SENATOR JACKSON: Thank you.

2 CHAIRWOMAN WEINSTEIN: Thank you,
3 Senator.

4 Assemblywoman Dickens.

5 ASSEMBLYWOMAN DICKENS: Thank you,
6 Madam Chair.

7 I want to go back to Assemblymember
8 Ryan's question on the census. New York
9 State has lost an awful lot of money because
10 of the severely undercounted congressional
11 districts. The Assemblymember had asked that
12 you provide what additional resources you
13 would need in order to bring the libraries in
14 to be able to be a part of it.

15 I would like to know, can you include
16 in that or would you include in that
17 interpreters? Because in many of the
18 congressional districts that are so severely
19 undercounted, it was done -- the undercount
20 was due a lot to the lack of understanding of
21 the English language.

22 COMMISSIONER ELIA: So a number of our
23 libraries do have resources for individuals
24 from their communities that speak another

1 language. But I would certainly say that
2 that is a resource that should be assessed as
3 to whether they need additional support or
4 not.

5 ASSEMBLYWOMAN DICKENS: Would you be
6 able to include that in the -- what you are
7 going to provide to Assemblymember Ryan?
8 Because for instance, in my congressional
9 district, many of the libraries -- or I
10 should say some of the libraries do have
11 interpreters, but there's insufficient for
12 the language that's spoken in my community.

13 So I'm very concerned about a
14 continuation of undercount. So I just wanted
15 to know if you could add to that. It's a yes
16 or no, really.

17 COMMISSIONER ELIA: Whatever we can do
18 to make sure that we put all of those factors
19 into it, we'll add it to it and make sure you
20 get it.

21 ASSEMBLYWOMAN DICKENS: Can you
22 provide to me, please, the list of where the
23 Technical Assistance Centers that you are
24 describing in the remote positive school

1 climate? I'd like to know where those
2 centers are. Not just the four additional
3 ones that you're proposing, but where all of
4 the centers are.

5 COMMISSIONER ELIA: We'll provide that
6 to you.

7 ASSEMBLYWOMAN DICKENS: All right,
8 thank you.

9 And the last question, quickly, is
10 that Senator Comrie spoke about bullying.
11 However, what I find -- and I'm getting
12 complaints that many of the parents of those
13 students who are doing the bullying or who
14 have issues, they're not being addressed
15 other than their child is being put into a
16 special ed class. And frequently that is not
17 what is really needed.

18 So what is being done with this
19 program, the promote positive school climate?

20 CHAIRWOMAN WEINSTEIN: Twelve seconds
21 left.

22 COMMISSIONER ELIA: Well, so let me
23 point out that a student who is bullying or
24 being a bully, that does not put a person

1 into a special education class. And if it
2 is, then we have a problem there.

3 But I would say to you that the
4 programs that we have in place are programs
5 that would address behavior issues and how to
6 handle different behaviors within classrooms
7 and within schools. And that it also does
8 have components to work with families on what
9 would help that child to change their
10 behaviors. So we can get some information to
11 you about that.

12 ASSEMBLYWOMAN DICKENS: All right,
13 thank you so much.

14 CHAIRWOMAN WEINSTEIN: Thank you.

15 So now we go to Senator Metzger.

16 SENATOR METZGER: Hi. Thank you.

17 Thank you, Commissioner.

18 So I have a question about a
19 particular school district in my Senate
20 district that's facing an enormous problem.
21 It's the Roscoe School District. It owes
22 over \$1.1 million in a penalty for the tardy
23 filing of a capital report for building aid.

24 And first I want to acknowledge

1 Assemblymember Aileen Gunther, who's in the
2 audience, who shares in this district and has
3 been, you know, trying to get the funding for
4 this district now for a couple of years. And
5 I'm a new Senator and am joining with her in
6 this effort.

7 There are really particular
8 circumstances related to this case. The
9 Roscoe School District has really been a
10 model in -- first of all, in shared services
11 and being fiscally responsible. It got like
12 an A report card from the Comptroller in the
13 most recent audit. And it -- as I mentioned,
14 it had very unusual circumstances. There was
15 a lawsuit, litigation that dragged out the
16 process. It had gotten two extensions on its
17 reporting, you know, and it had been in
18 contact with SED throughout this entire
19 process.

20 So right now this bill -- this is
21 going to punish taxpayers and punish the
22 school. It's equivalent to almost 2 percent,
23 you know, of -- it would use up all of their
24 allowable growth. And we're really concerned

1 about getting it restored and want to hear
2 what your position is in terms of, you
3 know --

4 COMMISSIONER ELIA: If you look in the
5 slide deck on 32, under the mandate relief
6 inflexibility, we specifically are putting
7 forth a mandate relief program bill that
8 would provide blanket forgiveness to all
9 projects that were late under the old rules.

10 And so we believe that that is a fair
11 approach to do it, as opposed to individual
12 bills that may do it for one district but
13 other districts with similar circumstances
14 don't have that forgiveness. We believe that
15 that's the appropriate approach.

16 SENATOR METZGER: Well, I'd like to --
17 I thank you for that approach. I do think
18 it's the fairest approach, and it has been on
19 this one-by-one basis without any rational
20 basis for making the determination of who
21 gets forgiveness and who doesn't. So I
22 really appreciate that. Thank you.

23 CHAIRWOMAN WEINSTEIN: Assemblyman
24 Barclay.

1 ASSEMBLYMAN BARCLAY: Thank you.

2 Just a follow-up on the Senator's
3 comments. I have Fulton School District in
4 my district, and they had a transportation --
5 by no fault of their own, the former
6 comptroller forgot to file their
7 transportation contract. They're facing a
8 \$1.1 million penalty. We passed --
9 unanimously, by the way -- legislation last
10 year and the Governor vetoed it,
11 unfortunately.

12 So I know your mandate relief said
13 it's for capital projects. You might want to
14 extend that to other projects that, you know,
15 they really shouldn't be penalized for this
16 bookkeeping error.

17 COMMISSIONER ELIA: That's a good
18 point.

19 So this is a difficult situation, as
20 you know. We have the rules in place where
21 you have to file. If we can, we have been
22 able to give some relief. But it doesn't --
23 the law does not allow me to. And so it
24 would have to be included in a bill.

1 source for these programs?

2 COMMISSIONER ELIA: Yes, we have
3 proposed that. And we believe that that
4 would be extremely important. These
5 programs, if funding didn't go through,
6 they're actually recruiting kids for the next
7 year and they wouldn't be funded. It doesn't
8 make sense because they are some of the most,
9 I think, successful new models to reflect the
10 connection of schools to the next part of a
11 student's life and the career that they're
12 going to move into.

13 ASSEMBLYMAN BARCLAY: I couldn't agree
14 more, and I appreciate your thoughts and
15 comments on that. Thank you, Commissioner.

16 COMMISSIONER ELIA: That's for the
17 Early College High School as well as our 37
18 P-TECH programs.

19 ASSEMBLYMAN BARCLAY: Right. Thank
20 you.

21 CHAIRWOMAN WEINSTEIN: Commissioner, I
22 have a few questions, so -- and I think --
23 oh, we've been joined by Assemblywoman
24 Richardson.

1 So I wanted to follow up. I know you
2 said to Senator Krueger you would get a
3 little more information about the
4 immunization, the seven --

5 COMMISSIONER ELIA: Yes.

6 CHAIRWOMAN WEINSTEIN: You know, just
7 in light of the measles epidemic that we're
8 having, and particularly the -- where that is
9 occurring, the loss of the \$7 million for the
10 immunization reimbursement seems particularly
11 concerning. So hopefully we can get some
12 information on that.

13 A follow-up on your response to
14 Assemblywoman Jaffee when you talked about
15 the training. Does the training also -- it's
16 training with the local officials who are
17 going to be doing the inspections. Does that
18 also include diversity and culturally
19 sensitive training beyond just the narrow
20 guidelines?

21 COMMISSIONER ELIA: Yes. It has --
22 it's a full discussion of the concept of
23 substantial equivalency, the appropriate,
24 very I would say respectful way that this

1 should be done. Because it is not equal, but
2 it's equivalent. And I think that's an
3 understanding that is certainly part of our
4 training.

5 CHAIRWOMAN WEINSTEIN: Okay. That's
6 good. And to follow up on -- and then some
7 other members who had asked questions
8 particularly about this, the supposed -- the
9 formula, the school formula. I too received
10 a -- like Senator Jackson saw, a list of a
11 number of schools in my district that would
12 not receive funding under the equity -- the
13 interpretation of the Executive's equity
14 formula.

15 So I do find that very, very
16 concerning that particularly in New York City
17 there would be a limit. And we'll hear later
18 from the chancellor. But just without the
19 details, which won't come out till May,
20 post-budget, it's difficult for us to really
21 see how schools will be -- how our individual
22 schools will be impacted.

23 COMMISSIONER ELIA: We were not part
24 of the proposal that you have from the

1 Governor. I mean, although we're mentioned
2 in it, we weren't designers.

3 CHAIRWOMAN WEINSTEIN: Okay. So I
4 think that's really all I had is just to --
5 want to emphasize the concerns about the lack
6 of clarity of those formulas.

7 So I believe that class is over.

8 (Laughter.)

9 CHAIRWOMAN WEINSTEIN: And you get
10 extra credit for staying almost a full four
11 hours with us. Thank you so much.

12 CHAIRWOMAN KRUEGER: Thank you very
13 much.

14 COMMISSIONER ELIA: Thank you. And we
15 will follow up on any of the things we've
16 indicated we'll get back to you on.

17 CHAIRWOMAN WEINSTEIN: So while people
18 are leaving, I just wanted to mention we're
19 going to have a slight change, before the
20 New York City Chancellor speaks, to
21 accommodate a travel issue. We're going to
22 be hearing from the Center for Disability
23 Rights, and then we're going to go on to the
24 New York City Chancellor.

1 And obviously people can stand and
2 stretch their legs now.

3 (Discussion off the record.)

4 CHAIRWOMAN WEINSTEIN: So we're going
5 to have the Center for Disability Rights,
6 Jonathan Dollhopf -- hopefully I'm
7 pronouncing your name correctly -- deaf
8 systems advocate, address the committee.

9 Thank you, sir. You can begin.

10 MR. DOLLHOPF: (In sign language,
11 through interpreter) Hello, everybody.
12 thank you again for inviting me here to
13 testify today. This is a crucial thing that
14 I'm here to talk about.

15 So again, my name is Jonathan
16 Dollhopf. I am the deaf systems advocate for
17 RCIL -- not CDR, I'm actually here from RCIL,
18 the Regional Center for Independent Living.
19 Also I am the chair of the New York State
20 Lead-K Committee.

21 So I want to talk first about what
22 LEAD-K is. And it is primarily based on
23 language acquisition, equality, and it
24 focuses on deaf kids. The goal of LEAD-K,

1 Language Equality and Acquisition for Deaf
2 Kids, has a campaign to promote language
3 acquisition and kindergarten readiness for
4 deaf kids who are deaf/hard of hearing from
5 ages 0 to 5.

6 So I want to talk about why this is
7 important. And so this isn't just a New York
8 issue, this is actually a nationwide problem
9 that deaf people experience. So deaf
10 children, when they are ages 0 to 5, before
11 they're actually going into kindergarten,
12 their literacy and their comprehension of
13 languages is very behind. So by the time the
14 deaf student graduates high school, their
15 reading level typically is that of about a
16 third- or fourth-grader, and that leads to
17 the result for their future which is very
18 lacking in what is provided to them as far as
19 opportunities.

20 So deaf people or deaf students
21 typically don't pass the Regents exams in
22 high school. And it is a tough exam, so that
23 poses a barrier to them. They don't have the
24 same opportunities like their hearing peers.

1 So for example, because this is a tough exam
2 for the Regents, the Excelsior Scholarship is
3 not something that would be presented to
4 them. They face poverty, unemployment, and
5 in fact only 38 percent of deaf people are
6 able to have gainful employment. And this is
7 just in New York State.

8 So how do we prevent this from
9 happening? We're proposing the LEAD-K bill.
10 So LEAD-K, this legislation, I can now talk
11 about what this is. This legislation would
12 require states -- New York right now -- to
13 institute some assessments to the children
14 who are ages 0 to 5. The State Education
15 Department would then have the committee
16 formed and the data would be presented to
17 them. They would look over the results from
18 the assessments, collect the data from the
19 committee. This data would then be given to
20 the SED, and that would lead to
21 recommendations to be given and early
22 intervention services to be rendered.

23 So this is very crucial. And this is
24 something that's very near and dear to my

1 heart. Myself as a deaf person, speaking
2 from experience, I've had to wait. And now
3 children who even in 2019 still are not at a
4 literacy rate where they should be.

5 So now is the time that we need to
6 really take this on and do something about
7 it. Thank you for your time.

8 CHAIRWOMAN WEINSTEIN: Thank you for
9 being here.

10 Today we have a couple of members who
11 would like to ask questions. First,
12 Assemblyman Benedetto, our Education chair.

13 ASSEMBLYMAN BENEDETTO: Thank you.
14 Thank you, sir, for being here today. We
15 appreciate your testimony.

16 You're associated with the Regional
17 centers of Independent Living. Are those the
18 same centers that I referenced to the
19 commissioner earlier today, 57 around the
20 state?

21 MR. DOLLHOPF: RCIL is based in
22 Rochester, New York. So it's kind of the
23 sister company, and they are one and the
24 same -- they're in the same building.

1 ASSEMBLYMAN BENEDETTO: Okay. You do
2 good work --

3 MR. DOLLHOPF: But we do work
4 together, yes.

5 ASSEMBLYMAN BENEDETTO: And I
6 appreciate what you do.

7 MR. DOLLHOPF: Yes, similar issues,
8 similar undertakings, yes.

9 ASSEMBLYMAN BENEDETTO: I take your
10 testimony today to heart. I've formerly been
11 a special education teacher at a time, when I
12 started teaching, which was before the
13 passage of Public Law 94-142. And thank God
14 it was passed, and thank God the condition of
15 special education is in today. Still a lot
16 of ways to go, but we are getting there.

17 The bill you suggested, is there an
18 existing proposed bill, as far as you know,
19 in the state?

20 MR. DOLLHOPF: Not yet. But we have
21 been meeting with one of your staff and we
22 have been in discussions with it, and I'm
23 hoping that you would be able to sponsor
24 this.

1 ASSEMBLYMAN BENEDETTO: I will
2 continue those discussions, and you'd better
3 know it. I would be honored to put my name
4 on such a bill. And we will attend to that.

5 Thank you for being here today.

6 Madam Chair.

7 CHAIRWOMAN WEINSTEIN: Thank you.

8 Senator Mayer.

9 SENATOR MAYER: Thank you. I'm
10 extremely interested in the evaluation of
11 language acquisition in the early years for
12 deaf and hard of hearing students based on my
13 visits with several schools for the deaf and
14 different approaches to language acquisition.

15 I wondered if you have a comment about
16 schools that are not using American sign
17 language in the early years and are using
18 speaking exclusively for students prior to
19 entrance in kindergarten and whether that
20 would be part of the proposal of this
21 evaluation of language acquisition.

22 MR. DOLLHOPF: Well, again, this is
23 going back to the bill. So we're talking
24 about primarily language acquisition years of

1 0 to 5. And so the language at that time,
2 once they enter kindergarten, they're already
3 behind. And so they're having to catch up
4 with kindergarten peers. And the information
5 that we're collecting, we're trying to see --
6 you know, it depends on what the parents --
7 how they're going to expose language to their
8 children. If they chose to speak to them, if
9 they choose cued speech, if they choose oral,
10 if they choose ASL, what have you. Depending
11 on whatever modality they have, it all comes
12 back to what kind of language ability they
13 have and if they're delayed or if they're not
14 delayed regardless of what modality they're
15 using.

16 It's important to catch that early
17 before they go into kindergarten and they're
18 already starting out behind the eightball.

19 SENATOR MAYER: I appreciate that.
20 But I'm concerned about whether as a state we
21 ought not to have a more thoughtful approach
22 to what schools that the state is supporting
23 are using as the means of teaching language
24 acquisition for these young children, and

1 whether we ought not to have a more uniform
2 approach to ensuring that what we're teaching
3 is appropriate for each child, rather than a
4 school-specific approach to either signed or
5 oral communication.

6 MR. DOLLHOPF: Well, as far as the
7 assessment is concerned, it is a tool. And
8 it's a generic tool, typically. So it's not
9 focusing so much on the auditory or the type
10 of audiogram that they present to the school,
11 but it's more focusing on the communication
12 that they have, if it's signed, if it's
13 spoken. And once that is identified, then
14 figuring out where their needs are.

15 And I'm not an expert so much in the
16 audiogram and the assessments, but they would
17 have an expert on the committee that can
18 address and figure out where improvements
19 need to be made, how these improvements can
20 be made. And then it's also used in their
21 type of language modality regardless of what
22 it is.

23 SENATOR MAYER: Thank you. I look
24 forward to sponsoring the bill and working

1 with you.

2 MR. DOLLHOPF: Thank you very much.

3 CHAIRWOMAN WEINSTEIN: Thank you.

4 We have two more questioners.

5 Assemblywoman Jo Anne Simon.

6 ASSEMBLYWOMAN SIMON: Thank you.

7 And thank you. It's good to see you.

8 As you know, we've discussed this
9 issue previously, and I know that there was a
10 draft bill last year that I believe
11 Assemblymember and now Senator Skoufis was
12 working with you on.

13 I've also talked with other people who
14 were interested in the bill and I guess had
15 some negotiation back and forth because they
16 were working with a lot of young people who
17 had cochlear implants, which is a very big
18 issue affecting the education of deaf
19 children, as you know.

20 So I'm curious if you're talking about
21 a -- the same bill or whether you have a new
22 proposed bill. And also, you know, the sort
23 of conversation with regard to cochlear
24 implants.

1 MR. DOLLHOPF: Well, I'm not really
2 sure about that part. But what I'm -- I mean
3 currently what I'm addressing, it doesn't
4 talk about signing, it doesn't talk about
5 somebody who's oral, it doesn't talk about if
6 they use cued speech. Parents elect what
7 they deem best for their child. And again,
8 focusing on their language and how they're
9 exposed to it and how much they've been
10 exposed to it.

11 So again, it's focusing on the
12 language regardless of -- you know, if the
13 mother chooses to implant their child, that's
14 their choice. But does that then lead them
15 to be more ready for kindergarten, then
16 great. If they don't have an implant but
17 they're ready for kindergarten with their
18 peers, then great.

19 But it's assessing whether or not
20 they're ready to be there in kindergarten
21 with their peers regardless of what they
22 bring to the table, regardless of what they
23 have. And then having a professional expert
24 to -- somebody who can assess their language

1 if it's a specialist, and then figuring out
2 what they need to get up to par with their
3 peers.

4 ASSEMBLYWOMAN SIMON: So as I
5 understand it, you're really talking about
6 that parent intervention level, that
7 parent-child education.

8 In many states they start working with
9 parents to do help with language development
10 of their young deaf children early on, so
11 that the child has communication and
12 language. Because most deaf children are
13 born of hearing parents who don't know how to
14 communicate with them and may not even know
15 they're deaf for quite some time.

16 So I guess I'm trying to get a handle
17 on what it is you want to do in this bill.
18 Because you're right, the modality shouldn't
19 matter. I think there's some concerns about
20 some commission or something or who would
21 serve on that commission and whether it would
22 adequately reflect the field. Does this ring
23 a bell with you, or are you just not familiar
24 with that?

1 MR. DOLLHOPF: The committee that
2 would be appointed -- so once they are --
3 once the assessment has been done, the
4 committee will collect the data. The data
5 will then show what the student presents.

6 So regardless of what field they're
7 in, they're going to be able to look at that
8 from a systemic approach of the experts in
9 that field. I'm not, obviously, an expert in
10 that field. But as far as the legislation
11 will talk about who would be on that
12 committee to represent the services that are
13 given to the child, and collecting the data.

14 ASSEMBLYWOMAN SIMON: And this would
15 be during the early intervention time frame,
16 0 to 3?

17 MR. DOLLHOPF: Well, the early
18 intervention would focus on auditory, and
19 that's not where we're at. We're going to be
20 talking about the language.

21 ASSEMBLYWOMAN SIMON: Okay, I'll come
22 back. I have another question.

23 CHAIRWOMAN WEINSTEIN: Thank you.

24 And Assemblywoman Jaffee, final

1 question.

2 ASSEMBLYWOMAN JAFFEE: Thank you.

3 I have great respect for your presence
4 here to discuss this issue. I can tell you
5 in my family, my mom and her entire family
6 were deaf, and so I know the challenge that
7 does occur with this.

8 I'm very surprised, I have to be
9 honest, that there has not been much more of
10 a movement towards responding to the need and
11 assurance that there are programs to provide
12 support. I do believe that the early
13 intervention would be -- is essential. There
14 also needs to be awareness so that families
15 who are facing this when they have their
16 children then would be aware of what programs
17 might be available. So I think we have to
18 deal with, you know, both of that, awareness
19 in the community as well as providing in our
20 various communities programs, and especially
21 in early intervention, to be able to reach
22 out with the families that have the
23 opportunity to begin the process very early
24 on. And that would enable the youth to be

1 able to evolve to more successful -- as they
2 mature.

3 So I would love to follow up and have
4 a discussion and really talk about exactly
5 how you want this to be structured. And I
6 would definitely work with my colleagues and
7 work with you, because I think this is
8 essential. It provides an opportunity for
9 success and stability. Thank you.

10 CHAIRWOMAN WEINSTEIN: Thank you.

11 That's the conclusion of members'
12 questions but clearly not the conclusion of
13 continued discussions on the issues that
14 you've raised. Thank you for being here.
15 And you're welcome, obviously, to stay for
16 more of the hearing.

17 We're now going to be moving on to the
18 Chancellor of the New York City Department of
19 Education, Richard Carranza, and they should
20 be coming down here shortly.

21 I think we're just about ready to
22 begin. First of all, Chancellor, I want to
23 appreciate your letting us make that little
24 adjustment in our schedule. And I'm sorry

1 you didn't bring your guitar, we could
2 probably use a little musical interlude at
3 this moment.

4 (Laughter.)

5 CHANCELLOR CARRANZA: I would have
6 been happy to.

7 CHAIRWOMAN WEINSTEIN: I know you
8 normally visit with it, when you visit
9 schools.

10 So I think we're ready to begin. You
11 have 10 minutes, and then I'm sure there will
12 be a number of questions afterwards and we'll
13 proceed forward from there.

14 CHANCELLOR CARRANZA: Thank you,
15 Senator {sic}.

16 So thank you so much for the
17 opportunity to be here, and I'd like to say
18 good afternoon, Senate Finance Chair Krueger,
19 Senate Education Chair Mayer, Assembly Ways
20 and Means Chair Weinstein, Assembly Education
21 Chair Benedetto, Senate New York City
22 Education Subcommittee Chair Liu. With me is
23 Chief Financial Officer for the New York City
24 Department of Education Lindsey Oates.

1 It is my honor and distinct pleasure
2 to be before you today to discuss New York
3 City's public schools and our incredible
4 students and families. I know that for many
5 of you, this is your first time chairing
6 these hearings, just as it is my first time
7 testifying before you, and I'm looking
8 forward to embarking on this journey
9 together.

10 This is my 11th month as New York City
11 Schools Chancellor. And even though I have
12 learned so much, I know that there will
13 always be more for me to see and experience
14 in our schools. I want to thank those of you
15 who have joined me on school visits and in
16 town halls or taken time to meet with me to
17 tell me about your districts.

18 Since my arrival I have met with
19 parents and students and community members as
20 I have toured schools throughout the city in
21 all five boroughs, at the town halls I do in
22 every community school district, also at my
23 regular meetings with parent leaders from
24 across the City, and through the brand-new

1 parent forums that Mayor de Blasio and I have
2 recently undertaken. What we hear from
3 parents must inform the policies we make to
4 move the system forward. We can't do things
5 to communities, we can only do things for
6 communities and with communities. We have to
7 do things with the communities that we serve.

8 For those of you who don't yet know
9 me, I want to briefly share my vision for the
10 city's public schools. As a lifelong
11 educator, I believe that our students deserve
12 exactly what their parents envision when they
13 enroll their children in our schools and
14 entrust them to our care; nothing short of
15 the American Dream is what we are trying to
16 ensure for our students and their families.
17 I know that as the son of two blue-collar
18 workers, a journeyman sheet metal worker and
19 a hairdresser, and as a child who entered
20 kindergarten speaking only Spanish, a strong
21 public education is the greatest gift I ever
22 received, and that our city, state, and
23 nation's future economic viability is
24 currently sitting right now, as we speak, in

1 our classrooms.

2 We must meet our responsibility to our
3 children, and that includes doing some things
4 that will not be easy: reversing historic
5 inequities, empowering communities, and
6 putting our resources where we need them most
7 to ensure that our children are on track for
8 college and careers. You see, we must
9 advance equity now.

10 Our schools are the strongest they've
11 ever been. Just last week, we announced our
12 most recent four-year graduation rate: 75.9
13 percent, which we're calling 76 percent, the
14 highest in the city's history. This included
15 increases across all groups, and the largest
16 increase for black students and Latino
17 students, who saw an increase of
18 2.1 percentage points and 1.6 percentage
19 points, respectively. We also saw increases
20 in our graduation rates for our English
21 language learners -- and I want to clarify,
22 we don't refer to them as English language
23 learners, they are multilingual learners --
24 and students with disabilities, as well as

1 our lowest dropout rate ever, 7.5 percent.

2 Based on what we've heard from
3 communities and Mayor de Blasio's own
4 experience as a public school parent, we have
5 launched and expanded our Equity and
6 Excellence for All agenda, investing
7 \$4 billion in key initiatives to support our
8 students and schools. We've given more
9 students than ever access to the kind of
10 programming that prepares them for college
11 and careers and motivates them for life. Our
12 College Access for All program is now
13 reaching every single middle and high school,
14 and we have seen a record high 59 percent of
15 our students enrolling in post-secondary
16 education, an eight-point increase under this
17 administration. We have opened 47 new Career
18 and Technical Education programs over the
19 past three years, bringing us to over 300
20 programs serving 64,000 students. A record
21 134,000 students are learning computer
22 science across all grade levels.
23 Seventy-five percent of our high school
24 students now have access to Advanced

1 Placement (AP) classes, with 252 high schools
2 offering new AP courses, including 82 that
3 never had them before. Perhaps most
4 significantly, record numbers of students are
5 not only taking these exams for the first
6 time but they are passing them with
7 sufficient credit to take that credit into
8 college. We are hoping to announce our most
9 recent gains on those tests in the coming
10 weeks. Our goal is to have all New York City
11 high school students have access to five AP
12 classes by fall 2021, which is why we are
13 grateful for and supportive of the
14 Executive's proposal to increase funding for
15 AP expansion.

16 I am also very excited about our
17 recently announced Collaborative Schools
18 Model, undertaken jointly with the United
19 Federation of Teachers and known colloquially
20 as the "Bronx Plan," although we expect many
21 schools outside of the Bronx to participate.
22 In this grassroots effort, principals and
23 teachers will work together to address local
24 challenges and concerns and will receive

1 coaching and training as well as additional
2 pay for teachers in some hard-to-staff areas
3 to move their schools forward.

4 We are very excited about all the
5 schools we had apply to be a part of this new
6 model and are hoping to announce the final
7 list of participants in the very near future.

8 For the past five years, we have
9 received funding for our successful Pre-K for
10 All initiative. This could not have happened
11 if you had not stepped up and advocated for
12 the funding that we needed. The number of
13 4-year-olds who have access to a free,
14 full-day, high-quality pre-K seat is more
15 than triple what it was before the Pre-K for
16 All expansion. As we continue to grow and
17 strengthen that system, including announcing
18 47 new pre-K dual language programs across
19 all five boroughs that we recently announced
20 on Monday, and roll out 3-K for All, we are
21 hopeful that our state funding can continue
22 for another five years.

23 It's important for our students to
24 have equitable access to state-of-the-art

1 learning facilities that equip them with the
2 tools they need to succeed as well. That's
3 why our newly announced \$17 billion proposed
4 capital plan -- the largest ever -- includes
5 funding for so many critical improvements.
6 For example, the creation of 57,000 new seats
7 in the areas that need them the most; meeting
8 the administration's promise to create
9 83,000 school seats citywide; \$280 million to
10 accelerate the mayor's AC for All initiative
11 and ensure every classroom in our city will
12 have air conditioning by 2021; it also
13 includes a year ahead of schedule for the AC;
14 and \$750 million to make schools more
15 accessible citywide.

16 The plan also allocates \$230 million
17 for the removal of transportable classroom
18 units, known as TCUs, \$750 million towards
19 improving internet bandwidth and technology,
20 and another \$550 million for new pre-K and
21 3-K centers, to be supplemented by the
22 funding we received from the state's Smart
23 Schools Bond Act.

24 I want to pause here for a moment and

1 thank all of you for your work and advocacy
2 on the Smart Schools Bond Act over the last
3 few years. Last spring we received our
4 \$400 million allocation for pre-K and TCU
5 removal, and this fall we received our
6 remaining \$383 million for improving internet
7 bandwidth and technology in our schools. I
8 know how hard many of you advocated for these
9 important funds for our schools, and I look
10 forward to engaging with all of you as we put
11 that funding into action.

12 I want to particularly thank
13 Assemblymember Nolan for all that she's done
14 to make these funds a reality for our
15 children in New York City. But I also want
16 to thank the Legislature, particularly the
17 Assembly and Speaker Heastie, for all of
18 their work on the My Brother's Keeper
19 program, which I was gratified to see in the
20 Executive's budget proposal this year. The
21 My Brother's Keeper program has allowed our
22 districts and schools to create and run some
23 amazing programs for our students and their
24 families, and has presented a remarkable

1 opportunity.

2 I want to thank you for these
3 investments that you've supported, but I also
4 think it's important to take a step back and
5 discuss why these investments are so
6 important and what they're driving at, which
7 is advancing equity now. To us, equity means
8 making sure every student has the resources
9 and opportunities they need to achieve their
10 highest potential. It means acknowledging
11 that some students may need more or different
12 things than other students, and it's our job
13 to find a way to provide those things for all
14 of our students.

15 Equity is about having a holistic
16 vision about what it takes to make a school
17 system successful and doing everything that
18 we can to make that a reality.

19 These are our guiding principles when
20 making decisions about what schools need, and
21 I was not surprised that the school-by-school
22 numbers we reported in our New York State
23 School Funding Transparency Form showed
24 indisputably that our resources are going

1 where they are needed the most. New York
2 City spends 21.3 percent more on students in
3 our highest-poverty schools than our
4 lowest-poverty schools. There is also higher
5 per-pupil spending at our schools with the
6 greatest percentage of black and Latino
7 students, students with disabilities,
8 multilingual learners, which is how we've
9 begun referring to English language learners,
10 as I mentioned previously.

11 These new reporting requirements were
12 intended to determine whether or not
13 districts were driving funds to the students
14 who need them the most. And the conclusion
15 in our case, as a result of that report, is a
16 resounding yes.

17 For this reason, we respectfully
18 disagree with both the premise and the
19 implementation of the Executive's proposal.
20 I do not believe that this proposal would
21 drive equity throughout our system. Our
22 analysis of the Executive's language revealed
23 that this would mandate 75 percent of our
24 funding increase go to 22 percent of our

1 schools, leaving out almost 1,300 schools.
2 Due to expected rising costs and mandated
3 expenses, the remaining 25 percent will
4 simply not be enough to fund the remaining
5 almost 1,300 schools. Some of those schools
6 may be forced to make hard decisions. We
7 would, in essence, be taking from Peter to
8 pay Paul.

9 Moreover, the formula laid out in the
10 language will not include some of the schools
11 in our system we know are the most in need of
12 additional resources. For example, out of
13 the 124 New York City schools that the State
14 Education Department recently identified as
15 in need of comprehensive support and
16 improvement, or CSI, or targeted support and
17 improvement, TSI, 87 schools would not
18 qualify for the targeted funding as indicated
19 by the Executive's plan.

20 Overall, approximately 80 percent of
21 New York City schools receive Title I
22 funding. Focusing on some of our schools at
23 the exclusion of others is not a successful
24 formula for ensuring equity and success for

1 all of our students. Our philosophy on this
2 is simple: a rising tide lifts all boats.
3 We are not in the business of picking winners
4 and losers, but making sure all our schools
5 are getting what they need.

6 This is why the DOE created and uses
7 our Fair Student Funding, our FSF formula to
8 equitably fund all of our schools. The FSF
9 formula allows us to examine a school's need
10 based on a variety of factors -- including
11 but not limited to poverty, the number of
12 multilingual learners, and the number of
13 students with disabilities -- and determine
14 how much funding they would need in order to
15 meet those needs. We calculate that number
16 even though we know we do not have the
17 funding we need to reach it, because it gives
18 us a guidepost to work towards and a way to
19 make sure we are treating everyone equitably.
20 This is why last year, when we knew that the
21 \$334 million increase we received from the
22 state would not be enough to raise schools to
23 where we wanted them to be, we pitched in
24 \$125 million of our own funding to raise the

1 floor at 850 schools, ensuring that every
2 school in the city is at least at 90 percent
3 of their Fair Student Funding formula, and to
4 bring the average across the city to
5 93 percent. This is truly skin in the game.
6 This is why this administration has devoted
7 \$800 million total towards raising the floor,
8 an investment we know has driven our progress
9 over the last several decades.

10 This is why early on we made the
11 conscious choice to fund what we see as our
12 neediest schools at 100 percent, because we
13 believe in putting our resources where we
14 know they are needed the most. We believe
15 our approach towards equitable funding is the
16 one that will give all of our students the
17 opportunity to succeed.

18 The only thing preventing us from
19 funding all our schools at 100 percent is the
20 reluctance to fulfill the promise of the
21 Campaign for Fiscal Equity. I know how
22 dedicated many of you are to seeing this
23 promise fulfilled and getting our students
24 the \$1.2 billion they are owed, and you have

1 my deepest, most sincere gratitude. As the
2 Executive Budget proposal stands right now,
3 New York City is receiving a \$282 million
4 increase, which will barely be enough to
5 cover our increase in mandated services,
6 including payments to charter schools and
7 special education services. It is a
8 \$148 million shortfall in the budgeted level
9 necessary to maintain current services in our
10 schools. Of course, restraining the way we
11 can spend 75 percent of those resources will
12 only exacerbate the problem.

13 CHAIRWOMAN WEINSTEIN: Chancellor, can
14 we go to questions?

15 CHANCELLOR CARRANZA: Yes, ma'am.

16 So I just want to say thank you. And
17 I thank you for taking time to listen to me
18 today, and I look forward to your questions.

19 CHAIRWOMAN WEINSTEIN: Thank you.

20 So we're going to go first to our
21 Education chair in the Assembly, Assemblyman
22 Benedetto.

23 (Discussion off the record.)

24 ASSEMBLYMAN BENEDETTO:

1 Mr. Chancellor, thank you so much for being
2 here. It's always a pleasure to see you.
3 And congratulations on what you're doing in
4 the City of New York. The gains that you
5 have done in the graduation rate is very
6 encouraging, and we hope everything that we
7 do this year in the budget will only foster
8 and help your progress in that area.

9 So let me talk to you first about the
10 Fair Student Funding, the Governor's
11 allocation that he has made, and the claim
12 that you have mentioned here in your
13 testimony that would mandate 75 percent of
14 the funding increase to go to 22 percent of
15 our schools, leaving 1300 schools with --
16 greatly -- expand on this, please.

17 CHANCELLOR CARRANZA: Well, we --
18 again, the funding formula we think, with all
19 due respect, is flawed in terms of the
20 metrics that are used to make the comparisons
21 in the name of equity.

22 In addition to that, by my testimony,
23 we indicated that even some of the schools
24 that have been identified as CSI/TSI schools

1 by the State Education Department would not
2 even be eligible for additional funding based
3 on that formula.

4 So we think it's a noble attempt. We
5 applaud the rationale. We think it's flawed.
6 And in New York City it would have a
7 detrimental effect -- specifically, as I
8 testified, on a number of our schools: 1300
9 of our schools would not be touched by that.

10 With your permission, Mr. Chair, I'd
11 also to like to ask our chief financial
12 officer, Lindsey Oates, if she could add just
13 a little more color and specificity to what
14 that impact would be.

15 ASSEMBLYMAN BENEDETTO: That would be
16 appreciated.

17 NYC DOE CFO OATES: Thank you, sir,
18 for the question.

19 As the chancellor said in his
20 testimony and just now, we are very concerned
21 about the impact on New York City. This
22 would essentially allow for spending, you
23 know, 75 percent of our state aid increase on
24 only 20 percent of our schools. That's

1 concerning for us. And we find ourselves in
2 a place where we are operating starting from
3 a deficit point with the Executive's proposed
4 budget. We think the cumulative impact of
5 the Executive's proposed budget is around
6 \$300 million less than what we really would
7 need to maintain our mandated services, and
8 that's troubling as well.

9 ASSEMBLYMAN BENEDETTO: It's always
10 been my philosophy that when it comes to
11 education and developing curriculum,
12 allocating monies, that we give you the
13 money, the curriculum should be developed
14 from the professionals over at the State
15 Education Department. The school district,
16 we give them the money and we say, Do your
17 best and make sure you use it well.

18 At the risk of annoying people, are we
19 talking overly micromanaging here?

20 CHANCELLOR CARRANZA: So Mr. Chair, I
21 appreciate the question. I would say,
22 respectfully, that the people best situated
23 to make strategic decisions on the
24 utilization of resources are closer to the

1 schools.

2 That's why in our system we have our
3 superintendents working closely with
4 principals, principals working closely with
5 teachers, executive superintendents holding
6 superintendents accountable for the
7 resources. So we've structured ourselves to
8 be accountable.

9 The recent report that we completed
10 that shows, from an equity perspective, are
11 the dollars reaching the schools that have
12 been most historically underfunded or
13 underresourced, that clearly shows that we
14 are investing those resources where they need
15 to be invested. So I would clearly say that
16 the people best situated to make those
17 decisions are closest to the schools, and
18 that's the school districts.

19 ASSEMBLYMAN BENEDETTO: So I'll take
20 that as a yes.

21 CHANCELLOR CARRANZA: Yes, sir.

22 ASSEMBLYMAN BENEDETTO: New York City.
23 We're rich in colleges all throughout the
24 city. I know in my own district I have Mercy

1 College, I have the College of New Rochelle
2 with a branch in my district, I have a SUNY
3 college, Maritime College, world renowned.

4 Have we, in your opinion, reached out
5 to the colleges throughout the great City of
6 New York and gotten them to invest, partner
7 with the schools and in particular the high
8 schools in the area, to do joint programs?
9 So kids in high schools, let's say in my
10 area, can be advanced in engineering from
11 Maritime College and nursing from the College
12 of New Rochelle. And have the colleges been
13 open to that? Or has there not been
14 communication, and how can we get that
15 started?

16 CHANCELLOR CARRANZA: So Mr. Chair,
17 thank you. I think one of the great legacies
18 of my predecessor, Chancellor Fariña, was
19 that she started this rich dialogue with our
20 institutions of higher learning, and we've
21 benefited from that. So absolutely we are in
22 communication and collaboration with our
23 institutions of higher learning, colleges and
24 universities.

1 I would say across the system there
2 are some really exciting partnerships, dual
3 credit partnerships that we have. We have
4 P-TECH high schools, where students are able
5 to earn college credit while also getting
6 industry experience in an industry. We have
7 a number of partnerships not only affecting
8 students but also around teacher training and
9 teacher support.

10 So there is a number of work streams
11 that are happening around the partnerships
12 that we have. And once we know who the
13 chancellor is of our new CUNY system, we want
14 to continue those conversations and deepen
15 those conversations as well.

16 We are very, very much focused on a
17 3K-16 philosophy. So that, you know, it
18 doesn't end at 12th grade, but we're actually
19 looking at the college years as well. And
20 I'm really excited to say that the
21 partnership is getting stronger. We don't
22 always agree. It's not quite Thanksgiving
23 dinner, but we do have disagreements. But
24 what I've been very excited about is that

1 even where we don't agree on a path forward,
2 through conversation and collaboration we've
3 been able to really forge ahead. So it's
4 good and it's going to get better.

5 ASSEMBLYMAN BENEDETTO: Good. I'll be
6 very interested in having someone from your
7 staff maybe contact me. I'd like to push
8 some of the colleges in my area to do that.

9 Of particular interest to me is your
10 Bronx Plan. Okay? It's being named after
11 the borough I come from. Okay? We want this
12 to succeed. But can you maybe explain it
13 just a little bit more so we fully understand
14 what you've got going here?

15 CHANCELLOR CARRANZA: Yes, sir. So
16 just a note about why it's called the Bronx
17 Plan, is we did our survey and working very
18 closely during our negotiations with the UFT
19 and President Mulgrew. If you look
20 historically, in a historic trajectory, which
21 I was doing as a new resident of New York,
22 where historically have we seen the most
23 underinvestment in any of the boroughs? It's
24 the Bronx, without question.

1 So as we had our conversations, one of
2 the scenarios that often happens -- look, as
3 a former teacher, a decade in the classroom,
4 as a former principal, I can tell you that
5 when you have a collaborative relationship,
6 you can move mountains in a school. But
7 where you have loggerheads, it distracts from
8 the work of the community.

9 So as part of our agreement, we said
10 what if we memorialize in the agreement --
11 unheard of in a labor agreement -- that we
12 will move to a collaborative model, so it's
13 not the chapter leader of the union saying
14 no, I'm not going to work with the principal,
15 and the principal trying to drive some kind
16 of a reform in the face of opposition.

17 What if they agree they're going to
18 work together, what if we agreed that we
19 would provide training for working in a
20 collaborative way, kind of a collective
21 bargaining, almost, scenario? What if we
22 train people to use data and to do root cause
23 analysis and we had stakeholders of that
24 community all be part of that conversation --

1 the administration, teachers,
2 paraprofessionals, parents, community
3 representatives? And that they would then
4 identify one or two problems of practice
5 based on the data in their school, and once
6 they've identified the problem of practice,
7 they would have the opportunity to develop to
8 a plan, an action plan, to address that
9 problem of practice and they would have an
10 opportunity to apply for micro grants so they
11 could fund their plan and then they hold each
12 other accountable for the implementation?

13 That, in a nutshell, is the genesis of
14 the Bronx Plan. And it's focused not only in
15 the Bronx but also in other communities that
16 have historically not had the investment.
17 The Bronx, Rockaway, East New York,
18 Brownsville. And in addition, we know that
19 in these communities one of the critical
20 factors is having stability in the teaching
21 force. So we were able to agree that for
22 certain hard-to-staff subject areas -- math,
23 science, but not necessarily just math or
24 science, other hard-to-staff subject areas,

1 we could -- the principal -- we could
2 designate that as a hard-to-staff areas and
3 the principal would have the ability to pay
4 \$5,000 or \$8,000 more for teachers to help
5 incentivize not only are they coming to those
6 schools but staying in those schools. That
7 is the essence of the Bronx Plan.

8 ASSEMBLYMAN BENEDETTO: Just quickly,
9 before my time runs out, you talk to
10 teachers, you talk to the community, you talk
11 to the union. Supervisors we're bringing
12 into this too, because you want everybody on
13 board.

14 CHANCELLOR CARRANZA: We want
15 everybody on board. And of course this was
16 part of a negotiated contract with the
17 teachers union. We are in conversations
18 right now with the administrators union. And
19 there are some concerns, but we're working
20 through those kinds of issues.

21 ASSEMBLYMAN BENEDETTO: Good luck.

22 (Laughter.)

23 ASSEMBLYMAN BENEDETTO: That was
24 serious, not --

1 (Laughter.)

2 CHAIRWOMAN WEINSTEIN: Thank you.

3 Senate?

4 CHAIRWOMAN KRUEGER: Senate Education
5 Chair Shelley Mayer.

6 SENATOR MAYER: Thank you, Chancellor.
7 Pleasure to see you again.

8 Just drilling down into the proposed
9 increase based on the Governor's proposal as
10 it affects the New York City public schools,
11 you mentioned the 282 million that would be
12 the result of the Governor's proposal. And
13 you mentioned in your testimony that would
14 result in a \$148 million shortfall based on
15 what I thought you said is basically a
16 status-quo budget. Is that correct?

17 CHANCELLOR CARRANZA: Yes, Madam
18 Chair. It's actually less than a status-quo
19 budget. We can't meet our mandated, required
20 operating costs. So it's actually less than
21 status quo.

22 SENATOR MAYER: Could you give an
23 example of a cost that you could not meet
24 that is required by virtue of simply getting

1 what the Executive Budget proposed?

2 CHANCELLOR CARRANZA: Madam Chair,
3 what I'd like to do is ask our CFO to give
4 you that example.

5 SENATOR MAYER: Yeah, sure.

6 NYC DOE CFO OATES: Thank you. Thank
7 you for the question, Senator.

8 Our Foundation Aid essentially funds
9 three main areas every year. It funds our
10 mandates, which includes charter schools; it
11 funds our special ed mandates; and it funds
12 our school system. So we are concerned about
13 those areas when we look at this budget.

14 SENATOR MAYER: Okay, thank you.
15 Well, you brought up another point. You
16 know, in the Executive proposal there is an
17 additional 24.9 million for charter schools
18 in New York City. Now, with respect to your
19 testimony about the so-called equity funding
20 proposal, the charter schools were not
21 required to produce this school-specific data
22 that you referred to earlier, which
23 understandably parents may be interested in.

24 If that 24.9 million was added to the

1 City of New York's traditional public
2 schools, would that help you meet some of the
3 mandated services that you must provide to
4 students that are enrolled in your schools?

5 CHANCELLOR CARRANZA: Again, I'm going
6 to refer to our chief financial officer for
7 the detail.

8 SENATOR MAYER: Sure.

9 NYC DOE CFO OATES: Yes, ma'am, any
10 additional funding would help our school
11 system.

12 SENATOR MAYER: And do you have your
13 proposed budget for the next fiscal year
14 already drafted? Is that something you could
15 share with us?

16 NYC DOE CFO OATES: We can share with
17 you the most recent iteration of next year's
18 budget, yes.

19 SENATOR MAYER: And what is the
20 proposed budget that you believe is needed to
21 provide the education that you need to
22 provide to the children of New York City?

23 NYC DOE CFO OATES: Right now our FY19
24 budget is \$32 billion. And give me one

1 second. I believe our -- I want to make sure
2 I give you the exact number. In the next
3 year it is roughly the same value, it's
4 roughly \$32 billion.

5 SENATOR MAYER: And in this current
6 fiscal year, how much was it?

7 NYC DOE CFO OATES: Thirty-two
8 billion.

9 SENATOR MAYER: It's the same, it
10 hasn't changed?

11 NYC DOE CFO OATES: We're forecasting
12 an increase in the outyears. The city's
13 financial plan for the next fiscal year is
14 going to be released very soon, and we can
15 share those details with you when we have
16 them.

17 SENATOR MAYER: That would be useful
18 if we could get it.

19 NYC DOE CFO OATES: Absolutely.

20 SENATOR MAYER: Obviously before
21 March 31st.

22 NYC DOE CFO OATES: Yes.

23 CHANCELLOR CARRANZA: And whatever
24 that number is, Madam Chair, we want to add

1 1.2 billion to it.

2 SENATOR MAYER: The 1.2 billion that
3 you discussed previously.

4 CHANCELLOR CARRANZA: Yes, ma'am.

5 SENATOR MAYER: Okay, thank you.

6 CHAIRWOMAN WEINSTEIN: Assemblywoman
7 Joyner.

8 ASSEMBLYWOMAN JOYNER: Okay. Good
9 afternoon, Chancellor. How are you?

10 CHANCELLOR CARRANZA: Good afternoon.
11 Good to see you.

12 ASSEMBLYWOMAN JOYNER: Yes, good to
13 see you as well. I have a couple of
14 questions.

15 First off, thank you for coming to
16 visit The Walton School, P.S. 294. They're
17 doing wonderful work there. And they're
18 actually a recipient of the Bridge the Gap
19 initiative that we've been working very
20 closely with the city to help students in
21 temporary housing. My district had one of
22 the highest numbers of homeless students.

23 So I wanted to know, in your opinion,
24 what's been the successes of the program, the

1 challenges of the initiative? Are we
2 reducing absenteeism -- which is a very big
3 problem -- and improving scores?

4 I'm also curious to know about the
5 Bronx Plan. As you know, I had a very high
6 number of renewal schools in my district, so
7 it's very difficult to retain and recruit
8 teachers. Also had two school closures in
9 the past two years, so my district needs a
10 lot of attention. And just wondering how are
11 we ensuring that education funding is going
12 to the most needy -- the neediest schools?

13 CHANCELLOR CARRANZA: Thank you,
14 Assemblymember. I had a great visit at the
15 school, so I really appreciate the time I
16 spent there.

17 We have a number of students that are
18 in transitional housing or homeless. It's at
19 a critical juncture in New York City,
20 especially as it applies to students in
21 schools. I think that the program has been
22 very effective because it's allowed us to
23 really focus our resources and our efforts in
24 meeting the needs of the students, number

1 one.

2 But number two, we reorganized the
3 Department of Education this summer, so we
4 created a portfolio of work, under a deputy
5 chancellor who sits on my cabinet, that is
6 around school climate, school safety and
7 school wellness, led by Deputy Chancellor
8 LaShawn Robinson. Her team is squarely
9 focused on making sure that we have services
10 that are embedded in shelters but that we
11 also have a team that is looking for students
12 that are not in shelters but are, you know,
13 couch surfing from home to home.

14 With that we've added almost a hundred
15 new positions which are liaison positions to
16 go directly to case-managed students and
17 families and follow those students all the
18 way back to wherever they are and make sure
19 that they're connected to resources and
20 services.

21 We're also working very closely with
22 city agencies around embedding resources in
23 those facilities so that students are getting
24 the services not only at school but when they

1 get back to whatever facility they're in.

2 We also engaged this summer with
3 moving -- actually, we didn't just come in
4 with the heavy hand of government and say
5 you're going to move. What we did is we
6 connected with families that are in
7 transitional housing. And what we said to
8 them is, you are currently in this shelter;
9 however, your children reside or go to school
10 in a school that requires either a long
11 commute or is very, very far away. What if
12 we assist you in moving to a shelter that's
13 closer to your children's school?

14 We know through research -- and I know
15 you know this well -- that the stability of a
16 child in their school is paramount. So it's
17 not about moving schools, it's about moving
18 families closer to the school to minimize
19 that disruption.

20 I'm glad to say we had hundreds of
21 families that took us up on that offer. We
22 moved those families. We have another push
23 that we're going to make this year as well in
24 order to get students closer to their

1 families.

2 So there's a number of initiatives
3 that we are investing in to make sure that
4 we're bringing services to families but that
5 families feel those services in a connected
6 way.

7 Now, in terms of the Bronx Plan, in
8 terms of what we're doing for underserved
9 communities, in New York City I have insisted
10 that we do not refer to schools as failing
11 schools, we do not refer to schools as
12 underperforming schools. I have never met a
13 school community that I've said, I think
14 we're going to be an underperforming school.
15 I've never met that.

16 What we have done, though, is by
17 decisions that have been made historically,
18 we have underfunded communities. And to your
19 comment, there are a number of schools in the
20 Bronx that when you look historically have
21 not had the resources from an equity lens
22 commensurate with what the challenges and the
23 needs are in those school communities.

24 We're going to change that. We are

1 changing that. Which is why I talk about
2 equity. We do know that when we've applied
3 this kind of a lens to meeting the needs of
4 schools and school communities, we have made
5 a difference. And I will give you an
6 example. Previously there were 44 schools
7 that were considered renewal schools. And as
8 you know, the city made a great investment in
9 not just closing schools but actually
10 investing in schools and working to improve
11 schools. There were 44 schools previously
12 that were renewal schools that were also on
13 the state's watch list. This newest
14 iteration of the schools that are now under
15 the watch by the state, there are only four.
16 That means that those 40 schools came off of
17 the underperforming list.

18 Now, are they where we want them to
19 be? Of course not. But we're going to
20 continue to invest resources because we know
21 that we're actually accelerating achievement
22 in those schools.

23 CHAIRWOMAN WEINSTEIN: Thank you.

24 Senator Liu.

1 SENATOR LIU: Thank you, Madam Chair.
2 Thank you, Mr. Chancellor, for being
3 with us. Welcome to New York.

4 CHANCELLOR CARRANZA: Thank you, sir.
5 Good to see you again.

6 SENATOR LIU: In my humble and
7 unbiased opinion, the greatest state in the
8 country.

9 CHANCELLOR CARRANZA: Hey, I agree.

10 SENATOR LIU: All right.

11 So in your testimony you mentioned
12 that you'd like to see another \$1.2 billion,
13 because that's how much our schools are owed
14 in New York City. Is that -- would that be
15 1.2 billion out of what the State Education
16 Department estimates as a \$4 billion plus
17 shortfall in Foundation Aid?

18 CHANCELLOR CARRANZA: I don't know
19 specifically. I believe it is. But under
20 the Campaign for Fiscal Equity, our
21 calculation, it's 1.2 billion that should
22 have been allocated and has not been.

23 SENATOR LIU: Okay. I mean -- just
24 for the record, it looks like your chief

1 financial officer is nodding her head
2 violently.

3 (Laughter.)

4 SENATOR LIU: So you're in agreement,
5 Madam Chief Financial Officer?

6 NYC DOE CFO OATES: Yes. Yes, Senator
7 Liu, I'm in agreement that this year we are
8 owed \$1.2 billion.

9 SENATOR LIU: Okay. So out of a
10 statewide \$4 billion plus in necessary
11 additional school aid, only about 1.2 would
12 come to the city. And that's in contrast to
13 a lot of the myth out there that if we were
14 able to get the full funding for the -- under
15 the Campaign for Fiscal Equity, that somehow
16 all that money would come to New York City.

17 CHANCELLOR CARRANZA: That's correct.

18 SENATOR LIU: A lot of that money
19 would come to New York City, which we want.
20 But it would be distributed largely outside
21 the city as well.

22 CHANCELLOR CARRANZA: Yes, sir.
23 Everyone would feel the impact.

24 SENATOR LIU: Terrific. Now, as far

1 as the additional funding that is coming to
2 the city -- I guess two quick questions. One
3 is you mention in your testimony an
4 additional \$24.9 million of additional aid
5 that's earmarked for charter schools. I
6 believe earlier in your comments you
7 mentioned that, well, you know, that aid
8 could be used across all schools. Maybe it's
9 necessary to be earmarked specifically for
10 charter schools. Am I understanding that
11 correctly?

12 NYC DOE CFO OATES: Yes, Senator Liu,
13 yes. In the Executive's proposal there is
14 around a \$25 million set-aside of money that
15 would go directly to charter schools. And as
16 I said to Senator Mayer, we would benefit
17 from that funding if it came to our --

18 SENATOR LIU: Is there any reason you
19 could think of why the Executive Budget would
20 parse that out for charter schools in
21 New York City as opposed to just -- you know,
22 maybe just another 25 million on top of what
23 they have proposed for New York City public
24 schools?

1 CHANCELLOR CARRANZA: So Senator, I'm
2 not privy to what that thought process was,
3 so I can't even venture a guess.

4 SENATOR LIU: Okay. And then that's
5 of course on top of what I think has already
6 been thoroughly discussed this morning and
7 now, which is the Executive Budget basically
8 stipulating how much additional aid should be
9 given to each individual school --

10 NYC DOE CFO OATES: Yeah.

11 SENATOR LIU: -- within local school
12 districts, including the New York City school
13 district.

14 CHANCELLOR CARRANZA: That's
15 problematic, Senator, yes, sir.

16 SENATOR LIU: Okay. Well, I mean I
17 guess you're at least happy that the
18 Executive Budget includes a three-year
19 extension of so-called mayoral control.

20 CHANCELLOR CARRANZA: Yes, sir.

21 SENATOR LIU: Okay. You know that,
22 though, it looks like we may be headed
23 towards gubernatorial control of New York
24 City schools.

1 (Laughter.)

2 CHANCELLOR CARRANZA: That I'm not
3 supportive of.

4 (Laughter.)

5 SENATOR LIU: Neither am I. I think
6 neither are most of us.

7 On the issue of what you call mayoral
8 control, what we -- I think what we prefer to
9 call school governance going forward, that's
10 something that is in the Executive Budget. I
11 personally don't think it belongs in the
12 Executive Budget. I think we need more time
13 in the City of New York to hear from all
14 stakeholders. And I think that we'll be
15 having those discussions in the coming
16 months.

17 CHANCELLOR CARRANZA: Yes, sir.
18 Absolutely.

19 SENATOR LIU: Thank you,
20 Mr. Chancellor. Thank you, Madam Chair.

21 CHAIRWOMAN WEINSTEIN: Thank you.
22 Assemblywoman Malliotakis.

23 ASSEMBLYWOMAN MALLIOTAKIS: Thank you.
24 Welcome, Mr. Chancellor.

1 So while we're on the topic of mayoral
2 control -- and certainly that's going to be
3 up for renewal this year -- with the city
4 getting roughly \$11 billion in state aid, I
5 think it's our responsibility to ensure that
6 the money is being spent properly and that
7 it's really getting to the classroom, right?
8 We had principals here this last week talking
9 to us about how they don't have money for
10 supplies, they don't have money for certain
11 things, the classrooms are overcrowded.
12 There are a lot of issues.

13 I'm particularly troubled by reports
14 over the last year that we've seen -- with
15 CBS, for example, exposing some of the issues
16 of how, you know, some of the executives at
17 the department have traveled extensively,
18 93 percent of them violated the agency's
19 rules during that travel. We see lucrative
20 contracts going to school lunch vendors. And
21 we know the stories that have highlighted
22 some of the issues with mold and bones in
23 some of the food that the children are being
24 served. And also there's those lucrative

1 contracts with the high-priced consultants.
2 The renewal schools program, some of them
3 were being paid \$1400 a day. And certainly
4 these were decisions that were made prior to
5 your arrival.

6 But now that you're here, I'm
7 wondering, you know, what steps are you
8 taking to try to resolve some of these issues
9 that I feel is a -- has been, you know, money
10 being -- basically going down the drain?

11 CHANCELLOR CARRANZA: Thank you,
12 Assemblymember. And I share an absolute
13 focus on making sure that from a fiduciary
14 responsibility, we are accountable for the
15 taxpayers' dollars.

16 I will tell you that I am very
17 thankful to the City Comptroller for his
18 report on travel. When I dug in and leaned
19 into that report, what I found was that
20 70 percent of the travel and some of the
21 travel inconsistencies that were reported are
22 school-based, people not following the rules
23 for taking students on trips. And obviously
24 some of the other issues that we found again

1 were -- again, I want to be clear, there was
2 no evidence of either criminal activity or
3 any of that kind of stuff. But it was
4 definitely not following rules.

5 What we've done is we've initiated
6 retraining for everyone that approves travel
7 in our system. We have policies in place;
8 they weren't being followed in every case.
9 We also have, with the leadership of our
10 chief financial officer, instituted a series
11 of blinds audits of our student travel and
12 our essential travel to make sure that those
13 rules are being followed, and we're going to
14 continue to do that.

15 We've also taken all of the reporting
16 requirements and the findings of the
17 Comptroller's report and internalized them so
18 that they are part of what we're doing.

19 That being said as well, in terms of
20 our contracting, in terms of who, what, when
21 and where our contracts are being done, we've
22 also implemented a review process, again, for
23 efficacy of funding. We are actually, as
24 part of our reorganization, doing the

1 analysis of can we provide this service
2 internally as we've built capacity. And even
3 with contracts that we have for educational
4 endeavors, we are looking to build capacity
5 so that when that training, when that service
6 ceases, we have capacity that's been built
7 internally to continue to provide that
8 service as well.

9 So again, we are taking this and I am
10 taking this very, very seriously. We have a
11 responsibility to our constituents, as I know
12 you take that very seriously as well.

13 ASSEMBLYWOMAN MALLIOTAKIS: Well,
14 thank you. And if you can keep us updated,
15 particularly when it comes to those contracts
16 with vendors and consultants. I think that's
17 something that we would all like to know
18 before we're voting on the extension of
19 mayoral control.

20 And with pre-K, I just want to bring
21 up a particular issue. It seems to me, at
22 least in District 20 -- and I met with a
23 number of community-based organizations that
24 provide the pre-K service. And it's

1 certainly something -- I support pre-K, I
2 voted for it, I voted for the funding, and
3 I'm on board. But in District 20 alone,
4 there have been 11 sites that have opened,
5 and now we have sort of an oversaturation of
6 pre-K without the students to fill them.

7 And it's really affecting the
8 community-based organizations in my district
9 that feel that now -- you know, they're
10 running in the red, they don't have enough
11 students to fill their classrooms. They
12 made investments as part of a contract with
13 the DOE, and now they're sort of left
14 hanging.

15 And so two questions. One would be,
16 is there a reason why we're doing this? Is
17 this because we're expecting the 3-year-olds
18 to fill all those seats? Or -- and also,
19 would you be willing to come to my district
20 or at least send some high-level
21 representative from your office to meet with
22 these community-based organizations to
23 discuss some of their concerns? Because some
24 of them feel like they'd have to close their

1 doors in the next year or two if this doesn't
2 get resolved.

3 CHANCELLOR CARRANZA: Yes, so I'll
4 answer the second question first.
5 Absolutely. So what we'll do is we'll follow
6 up and set up a meeting --

7 ASSEMBLYWOMAN MALLIOTAKIS: Thank you.

8 CHANCELLOR CARRANZA: And we would
9 love to meet with folks and understand what
10 the concerns are.

11 Part of this is a function of
12 predicting enrollment. We feel very
13 confident that 3-K rolling into 4-K, those
14 students will actually help increase what
15 that enrollment is. But we also know that we
16 have to be nimble and we have to adjust to
17 what those enrollment numbers look like. And
18 it's not a science, but we're trying to make
19 it as close to a science as possible. That's
20 why a meeting with those providers will be
21 really critical important.

22 ASSEMBLYWOMAN MALLIOTAKIS: I
23 appreciate it. Thank you so much.

24 CHAIRWOMAN WEINSTEIN: Thank you.

1 Now we go to Senator Seward.

2 SENATOR SEWARD: Thank you,
3 Chancellor. Not only welcome to New York,
4 but welcome to Albany and the state budget
5 process.

6 CHANCELLOR CARRANZA: Thank you. I
7 had no idea it was so balmy in Albany.

8 SENATOR SEWARD: I had a series of
9 questions. But first off, on the spending
10 for students with disabilities, either in the
11 private-school setting or public, can you
12 tell me how many public school students with
13 disabilities attend private schools? And is
14 that number going up or down? Are there any
15 trends there?

16 CHANCELLOR CARRANZA: So what I'll do
17 is I'll refer to our chief financial officer
18 for the specific -- but I can tell you
19 trendwise, that number is increasing year
20 over year.

21 SENATOR SEWARD: Increasing at --

22 CHANCELLOR CARRANZA: Number of
23 students in private settings.

24 SENATOR SEWARD: I see. Does your

1 office plan any changes in policies regarding
2 the ability of parents to access
3 private-school programs for their students
4 with disabilities?

5 CHAIRWOMAN WEINSTEIN: Your mic isn't
6 on.

7 (Discussion off the record.)

8 SENATOR SEWARD: Could you hear the
9 question?

10 CHANCELLOR CARRANZA: Yes, sir. So
11 the question was do we plan any changes in
12 terms of families being able to access
13 private educational settings for students
14 with disabilities.

15 So we're doing a comprehensive
16 examination of our services to students with
17 disabilities which includes what are those
18 settings that students are being placed in in
19 terms of their IEP. One of the things that I
20 will just be very honest about in terms of
21 what I found was that structurally, and part
22 of our redesign and reorganization, was that
23 we had special education services working in
24 isolation from teaching and learning, in

1 isolation from multilingual language
2 learners. So part of our reorganization was
3 that we reorganized those divisions under a
4 chief academic officer who is now working in
5 an integrated strategic way to make sure that
6 they're all supporting each other.

7 Part of that analysis is yielding some
8 really important information about how we're
9 not only identifying students, but how we're
10 placing students and in what kind of settings
11 we have within the Department of Education.

12 Our goal, quite frankly, we want
13 students to get the supports they need, but
14 our goal is always to be able to provide to
15 the family and to the students the right
16 programming and supports that they need right
17 in our system, so that they don't have to
18 leave New York City to get the services that
19 they need.

20 To your specific question, I'm going
21 to ask our chief financial officer if she has
22 that number.

23 NYC DOE CFO OATES: I do not. We will
24 have to get back to you on the specific

1 enrollment in our special ed setting private
2 schools.

3 SENATOR SEWARD: Fair enough. Just
4 one final question on this topic, and that is
5 we have heard anecdotally that the city has
6 been quite late in reimbursements for
7 private-school tuition. I mean, is this a
8 systemic problem or a few isolated instances?
9 And can you provide us with whatever the
10 percentage is in terms of on-time payments of
11 this type?

12 CHANCELLOR CARRANZA: Do you want to
13 take --

14 NYC DOE CFO OATES: Sure. Yes. Thank
15 you for the opportunity to speak on this.

16 So we're aware that there are some
17 concerns about payments. And it's something
18 that we obviously take seriously. We're
19 increasing the people power in our units that
20 make those payments to make sure that we can
21 improve the timeliness.

22 SENATOR SEWARD: Okay, thank you.

23 I wanted to switch to mayoral control.
24 I mean, the Governor's budget includes a

1 three-year extension of mayoral control. Is
2 that sufficient, in your estimation?

3 CHANCELLOR CARRANZA: Well, Senator,
4 thank you for asking the question.

5 I'm almost 30 years as an educator.
6 I've worked in school systems as a
7 superintendent, as the CEO of a system, large
8 urban systems across America. I've worked
9 with incredibly enlightened school boards,
10 I've worked with incredibly unenlightened
11 school boards. And I will tell you that the
12 work that I as a CEO, as the chancellor, am
13 able to do a under mayoral control system is
14 unlike anything I've ever experienced. I get
15 to do my job. And I have the authority, the
16 full weight and authority of the mayor, who
17 is accountable to the electorate, to hold me
18 and hold us accountable.

19 So I am a big supporter of mayoral
20 control. I think three years is a good
21 start. But I think that it has allowed us to
22 do the kinds of work that has happened in
23 New York City because we've had that kind of
24 accountability to the voters.

1 SENATOR SEWARD: In the final seconds
2 we have left, I'd like to ask what metrics do
3 you believe should be used to assess the
4 effectiveness of mayoral control? And, you
5 know, how can the -- you know, in other
6 words, how can the state determine that this
7 is a good policy, the mayoral control versus
8 the local school boards?

9 CHANCELLOR CARRANZA: Great question,
10 sir. I would just say this, and I'm going to
11 try to be very succinct. There are schools
12 across America that currently don't even have
13 full-day kindergarten. Yet in New York City,
14 we not only have full-day kindergarten, we've
15 added two additional grade levels to the
16 3K-12 continuum, 3-K and pre-K.

17 The State of California recently
18 visited -- not a school system, the state of
19 California, their new governor sent a team to
20 visit: How did you get Pre-K for All
21 ubiquitously implemented in New York City?

22 None of that has happened without
23 having mayoral control. So that is a great
24 indicator of how, when you have a vision and

1 you have the authority to move it forward,
2 you can make things that other places cannot
3 happen, happen. 3-K, pre-K, College Access
4 for All, AP for All -- these are all part of
5 the Equity and Excellence Agenda. They're
6 great indicators of what can happen.

7 In addition, graduation rates are at
8 the highest level they've ever been, dropouts
9 at the lowest level they've ever been. The
10 opportunity achievement gap between Latino
11 and black students is narrowing. All of this
12 has happened under this administration. And
13 I think it speaks very well to what happens
14 when you have mayoral control.

15 SENATOR SEWARD: Thank you.

16 CHAIRWOMAN WEINSTEIN: Thank you.

17 We'll go to Assemblywoman Dickens now.

18 ASSEMBLYWOMAN DICKENS: Thank you,
19 Madam Chair.

20 And thank you, Chancellor, for being
21 here. It's good to see you again.

22 I want to just quickly thank you for
23 working with Senator Brian Benjamin on the
24 Wadleigh School issue that we had where it

1 was about to close. And we're still working
2 to see that it will permanently remain open.
3 So I wanted to thank you for that.

4 Quickly, you talk about the increased
5 graduation rate, and I commend you on that.
6 However, and I posed this to the
7 commissioner, there is a disparity -- even
8 though you talk about it closing -- on
9 minority students, in particular black and
10 Hispanic students. They're not graduating at
11 the same rate. So I'd like to know what
12 program is being implemented to address that.
13 That's one.

14 And second, I want to talk about the
15 FSF formula that is used. Does that include
16 the mobile population? I.e. -- because I
17 don't see it here -- i.e., foster children,
18 children in shelters of domestic violence,
19 children in foster care and aging out of
20 foster care.

21 CHANCELLOR CARRANZA: Yes, ma'am. So
22 I'm going to answer the first question, and
23 I'm going to ask our chief financial officer
24 to answer the second question.

1 And before I do that, I want to thank
2 both you -- both the Senator and yourself,
3 Madam Assemblymember, for your support with
4 the Wadleigh situation. I think that was my
5 first half-day on the job that we dove into
6 that.

7 ASSEMBLYWOMAN DICKENS: Yes, it was.

8 CHANCELLOR CARRANZA: And I will tell
9 you, Wadleigh is doing great. They have a
10 14 percent increase in their math scores.
11 They are well on the way to being a very,
12 very strong school. So thank you for your
13 support.

14 Look, the work continues. And New
15 York City -- I've now lived and worked in
16 five states, in five large urban school
17 systems. Nobody is larger than New York.
18 But ubiquitously across this country, the
19 opportunity achievement gap between Latino
20 and black students and their counterparts,
21 their peers, in every large urban school
22 system is the same. There is a gap.

23 So part of our work is to not only
24 reduce that gap, but to eliminate the gap.

1 So the question then becomes how do you do
2 that. The investments that we've made around
3 building collaborative environments in our
4 schools is critically important.

5 So I'm going to rattle off a bunch of
6 things we're doing. Happy to talk in a
7 little more detail about each one of them at
8 an appropriate time.

9 We are investing in culturally
10 relevant pedagogy, culturally relevant
11 teaching. We're investing in culturally
12 relevant material so that students see
13 themselves in the school environment. We're
14 also investing in implicit bias training.
15 And some folks may say, Why is it important
16 to have implicit bias training?

17 At the beginning of every school
18 year -- and I'm going to be accused of being
19 a serial tweeter. But at the beginning of
20 every school year, I tweet the exact same
21 tweet, and it's a picture of a young
22 African-American girl with her quote. And
23 the quote is: "My teacher thought I was
24 smarter than I was, so I was." That is the

1 essence of implicit bias training.

2 We all have biases around students,
3 people, things. And it's not bad that you
4 have a bias, it's part of being human.
5 What's critical is that when that black
6 student, when that Latino student, when that
7 non-English-speaking student comes into a
8 classroom, is that a challenge or is that an
9 opportunity? It's all about how you look.

10 So implicit bias training, we've
11 mandated that everyone in the Department of
12 Education will have implicit bias training.
13 Not because we think we have a bunch of
14 racists, but because we think it's important
15 that people understand how students come to
16 us and how we address them.

17 We're investing in building strong
18 communities in our classrooms, so we're
19 investing in restorative practices so that
20 the first option for a teacher is not to
21 suspend a student or send the student out of
22 class, but find different ways of working
23 with students. We think that all of these
24 things -- there's a number of other things --

1 ASSEMBLYWOMAN DICKENS: I want to cut
2 you off, and I apologize, because of the
3 time. I want to call your office to get that
4 in detail.

5 CHANCELLOR CARRANZA: Yes.

6 ASSEMBLYWOMAN DICKENS: But we support
7 the P-TECH Early College High School model.
8 The school at the Paul Robeson campus is
9 doing extremely well. And can we see that
10 that model becomes permanent? And can you
11 please work with the State Ed to make this a
12 reality?

13 CHANCELLOR CARRANZA: So yes, I'm a
14 big fan of P-TECH. I've visited several
15 P-TECH high schools. I think it's a great
16 model. It's not something that you just
17 implement on a whim, as you know. So we are
18 working to make sure that we -- there are
19 other schools that have expressed an
20 interest, and industry partners and higher
21 education partners. We're working with them,
22 and our goal is to have additional models
23 like that across the city.

24 ASSEMBLYWOMAN DICKENS: Thank you. In

1 my last 10 seconds, the collaborative school
2 model, the Bronx model -- what is the
3 outreach being done to schools that have not
4 applied? And I know you can't answer it, but
5 if you could give that information to my
6 office.

7 CHANCELLOR CARRANZA: Happy to do
8 that.

9 ASSEMBLYWOMAN DICKENS: Thank you.

10 CHAIRWOMAN WEINSTEIN: Thank you.

11 We're going to go now to Senator
12 Jackson.

13 SENATOR JACKSON: Chancellor, good
14 afternoon to you and your staff. Thank you
15 for coming to Albany. I know you're new at
16 this; so am I. But I just want to ask you a
17 couple of quick questions, understanding that
18 we only have five minutes dialogue, and then
19 I'll come around on a second round.

20 So can you tell me what your opinion
21 is of the role of school leadership teams in
22 our schools?

23 CHANCELLOR CARRANZA: Critically
24 important. The research out of Chicago, Tony

1 Bright's work, is very clear. You need to
2 have strong leadership, you have to have
3 strong teachers, you have to have parent
4 empowerment, you have to have strong
5 curriculum, you have to have systems and
6 structures.

7 All of that boils down to if you have
8 a team, it's much more powerful and doable
9 than if you have individuals. Critically
10 important.

11 SENATOR JACKSON: Do you believe that
12 parents are full partners in the education of
13 their children?

14 CHANCELLOR CARRANZA: They are
15 cornerstones of those teams. And that's why
16 we speak of parent empowerment, not parent
17 engagement.

18 SENATOR JACKSON: So about special ed,
19 how many special ed students are there in
20 New York City, and how much is being spent on
21 these students? And I asked that question of
22 the State Education Department, but they
23 don't have those stats.

24 CHANCELLOR CARRANZA: So in New York

1 City it's about 20 percent of our students,
2 of the 1.1 million, are special education
3 students. So that's about what, 220,000
4 students are students with disabilities.

5 And in terms of how much is being
6 spent, I'm going to defer to our chief
7 financial officer.

8 NYC DOE CFO OATES: Well, we'll have
9 to get back to you with the specifics on that
10 exact --

11 SENATOR JACKSON: Give or take. Do
12 you have a round-out figure?

13 NYC DOE CFO OATES: Several billion
14 dollars.

15 SENATOR JACKSON: Okay. So you'll get
16 back to me on that, the details.

17 NYC DOE CFO OATES: Yes.

18 SENATOR JACKSON: Okay, good.

19 Now, I've been told -- and correct me
20 if I'm wrong -- there are many schools in
21 New York City that are at 100 percent of the
22 Fair Student Funding formula. Why are some
23 schools at 100 percent and many other schools
24 are not, when basically the needs of all the

1 schools are the same? How did that happen,
2 and what are you doing to correct that?

3 CHANCELLOR CARRANZA: Yeah, it's -- so
4 Senator, thank you. So it's a result of the
5 lack of funding for the Campaign for Fiscal
6 Equity.

7 So what we did is we made -- prior to
8 my arrival, but the system made a conscious
9 decision that schools that were not
10 performing well, we would raise their floor
11 to 100 percent because we know that they
12 needed those resources. We also had some
13 schools that were smaller schools, they were
14 special focused schools, et cetera, that were
15 at 100 percent. We didn't take their money
16 from them.

17 And in the interim what we've done,
18 with the incredible support of our mayor, the
19 support of our City Council, is try to add
20 local tax levy dollars to raise the floor of
21 the schools that are not quite at
22 100 percent.

23 That being said, from an equity
24 perspective we're looking at new resources,

1 whatever new resources we have, to invest in
2 those schools that are not yet at
3 100 percent.

4 SENATOR JACKSON: Well, I think it's
5 imperative that we get those schools up as
6 far as they can. And as you know, the mayor
7 put 3 percent to raise it up to at least
8 90 percent, but it should be more than that.

9 CHANCELLOR CARRANZA: I agree.

10 SENATOR JACKSON: And there's going to
11 be a big fight if that doesn't happen. Let
12 me just say that loud and clear.

13 But let me ask you about opt out. How
14 many students in New York City have opted out
15 of the examinations 3 to 8, if you know? And
16 do you have the details broken out by
17 specific schools?

18 CHANCELLOR CARRANZA: We do have
19 that -- I don't have that at my fingertips.
20 We'll follow up and get you all those
21 details.

22 SENATOR JACKSON: Okay, but you have
23 that.

24 CHANCELLOR CARRANZA: It's a

1 relatively very small percentage.

2 SENATOR JACKSON: Because if that's
3 out of the State Education Department, it
4 seems as though -- it seems as though that
5 they don't have that information.

6 CHANCELLOR CARRANZA: We have that
7 number. We'll get that to you, sir.

8 SENATOR JACKSON: Okay, good.

9 So as far as if you got additional
10 monies, would you allocate that to reducing
11 class size? Because in the Campaign for
12 Fiscal Equity, the court decision talked
13 about -- and CFE talked about lowering class
14 size so that teachers will be able to deal
15 with the students more effectively is a key
16 to guaranteeing them the constitutional right
17 under state education law.

18 CHANCELLOR CARRANZA: Yes, sir. So
19 lowering class size is just a matter of
20 money. And I don't say that facetiously, but
21 it is.

22 But what I will say to you is we know
23 for a fact in New York City that when schools
24 get additional resources, the first thing

1 they do is hire counselors and teachers. So
2 there is a need. There is a hunger.

3 The other thing that we hear very,
4 very -- very, very strongly from our schools
5 that are not a hundred percent is that they
6 don't have enrichment programs, they don't
7 have after-school programs, they don't have
8 art programs, they don't have fine art
9 programs. So increased funding will
10 contribute to rounding out the educational
11 experience of our students.

12 SENATOR JACKSON: Charter schools.
13 How many, and how much is being spent on
14 charter schools in New York City?

15 CHANCELLOR CARRANZA: That number?

16 NYC DOE CFO OATES: \$2.1 billion.

17 SENATOR JACKSON: \$2.1 billion.

18 NYC DOE CFO OATES: Correct.

19 SENATOR JACKSON: How many schools?

20 NYC DOE CFO OATES: I don't think I
21 have that information.

22 SENATOR JACKSON: How much is being
23 spent on rental for charter schools?

24 NYC DOE CFO OATES: \$69 million.

1 SENATOR JACKSON: \$69 million.

2 Okay, thank you. My time's up.

3 CHAIRWOMAN WEINSTEIN: Thank you,
4 Senator.

5 We now go to Assemblyman Bill Colton,
6 who actually had joined us a while ago.

7 ASSEMBLYMAN COLTON: Good afternoon,
8 Chancellor. Welcome to Albany.

9 CHANCELLOR CARRANZA: Thank you, sir.

10 ASSEMBLYMAN COLTON: I wanted to ask a
11 few questions. There may be some areas we
12 don't agree, but I would rather spend my time
13 right now on some areas where I have a
14 feeling we're going to very strongly agree.

15 The Campaign for Fiscal Equity has
16 been something that we've been struggling
17 with for many years, in fact decades, and the
18 Court of Appeals made a decision about
19 12 years ago and we're still in the process
20 of dealing with that.

21 Now, New York City was one of many
22 high-needs districts that was affected by
23 that, but it was affected by it. And I think
24 you indicated that the amount of monies that

1 you would estimate New York City would be
2 owed would be in the area of 1.2 billion or
3 somewhere in that area.

4 CHANCELLOR CARRANZA: Yes, sir.

5 ASSEMBLYMAN COLTON: All right. Now,
6 as a result of not having those monies, what
7 are some of the effects that have happened
8 and will continue to happen until those
9 monies that New York City is owed are finally
10 obtained?

11 CHANCELLOR CARRANZA: Yes, sir. So
12 I've spoken about some of those things.

13 You have a lack of programming in
14 terms of fine arts and visual arts. You have
15 a lack of enrichment programming --
16 before-school, after-school programming. You
17 have class sizes that are larger and without
18 the ability to reduce those class sizes. You
19 have educational experiences in terms of
20 materials and experiences -- going to the
21 museum, going to see different kinds of
22 artwork across the city. The city as a
23 classroom is reduced.

24 Those are the kinds of, we think,

1 fundamental elements of having a well-rounded
2 education that are just not possible if you
3 don't have resources to make that possible.
4 And we see that particularly exacerbated in
5 communities that have challenges or
6 challenging circumstances.

7 ASSEMBLYMAN COLTON: I was a teacher
8 for about 11 years in New York City. I can
9 say one of the things that brought out the
10 curriculum and taught reading and math and
11 the rest of the curriculum were the
12 extracurricular activities, such as going on
13 trips to a museum. So I can, you know,
14 understand that.

15 You also indicated that this year in
16 the proposed Executive Budget that you would
17 not have enough money to meet the needs of
18 all the schools; particularly, 1300 schools
19 would be left out of the increases. Can you
20 describe a little bit how that would affect,
21 you know, those schools that are being left
22 out?

23 CHANCELLOR CARRANZA: Sure. It would
24 definitely have an effect based on the

1 examples that I've already given. But what
2 I'd like to do is ask our CFO to give you
3 some very specific information.

4 NYC DOE CFO OATES: So thank you for
5 the opportunity to talk about this topic.

6 One of the things that is the most
7 troubling about the Executive's proposal is
8 that fact that this would be a redistribution
9 of funding. So the increase that we would
10 receive would be redistributed across the
11 schools. That is particularly troublesome.
12 For New York City, the formula says \$151
13 million would be the amount that would go
14 towards the schools that are identified on
15 this list. We think that that's roughly
16 20 percent of our total school population.

17 So 75 percent of this increase would
18 go to 20 percent of our schools. That's a
19 significant redistributive effect on our
20 schools, and we -- I'm particularly troubled
21 by that. I think that that provides for a
22 lot of -- as you know, one of the foundations
23 of school budgets is predictability. Year
24 over year, you need to have that stability so

1 you know all your teachers will come back
2 next year. And this could really disrupt
3 that process.

4 CHANCELLOR CARRANZA: It would create
5 winners and losers in our system because of
6 the redistributive effect, and haves and
7 have-nots.

8 ASSEMBLYMAN COLTON: And would you say
9 that that kind of lack of stability in the
10 funding would create a problem in terms of a
11 principal being able to plan a program and
12 know that it would continue over a number of
13 years, rather than all of a sudden have to be
14 started and then stopped or reduced?

15 CHANCELLOR CARRANZA: It would
16 absolutely create that instability.

17 And as a principal, that great teacher
18 I just hired this year, which now I don't
19 have the resources to continue next year, I
20 have to now surplus that teacher and I've
21 lost programming, I've lost the reduction in
22 class size, et cetera.

23 It's a cascading effect that happens
24 with instability in funding.

1 ASSEMBLYMAN COLTON: And also if that
2 300 million for this year that you estimated
3 you would need, and the 1.2 billion overall
4 in terms of the Campaign for Fiscal Equity,
5 would that allow you to have the ability to
6 plan, for example, class reductions, knowing
7 that you're going to be able to maintain it
8 for more than just one year?

9 CHANCELLOR CARRANZA: Well, it would.
10 And I think, you know, I give a lot of credit
11 to our principals, because they literally
12 have to in many cases make magic happen with
13 very limited resources, like we've talked
14 about.

15 So it would give us an ability to
16 strategically plan. But more importantly, it
17 would give principals and local communities
18 the ability to have very strategic plans
19 based on the needs of their schools.

20 ASSEMBLYMAN COLTON: Okay. Thank you,
21 Chancellor.

22 CHANCELLOR CARRANZA: Thank you, sir.

23 CHAIRWOMAN WEINSTEIN: Thank you.

24 Now we go to Senator Benjamin.

1 SENATOR BENJAMIN: Thank you, Madam
2 Chair. Thank you, Commissioner.

3 I also want to commend my
4 Assemblymember, Inez E. Dickens, for being
5 part of that leadership team that helped save
6 Wadleigh on your first day.

7 But let me sort of peel back on that a
8 little bit, because Wadleigh was or is a
9 member of the renewal school program. So
10 when, you know, a few years Wadleigh got
11 significant resources -- and unfortunately,
12 from what my understanding is, did not get
13 the right personnel -- you know, to be
14 specific, my understanding was the principal
15 who was brought in was being phased out
16 someplace else. So there was money, not the
17 right personnel, and that led us to the
18 situation where we had to come in at the last
19 minute and say, wait a minute, let's invest
20 in our kids, let's get the right personnel.

21 And as you have just stated, because
22 you brought the right people in, math scores
23 are up 14 percent.

24 So to that point, how do you view the

1 renewal school program? How is it working,
2 in your view? Is it going well? And also
3 how much money has been spent since the
4 beginning of the program on these -- I
5 believe it's 94 schools, right? Is it less
6 than 94 schools?

7 CHANCELLOR CARRANZA: Yes, it was.

8 SENATOR BENJAMIN: Okay.

9 CHANCELLOR CARRANZA: So Senator,
10 thank you for the question. I'm going to try
11 and be as quick as possible.

12 There's been a lot written and talked
13 about the renewal program. Let me just say
14 this. As an educator, the decision to close
15 a school is one of the most significant
16 decisions and most impactful decisions that
17 anyone will ever make. If you believe that
18 schools are the center of a community, you
19 must make that the absolute last, most -- not
20 first decision that you make.

21 Because of that, we know that there
22 are components that help schools get better.
23 And Wadleigh was a good example. Not quite
24 the right leadership, not quite the right

1 programming, et cetera, et cetera. We didn't
2 involve the community to the degree that I
3 felt we should have.

4 When we went back and actually
5 attended to those issues, you can see the
6 growth that has happened.

7 Lots of people have opinions about the
8 renewal program, but I will tell you the
9 renewal schools -- I mentioned the 44 that
10 were on the watch list that now there's only
11 four. They are not the lowest-performing
12 schools any more in New York City.

13 I will tell you that attendance and
14 enrollment is up in schools that were in the
15 renewal program. The additional resources
16 that have been invested are being used
17 wisely. I will tell you that the graduation
18 increase in the renewal schools outpaces the
19 increase for the city at large. I will tell
20 you that the increase in student achievement,
21 while not at the absolute level that we want
22 for all of our students, the percentage
23 increase is outpacing the percentage increase
24 of the city at large. So the indicators are

1 very positive in a positive trajectory.

2 The other thing that I want to really,
3 really warn about is that most people want
4 the silver bullet. So you have this program,
5 you've got two years, three years, four
6 years -- where are the results? Well, it
7 doesn't work that way. We know the
8 literature is very clear that for school
9 improvement, it's a process that takes
10 anywhere from three at the absolute quickest
11 to seven years.

12 And I would say that the portfolio of
13 those renewal schools are very much on a
14 trajectory -- not all of them, but they're on
15 a trajectory to do much better than what they
16 were, without disrupting the community and
17 just closing, wholesale, schools and removing
18 them from the community.

19 SENATOR BENJAMIN: How much money has
20 been spent so far?

21 NYC DOE CFO OATES: So we spend
22 approximately \$190 million every year on
23 renewal schools.

24 And I think that this is a good

1 example about how mayoral control can result
2 in local funding decisions in the neediest
3 schools. These schools were the ones that
4 were identified a few years ago. We invested
5 approximately \$42 million in raising the Fair
6 Student Funding floor, which is our local
7 weighted student funding formula, and we
8 raised all of those schools up to 100
9 percent. And as the chancellor mentioned,
10 we've seen results with that --

11 SENATOR BENJAMIN: Okay. So the
12 770-something million dollars I saw in the
13 New York Times, is that inaccurate?

14 NYC DOE CFO OATES: That's a
15 cumulative amount.

16 SENATOR BENJAMIN: Okay. So it's
17 about that.

18 All right, moving on. Mayoral
19 control. One of the things that I hear a lot
20 in my community is that parental and
21 community involvement is null and void with
22 mayoral control. Is there any
23 recommendations or amendments that you might
24 have from the DOE perspective to say, you

1 know what, mayoral control plus X, that can
2 make local communities feel like, you know,
3 they're not completely out of the
4 conversation when it comes to how decisions
5 are made with the public schools?

6 CHANCELLOR CARRANZA: Sure. So thank
7 you for that question.

8 I can tell you that in my 11 months as
9 chancellor, I've worn out the soles of my
10 shoes going to meetings, being in-community
11 with parents, with community members.

12 Actually, my opinion is probably the
13 least significant. I'm hearing from parents
14 about what they would like to see. And we've
15 engaged with parents and parent leaders and
16 there is a whole list of things that we're in
17 active conversation with them about.

18 The mayor and I have recently, borough
19 by borough, met with leaders of parent
20 organizations and had town hall meetings with
21 them. We are listening to what parents are
22 saying. So parent voice is very important to
23 us. We've restructured ourselves to be
24 attentive to parent voice. And I can tell

1 you that mayoral control, mayor influence,
2 whatever we call this, is going to be very
3 affected by what we're hearing from our
4 parents.

5 SENATOR BENJAMIN: Thank you.

6 CHAIRWOMAN WEINSTEIN: Assemblywoman
7 Jaffee.

8 ASSEMBLYWOMAN JAFFEE: Thank you,
9 chancellor, for joining us today and for the
10 work that you're doing for the public schools
11 in New York City. Former graduate of Tilden
12 High School.

13 CHANCELLOR CARRANZA: Hey, hey, hey.

14 ASSEMBLYWOMAN JAFFEE: And a former
15 teacher.

16 CHANCELLOR CARRANZA: Wonderful.

17 ASSEMBLYWOMAN JAFFEE: I taught in
18 Rockland County, actually; it's where I live
19 now.

20 But, you know, I have great respect
21 for the work that you're doing because I have
22 had conversations over the past year or so
23 with you -- we did meet -- and with many
24 others, people that I know. And there has

1 been such a positive change in the city
2 schools. So I want to thank you for that.

3 I wanted to ask you, the significant
4 amount of funds that you have to provide the
5 charter schools, is there any oversight of
6 the charter schools, standards,
7 requirements that, you know, require that
8 they actually are providing an equivalent
9 education?

10 CHANCELLOR CARRANZA: So we work and
11 really have a focus of working
12 collaboratively with charter schools. But by
13 their very nature, charter schools are
14 independent bodies from the DOE. So while we
15 have conversations, while we have some
16 collaborative relationships with charter
17 schools and district schools, we don't have
18 the supervisory authority except for the
19 allocation of resources, facilities
20 conversations, et cetera.

21 ASSEMBLYWOMAN JAFFEE: So you're
22 required -- of the funding that comes to the
23 city schools, you're required to give a
24 portion of that to the charter schools.

1 CHANCELLOR CARRANZA: Yes, ma'am.

2 Yes, ma'am.

3 ASSEMBLYWOMAN JAFFEE: And yet there's
4 no oversight that you're aware of that
5 requires them to hold the standard of
6 education --

7 CHANCELLOR CARRANZA: I don't have
8 that authority.

9 ASSEMBLYWOMAN JAFFEE: I have concern
10 about that, because I don't think there is
11 any oversight, quite frankly. And I think
12 that's very unfortunate that you have to take
13 the funds that are provided for our public
14 schools and then give a portion to them. I'm
15 going to question that.

16 CHANCELLOR CARRANZA: Yes, ma'am.

17 ASSEMBLYWOMAN JAFFEE: But thank you.
18 Thank you for your discussion and the work
19 that you're doing on behalf of the youth in
20 all the various schools. It's very
21 impressive.

22 CHAIRWOMAN WEINSTEIN: Thank you.

23 SENATOR KRUEGER: Thank you.

24 Senator Diane Savino.

1 SENATOR SAVINO: Thank you, Senator
2 Krueger.

3 Good afternoon, Chancellor. So I have
4 the distinct pleasure of sharing, in my
5 Senate district, the chair of the New York
6 City Council -- the chair of the New York
7 City Council Education Committee, Mark
8 Treyger, an individual you know well. And he
9 could not resist the opportunity to live
10 vicariously through me right now and ask you
11 a couple of questions about some issues, and
12 of course I have to accommodate him.

13 So he's concerned, and we're all
14 concerned, about the Fair Student Funding
15 that he worked very hard on achieving for
16 New York City. So what do you think the
17 amount is necessary to get you there to get
18 100 percent of the schools with a Fair
19 Student Funding entitlement? That's one
20 question.

21 The second one is I've heard many of
22 my colleagues talk about the number of
23 homeless children in our school system, the
24 number of young people who are also in foster

1 care. And we know the effect of trauma on
2 children and how it affects their ability to
3 learn.

4 So what I'm interested in hearing is
5 your thoughts on increasing the number of
6 social workers and guidance counselors to
7 help deal with some of these kids, because
8 we're seeing in some of those schools a high
9 rate of suspension. And you cannot back out
10 the effect of trauma on children and how it
11 affects their learning and their abilities.

12 So two things: Fair Student Funding,
13 and what's the likelihood that we can
14 increase the number of social workers and
15 guidance counselors.

16 CHANCELLOR CARRANZA: Thank you,
17 Senator. So I'm going to ask our chief
18 financial officer to answer the first one and
19 then I'll tackle the second one.

20 SENATOR SAVINO: Thank you.

21 NYC DOE CFO OATES: So one of the
22 benefits of the school budget transparency
23 reform required by the state is that it very
24 clearly shows that we are -- in order to

1 raise all schools to 100 percent of the Fair
2 Student Funding formula, which again is our
3 local New York City weighted student funding
4 formula, it would be \$750 million,
5 approximately.

6 SENATOR SAVINO: That's a lot of
7 money --

8 NYC DOE CFO OATES: Yes, it is.

9 SENATOR SAVINO: -- 750 million.
10 And you want to --

11 CHANCELLOR CARRANZA: Yes. So we are
12 actually working -- we've just added a
13 hundred social worker positions that will be
14 working -- as I mentioned previously, working
15 in shelters but also working with families.

16 We again, as we receive more and more
17 resources, we are going to target our most
18 vulnerable populations, of which students in
19 temporary housing is one of those
20 populations. So we are very, very willing to
21 do that. It's just a matter of money.

22 SENATOR SAVINO: Well, that's good to
23 hear.

24 And finally I know my other colleague,

1 Assemblywoman Malliotakis, raised the issue
2 of UPK, the number of -- we share the
3 district together. And I know that while
4 we've invested a lot of money over the past
5 few years on UPK age 4, now we're adding UPK
6 age 3, and you've made mention of the fact
7 that we have full-day kindergarten in
8 New York City, the truth is we're not
9 required to provide kindergarten seats. And
10 it's not mandatory. I've often believed that
11 we should do that, we should require
12 kindergarten seats.

13 But how many kindergarten seats do we
14 have in the public school system, and could
15 they accommodate all the kids that are in the
16 pipeline in UPK and pre-K?

17 CHANCELLOR CARRANZA: So the specific
18 number, we'll get back to you on that
19 specific number.

20 But we do know that we can accommodate
21 all of the students that are now in the
22 pipeline that are coming through pre-K and
23 3-K, that we can accommodate them.

24 One of the exciting data points this

1 year is that the first cohort of students
2 that went through our pre-K are hitting third
3 grade this year. So very quickly we're going
4 to be able to see what kind of an effect that
5 early education is having on literacy rates
6 in our city. I'm practically giddy, I'm so
7 excited, because we know that the literature
8 is rich in terms of what an impact that
9 makes.

10 SENATOR SAVINO: I'm looking forward
11 to those numbers too.

12 And finally on the -- I know one of my
13 colleagues raised the issue of charter
14 schools. I am, as I've always said, agnostic
15 about charter schools. I believe that we
16 should support our children regardless of
17 where they go to school. So whether they go
18 to Catholic school, private school, charter
19 school, public school, we should do
20 everything possible to elevate them.

21 I am somewhat concerned, though -- not
22 necessarily about -- the first time we met
23 was in Brighton Beach, and you indicated to
24 me at the time that you felt the same way.

1 I'm a little concerned, though, about the
2 administration -- I should say the mayoral
3 administration, which has been openly hostile
4 to charter schools. And I would hope that
5 moving forward, if we're going to renew
6 mayoral control or school governance, that we
7 rethink that relationship. At the end of the
8 day, these are all of our children,
9 regardless of where they sit in a classroom,
10 and it would be nice if we stopped fighting
11 other it.

12 CHANCELLOR CARRANZA: Thank you,
13 Senator. I will tell you that I just visited
14 a charter school this past week. I visit
15 charter schools. I see and I participate. I
16 have been on the record as saying that, you
17 know, they're all our students in New York
18 City. But as the chancellor of the New York
19 City public schools, I'm going to defend our
20 schools.

21 SENATOR SAVINO: And well you should.
22 There shouldn't be a contradiction between
23 the two.

24 CHANCELLOR CARRANZA: No. And I think

1 that, you know, when we work together, we
2 will work together. But when someone attacks
3 our schools, I'm going to defend our schools.
4 And again, I just want to make clear that the
5 children belong to all of us.

6 SENATOR SAVINO: Fair enough.

7 SENATOR KRUEGER: Thank you.

8 Before I call Assemblymember Ortiz, a
9 reminder. Everyone, turn your mics off if
10 you aren't speaking.

11 MULTIPLE VOICES: They won't turn off.

12 CHAIRWOMAN KRUEGER: They won't turn
13 off.

14 FEMALE LEGISLATOR: This one won't.

15 CHAIRWOMAN KRUEGER: All right, maybe
16 we'll try to get an exchange. Because people
17 are texting in that when they are listening
18 online, every single cough and zipper and
19 conversation we're all having --

20 (Laughter.)

21 CHAIRWOMAN KRUEGER: -- is actually
22 louder than the testimony. So in this
23 complicated mic system --

24 (Laughter.)

1 CHAIRWOMAN KRUEGER: All right. So
2 again, if you can turn your mic off when
3 you're not talking, please do so. And Robert
4 Jackson just solved one problem, thank you.

5 Assemblymember Ortiz, it's your five
6 minutes.

7 ASSEMBLYMAN ORTIZ: Okay, thank you.
8 Thank you very much, Madam Chair.

9 And thank you, Chancellor, for being
10 here. And I also would like to thank you for
11 visiting my district a couple of times,
12 PS 24, Sunset Park High School, as well as
13 IS 88. It was a pleasure to see you there
14 and converse with you.

15 I have a couple of questions, and the
16 question has to do with the report that came
17 out about the -- and I agree with you, we
18 should not be labeling the schools. But the
19 bad news is that they do. So they're
20 labeling schools, so that creates more
21 frustration for the department whether or not
22 I will send my child to PS 15 or 676 or 136,
23 and so on and so forth.

24 So my question is once you got this,

1 what is the action plan that you have in
2 place in order to have resolutions to those
3 schools who are on this list?

4 CHANCELLOR CARRANZA: And thank you,
5 Assemblymember. It's always a pleasure to
6 walk schools with you. So thank you.

7 I assume that you're referring to the
8 recently released list by SED.

9 ASSEMBLYMAN ORTIZ: That's correct.

10 CHANCELLOR CARRANZA: Well, the good
11 news is that none of those schools were a
12 surprise to us, because we are embedded in
13 the schools looking at multifaceted ways of
14 assessing how schools are doing. So when
15 that list was released, we are already
16 working in those schools based on specific
17 things that those schools need to work on to
18 get better.

19 So the good news is it wasn't a
20 surprise. I think we would all be very, very
21 troubled if we had no idea it was coming. We
22 knew who those schools are. But even more
23 important, we know exactly where there are
24 areas that we can help and support and help

1 them get better. That's the first thing.

2 One of the things that I think is
3 really important as well is that there is
4 this notion -- and again, there's a
5 hypersensitivity to testing and test scores.
6 Let me be very clear. My philosophy is that
7 a school is not the sum total of a test
8 score. It is not. It's a rich environment.
9 It should be educating the whole child. Do
10 students need to be able to read and write
11 and do arithmetic? Absolutely. But it's
12 more important that they know how to read and
13 write, but read and write about something.
14 And that's where the arts come in. That's
15 where extracurriculars come in.

16 But here's the situation that has been
17 created with accountability systems.
18 Unfortunately, not everyone takes a nuanced
19 approach. What they do is they read the
20 newspaper in August, they see who scored
21 what, and then they say, well, I don't want
22 to go to that school, I do want to go to that
23 school -- without ever having stepped foot
24 into a school and experiencing the richness.

1 So what we're trying to do in terms of
2 empowering our communities is have
3 communities be able to tell their story.
4 Wadleigh is a great example, a historic
5 school with a rich tradition, with a rich
6 portfolio of graduates, with luminaries. No
7 one knows unless they're able to tell their
8 story. So part of our empowerment process is
9 helping those communities tell their stories.

10 So all the technical things about
11 reading and writing and doing better is
12 really important, but we're also helping
13 communities tell their story and helping
14 communities to be part of the success of that
15 school as well.

16 ASSEMBLYMAN ORTIZ: On that note, I
17 also would like to add that I would love to
18 be part of that in the schools that I have a
19 problem with. Because we got numerous phone
20 calls when the article came out, specifically
21 PS 15 and 676. And I will address 676 as a
22 clear example.

23 We have a lot of problems at that
24 school. And I would like for you to really

1 visit that school with me. And also let's
2 try to take that school by the horns, because
3 that school needs a lot, a lot of help.

4 And I'm going to also address the
5 issue of the social workers, the
6 psychologists, and the guidance counselors.
7 I do have legislation in place mandating that
8 every school should have a guidance counselor
9 or specifically a psychologist and a social
10 worker, mental health providers. These folks
11 are very critically needed in the school
12 system. We have kids that are suffering from
13 eating disorders, for example, in middle
14 school and high school.

15 And I will tell you firsthand, in
16 firsthand experience, that some of these
17 parents have come to me looking for help and
18 sometimes we do not have the help that is
19 necessary, the specialty, inside the school
20 to deal with this issue. And sometimes when
21 you talk to the principals and the assistant
22 principals, sometimes it's not that they want
23 to put it away, it's just that they -- you
24 know, they don't know how the mechanics

1 works.

2 And I hope that we can work together
3 to enhance and embrace more social workers
4 and psychologists in every school in the City
5 of New York, because it's needed. Especially
6 with all the pressure and anxiety that our
7 kids are going through, it is more needed
8 today than yesterday.

9 CHANCELLOR CARRANZA: Yes, sir. So
10 you have my commitment that we will walk that
11 school very quickly. We'll follow up your
12 office to make that happen.

13 And I share your sentiments about
14 having the rich social/emotional support
15 system in schools. They are communities, and
16 we need that. And we know that living in a
17 large city is traumatic for students and
18 adults. So trauma-informed supports,
19 trauma-informed pedagogy, trauma-informed
20 curriculum is also important. So --

21 ASSEMBLYMAN ORTIZ: We're so lucky.

22 CHANCELLOR CARRANZA: Thank you.

23 CHAIRWOMAN KRUEGER: Thank you.

24 Senator Velmanette Montgomery.

1 SENATOR MONTGOMERY: Yes, thank you,
2 Madam Chair.

3 Good afternoon, Chancellor.

4 CHANCELLOR CARRANZA: Good afternoon.

5 SENATOR MONTGOMERY: I'm going to try
6 to ask my questions, and in case -- because
7 I'm not very good at this, actually, so I
8 want you to have time to answer as much as
9 possible.

10 CHANCELLOR CARRANZA: Thank you.

11 SENATOR MONTGOMERY: So let me start
12 by first saying I appreciate the fact that
13 you came to the district, to Boys and Girls
14 High, which is, as you must have seen, a
15 magnificent institution.

16 CHANCELLOR CARRANZA: Right.

17 SENATOR MONTGOMERY: Yes. And I'm
18 sorry that I -- my apologies for not being
19 able to be there when you did come, but
20 hopefully there will be other times when you
21 can.

22 CHANCELLOR CARRANZA: Yes, ma'am.

23 SENATOR MONTGOMERY: I want to just --
24 a couple of things. I want to start by

1 saying that I did communicate with your
2 office, at least I attempted to. And my
3 sense is that you have not seen either my
4 letter or the response that I received
5 representing I guess what is considered to be
6 your response to me. I was quite
7 disappointed and in fact very surprised,
8 because the issue that I raised is very
9 central to what is happening in our city and
10 especially in my district. So let me just
11 try to give you some sense of what I would --
12 what my interests are and my concerns are in
13 us talking.

14 I represent Brooklyn Tech High School.
15 I also represent Boys and Girls High School.
16 And I represent P-TECH. And he and I
17 represent several other high schools. And so
18 we have a tremendous controversy around the
19 whole issue of what is the admissions policy
20 as it relates to the specialized high school,
21 one of which is Brooklyn Tech.

22 So I thought that this would be an
23 opportunity for us, all of us together, to
24 talk about what are we actually doing to make

1 sure that the high schools in New York City
2 are -- and I'm very happy that you have taken
3 on the equity issue -- that they are
4 equitably funded, resourced and that they are
5 equitably accessible to students in our city.

6 So let me just give you -- represent,
7 for your information, several students came
8 to me last week -- Kilah Borrell, Shaquana
9 Beram, Aliqua Kalist, and Naomi Bergos {ph}.
10 These are high school students who are -- I
11 think they are graduating this year from the
12 Urban Assembly Institute of Math and Science
13 for Young Women. So I said to them, well,
14 give me some idea what's happening in your
15 school and what your needs are. They have no
16 library in their school. They have no
17 auditorium in their school. They only very
18 recently received AP classes. So they've
19 gone all of this time in high school with no
20 access to AP classes.

21 So my question and my hope is that
22 these young people, who know that they're
23 graduating from a high school that has been
24 underresourced -- and yes, they're going to

1 be graduates, but they themselves understand,
2 as one of them said, "I'm about to enter
3 college. I'm very unprepared. I've never
4 been introduced to physics," and et cetera.
5 This is a school of science for young women.

6 So I just want you to know, that comes
7 from them.

8 And also I received a notice from the
9 administration at Boys and Girls High, and
10 what they're concerned about -- again,
11 resources. What is going to happen. They're
12 coming out of receivership. So they really
13 are concerned about what is going to happen
14 to the resources that they have received that
15 has allowed them to come out of
16 receivership -- will that continue? Where
17 will they be after then?

18 So -- and my question to you is -- and
19 I can make sure you have a copy of my letter,
20 because this is part of what I asked in that
21 letter.

22 CHANCELLOR CARRANZA: Yes, ma'am.

23 SENATOR MONTGOMERY: How many students
24 do we have in our city who are part of the

1 Early College programs? The commissioner,
2 State Ed commissioner just said to us this is
3 one of the programs that she believes is the
4 most successful in moving young people out of
5 high school successfully and into college.

6 I have other questions, but I've run
7 out of time, as I knew that I probably would.
8 But so that you know, I think that you have
9 some sense of what my concerns are. And I
10 would like to have a conversation.

11 CHANCELLOR CARRANZA: Sure.

12 SENATOR MONTGOMERY: And
13 unfortunately -- hopefully this is not the
14 only way that I'll be able to talk to you.

15 CHANCELLOR CARRANZA: No.

16 SENATOR MONTGOMERY: I know you have
17 intergovernmental people, but I don't really
18 want to talk to them because they don't make
19 decisions. I want to talk to you.

20 CHANCELLOR CARRANZA: Sure.

21 SENATOR MONTGOMERY: So I would
22 appreciate that.

23 SENATOR KRUEGER: All right. So we
24 don't have any time for you to answer now,

1 but you are committing to having a meeting
2 with Senator Montgomery --

3 CHANCELLOR CARRANZA: Yes.

4 CHAIRWOMAN KRUEGER: -- to discuss
5 exactly these questions.

6 CHANCELLOR CARRANZA: Yes, I am.

7 CHAIRWOMAN KRUEGER: And it's on the
8 record.

9 CHANCELLOR CARRANZA: Yes, ma'am.

10 CHAIRWOMAN KRUEGER: Thank you.

11 Thank you, Senator Montgomery.

12 SENATOR MONTGOMERY: Thank you.

13 CHAIRWOMAN KRUEGER: Assembly.

14 CHAIRWOMAN WEINSTEIN: Thank you.

15 I have really a couple of follow-ups
16 to questions my colleagues asked before I got
17 a chance to ask them myself.

18 So I know you had a conversation with
19 Assemblywoman Joyner about homeless youth.
20 So I have two homeless shelters in my
21 district, many with school-age children. And
22 I understand that probably as much as
23 10 percent of students in our school system
24 are in that kind of category.

1 So you went through some of the
2 services and support. Do the dollars -- I
3 know in the past that the dollars for the
4 students didn't follow them when they went
5 into a shelter and then into a new school.
6 Has that changed?

7 CHANCELLOR CARRANZA: Yes. Yes, it
8 has. And we can give you some more detail
9 about that, but the dollars follow the
10 students.

11 CHAIRWOMAN WEINSTEIN: Yes, if you
12 could.

13 CHANCELLOR CARRANZA: Sure.

14 CHAIRWOMAN WEINSTEIN: Because one of
15 the issues I had in my district was a
16 principal that would come to me and just --
17 because all of a sudden the shelter opened
18 and they had a tremendous influx of students.
19 And their budget was based, you know, on
20 their census in October, and all of a sudden
21 in January they had a lot of students -- in
22 fact, they couldn't even accommodate all of
23 them in their school, they went to a few
24 other local schools because of the crowding

1 levels.

2 So if you could go through a little
3 more detail, that would help.

4 NYC DOE CFO OATES: Yeah, absolutely.
5 Our local weighted student funding formula,
6 the Fair Student Funding formula, is a
7 dynamic one. Every year we look at the
8 demographic changes and enrollment trend
9 changes in every school in the system across
10 a variety of different categories, and we
11 fund schools appropriately based on those
12 demographics in the schools at the time.

13 We do an adjustment in the middle of
14 the year also to reflect changes that happen.
15 And in extreme circumstances, where -- the
16 example that you're citing, if there's a
17 homeless shelter that opens around the corner
18 or if there's a hurricane and there are many
19 displaced students that come to our city, we
20 have the ability to provide schools the
21 resources they need in more real time if
22 necessary.

23 CHAIRWOMAN WEINSTEIN: And are there
24 now -- I think you kind of said it, but in

1 the individual shelters are there school
2 liaisons now because each shelter that has, I
3 guess, a certain level of children has a DOE
4 liaison?

5 NYC DOE CFO OATES: There are a
6 variety of different resources in homeless
7 shelters. We work really closely with the
8 Department of Homeless Services in New York
9 City. There was a recent Title IV funding
10 from the federal government that the
11 chancellor referenced earlier that we -- I
12 think it's really going to enhance the
13 connection between shelters and our schools.
14 It's case management services that schools
15 that have the most need in terms of the STH
16 population can access to really ensure that
17 the students and their families can access
18 all of the needs that they have.

19 CHAIRWOMAN WEINSTEIN: Well, that's
20 good to hear. Because the two shelters are
21 on opposite ends of my district, and for a
22 period of time -- for quite a long period of
23 time they were sharing the same liaison,
24 which would mean they would be in one shelter

1 for like two days and then go the other
2 shelter. And there was, you know, disruption
3 to the students and also the school.

4 And then the other was really a
5 follow-up to Senator Seward's question about
6 the students under the Carter -- what we call
7 the Carter claims, the Carter lawsuit, in
8 terms of going to private schools and the
9 delay that I have been hearing from
10 parents -- I have a lot of parents in my
11 district that have taken advantage of
12 providing the best special education they
13 could for their children -- the tremendous
14 delay in payments.

15 And often these are families that have
16 other kinds of -- beyond just the having to
17 lay out the money for the tuition, have other
18 kinds of medical and expenses related to
19 raising the child.

20 And things -- we had gotten an
21 agreement with the city several years ago
22 with Mayor de Blasio, and things were doing
23 well in this past year but it was
24 particularly dismal -- in terms of the

1 '17-'18 school year, there was a
2 recommendation of 56 -- and I know that the
3 number of claims has gone up. There was a
4 recommendation of 56 -- almost 5700
5 settlements, and just over 1900 were actually
6 settled.

7 So that means that parents -- there's
8 a tremendous number of parents still waiting
9 for the tuition to be reimbursed at the same
10 time that they're actually going to the next
11 school year.

12 So hopefully -- I know you said you
13 would look into it. I know that there's an
14 attempt to hire some new attorneys. But
15 what's the -- is it just the lack of
16 personnel on your part that is the delay? Is
17 there a problem with the comptroller's
18 office? I mean, we'd like to try and help
19 any way we can.

20 CHANCELLOR CARRANZA: Yeah. So again,
21 I'll leave details to our chief financial
22 officer.

23 I will say that, Chair Weinstein, this
24 is unacceptable. These are children that

1 you.

2 And if you could just -- I mean, I
3 have been kept up-to-date periodically by the
4 mayor's office, the governmental relations
5 office, but if we could have some direct
6 communication on that, that would be helpful.
7 And perhaps we could even meet with some of
8 the schools that are particularly impacted by
9 this so --

10 CHANCELLOR CARRANZA: Absolutely.

11 CHAIRWOMAN WEINSTEIN: -- they could
12 be reassured that the funds will be
13 forthcoming.

14 SENATOR KRUEGER: Thank you.

15 I think I'm the last for the Senate.
16 On first round. Don't get that excited.

17 (Laughter.)

18 SENATOR KRUEGER: And I was listening,
19 but I was actually sitting behind you for
20 much of the question period.

21 So this might seem counterintuitive
22 for many of my colleagues, but I'm actually
23 quite worried that the city is committing to
24 3-K. I don't know that we have the space or

1 the financial resources to do it. And I
2 wonder whether we are evaluating in some way
3 the lost opportunities that we otherwise
4 would be able to use that money for, such as
5 some of the many things you've heard today,
6 particularly around special-needs children,
7 who -- as we know, early intervention for
8 children with special needs is a crucial
9 window that you either get to those kids then
10 or you don't get to them. Right?

11 And we hear constantly -- and maybe
12 because I've sat here through the Health
13 hearing and some other hearings, you hear the
14 desperation for the intervention at the
15 earliest ages, but there's no new money
16 coming in the numbers that people are talking
17 about. Sorry. We're dealing with a Governor
18 who said we have another \$2.3 billion deficit
19 we didn't plan on, and a federal government
20 we can't count on for I'd say pretty much
21 anything.

22 So is New York City risking walking
23 itself into a situation where -- because it's
24 not just a pre-K class, it's then an

1 increased cohort of students in your system
2 until they graduate. Right? So it just gets
3 bigger and bigger and bigger.

4 And we still talk about overcrowding
5 in schools. We still talk about trying to
6 find the space even adequate for the 4-K, at
7 least in my district and a few others. And I
8 just wonder, did we ask those questions of
9 shouldn't we use this money and these
10 resources -- I also hear about the shortage
11 of teachers because of the competition
12 between other early childhood and the pre-K.
13 So we're creating a new shortage of
14 professionals.

15 Should somebody actually just stop and
16 say, what are we losing if we do this instead
17 of the other things?

18 CHANCELLOR CARRANZA: Really fair
19 questions. And I want to thank you, Senator.

20 A couple of things. So the students
21 that eventually will be in kindergarten,
22 they're going to be in kindergarten
23 regardless if they're in a 3-K or pre-K.
24 They live in the city. They're going to be

1 our students anyway.

2 SENATOR KRUEGER: No, but we'll have
3 them for one less year of their lives,
4 technically, if we don't have 3-K. And so
5 you actually are increasing your population.

6 CHANCELLOR CARRANZA: The point is not
7 lost.

8 What I will say, though, is that in
9 New York City my experience has been
10 traveling across the city in all five
11 boroughs, this is a working city. This is a
12 city where parents in some cases have two
13 jobs, three jobs. And in a very practical
14 way, if we're making a decision of having
15 students in a daycare kind of setting where
16 there's no academic focus, rather than in a
17 structured academic focus setting, that just
18 adds -- it's an added value to the city
19 because students are then getting the
20 academic enrichment that they actually
21 deserve. So I think it's just an enlightened
22 policy.

23 To your point about students and
24 identifying students who have special needs,

1 our 3-K and pre-K actually it gives us the
2 ability to identify students earlier that may
3 have those specialized needs, because we have
4 a structured way of doing those kinds of
5 assessments.

6 I will say that one of the big
7 questions that I had when I came into the
8 chancellorship was to ask those questions:
9 Wait a minute, stop. What's the ROI, what's
10 the return on investment? How do we know
11 that what we're doing is high quality?

12 That's why you will often hear us
13 refer to high-quality pre-K, 3-K, not just
14 pre-K or 3-K for the sake of 3-K. And part
15 of the questions that we're asking are
16 exactly the questions you're asking -- the
17 efficacy of implementation.

18 What I will say is that I've been very
19 impressed with just how rigorous we are
20 looking at the curriculum, the strategies for
21 teaching children in those early education
22 environments. And one of the things that I'm
23 particularly happy about our implementation
24 is that we're working very, very closely with

1 community-based organizations.

2 Now, to your point, there has been
3 some conversation about parity and wage
4 parity. That's not lost on us either.
5 There's very soon going to be some new RFPs
6 that are coming out which we're really
7 moving, and we have moved towards really
8 closing that gap in wage parity.

9 I think it's just a smart investment
10 that has been made in New York City,
11 particularly when you think about the fact
12 that 70 percent -- over 70 percent of our
13 students are free and reduced lunch. This is
14 not a population in our public schools that
15 has the wherewithal or the financial
16 wherewithal to pay for this privately. I
17 think it's a good investment for the working
18 men and women in New York City.

19 And again, I'm going to be a broken
20 record on this. This is only possible in a
21 system where you have mayoral control and the
22 mayor can actually dedicate resources to
23 something that is as important as this is to
24 our community.

1 SENATOR KRUEGER: So then I'll make an
2 amendment to my question. If we're going to
3 do this, and it is for, you're right, the
4 hardworking people who have to be out there,
5 both parents or are single-parent families,
6 then you need to make this full year, because
7 they don't get off in summers, the parents,
8 and you need to make it full day.

9 Because in fact what I do also hear is
10 that we're not actually helping from a
11 childcare needs perspective when we put 3-K
12 and 4-K just for five hours a day, because
13 you actually then require the parent to have
14 two systems, a second system to figure out
15 what happens to the child in later hours of
16 the day and the months of the year when
17 schools aren't open.

18 So you're -- you're actually shrinking
19 a universe of childcare that wasn't
20 school-based, which was imperfect and always
21 a shortage and never enough money -- but
22 you're actually shrinking that. Because
23 providers can't operate just on a
24 summer-months-and-three-hours-a-day basis.

1 So those kinds of providers actually are
2 closing up, because everybody is shifting.
3 And I get it. And I do think, by the way,
4 the pre-K model is a far better model and to
5 put our children into an enriched education
6 as early as possible is a win.

7 But then we just have to be
8 confronting the fact -- are we saying we're
9 doing this? Then it needs to be full year.
10 Because really pre-K and 3-K is the City of
11 New York's position that we should provide
12 this for all children. And so it needs to
13 be -- and we recognize it's because also
14 parents need to be out of the house working
15 and we want those children in the best
16 possible locations, getting the best quality
17 support and education.

18 So then you have to think bigger.
19 Even though I just told you I don't think you
20 have enough money to do what you're trying to
21 do now. But I think you have to think about
22 full year, full day.

23 CHANCELLOR CARRANZA: Thank you,
24 Senator. I really appreciate your comments.

1 Points very well taken. We take those under
2 consideration as well.

3 As I said, I hope no one feels that
4 I'm being facetious about this. We would
5 love to offer full-year, full-day, pre-K,
6 2-K, birth to 12; it's just a matter of
7 money. It's really just a matter of money.
8 If we have the funding, we can do incredible
9 things.

10 SENATOR KRUEGER: Thank you.

11 CHAIRWOMAN WEINSTEIN: Thank you.

12 Jo Anne Simon.

13 ASSEMBLYWOMAN SIMON: Thank you,
14 Chancellor. How are you --

15 CHANCELLOR CARRANZA: Good to see you.

16 ASSEMBLYWOMAN SIMON: -- at this late
17 part of the day?

18 CHANCELLOR CARRANZA: Good.

19 ASSEMBLYWOMAN SIMON: So I had a
20 couple of questions for you with regard to
21 this equity formula. And as I understand it,
22 it would affect a number of schools in
23 District 75. I know I have a list of schools
24 that I think in my district might either

1 get -- either be flat or cut. And one
2 school, the Children's School in Park Slope,
3 is a District 75 school, but they serve a lot
4 of kids -- a lot of these schools serve kids
5 who are, you know, Title I and free and
6 reduced lunch.

7 And so I'm curious how you see that
8 working out. Are the District 75 schools
9 more vulnerable to this equity formula?

10 CHANCELLOR CARRANZA: Yes, in my --
11 again, I don't want to give you the wrong
12 impression, but I'm going to ask our CFO to
13 give details. But my understanding is
14 District 75 schools are excluded altogether
15 from the formula.

16 Lindsey?

17 NYC DOE CFO OATES: Yes. Yes, that's
18 correct. The legislation specifically
19 excludes District 75 schools.

20 ASSEMBLYWOMAN SIMON: Okay. So
21 they're not going to be affected by this
22 reallocation.

23 NYC DOE CFO OATES: That's correct.

24 ASSEMBLYWOMAN SIMON: Okay. That's at

1 least one good thing.

2 And the other thing you had mentioned
3 earlier about the percentage -- you said
4 about 20 percent of kids in New York City
5 schools have IEPs. Do you have any numbers
6 or the percentage of those that are under
7 Section 504 that are not, for example, IEP
8 kids but are 504 kids, which are often kids
9 with learning disabilities who need
10 accommodations but not much else in the way
11 of specialized instruction, for example.

12 CHANCELLOR CARRANZA: So we can get
13 you that specific number. I don't have that
14 specific number with me, but we can get that
15 to you very quickly.

16 ASSEMBLYWOMAN SIMON: Okay.

17 And in connection with sort of my
18 ongoing battle about early identification and
19 screening, whether it's in the 3-K for some
20 kids -- that may be too early, maybe 4-K and
21 kindergarten. What would you need in order
22 to implement, you know, a systemwide early
23 screening system for kids, let's say, with
24 dyslexia-related learning disorders? Which

1 is our largest group of students.

2 CHANCELLOR CARRANZA: So again, what
3 we're trying to do right now is to implement
4 as wide of a system as possible.

5 I can get you a specific number and
6 follow up with what that number would be.
7 But it would literally mean being able to
8 establish in every single one of our
9 neighborhood schools, every one of our
10 schools, trained staff to be able to
11 in-service and continuously update staff on
12 how to do assessments, have protocols in
13 place so that parents can also access the
14 system and make recommendations, or if they
15 think that their students might qualify.

16 So it's not inexpensive, but we can
17 get you an idea of what that would be
18 systemwide.

19 ASSEMBLYWOMAN SIMON: Okay, thank you
20 very much. I appreciate it.

21 CHANCELLOR CARRANZA: Thank you.

22 CHAIRWOMAN WEINSTEIN: Thank you.

23 I believe we're going to be -- we're
24 going to the Senate, and I think we're going

1 to seconds, which is five minutes for a chair
2 and three minutes for other members.

3 CHAIRWOMAN KRUEGER: So Chair John
4 Liu.

5 SENATOR LIU: Thank you, Madam Chair.

6 I just have a few questions about the
7 capital side of things. I know you were
8 proud, Mr. Chancellor, to announce a
9 \$17 billion capital plan for the next five
10 years. So is that still a wish list? Is it
11 supposed to be approved next month by City
12 Hall? Who's paying for it? How are we going
13 to get the money?

14 CHANCELLOR CARRANZA: So we're going
15 to tag-team on this question.

16 But it is more than a wish list. It
17 is a capital plan with very specific
18 investments. We have been through a whole
19 process now of getting feedback. Our
20 community education councils, our parent
21 groups, community-based organizations,
22 advocacy groups, there's been a whole process
23 of getting feedback. And that ultimately
24 does get approved at the council level and

1 with the city.

2 NYC DOE CFO OATES: Yeah, I believe
3 the next steps are that the Panel for
4 Education Policy needs to vote to approve it,
5 and then it will be incorporated into the
6 mayor's executive budget and the capital
7 strategy at that time officially.

8 SENATOR LIU: So the \$17 billion,
9 five-year plan will be part of the mayor's I
10 guess first preliminary budget and then the
11 executive budget to be voted on by the City
12 Council?

13 NYC DOE CFO OATES: Yes.

14 SENATOR LIU: Okay. And that includes
15 some state funding? Or is that purely funded
16 by city taxpayers?

17 NYC DOE CFO OATES: Well, this
18 includes -- part of this would be
19 reimbursement from the Smart Schools Bond
20 Act. And so there are a few hundred million
21 dollars associated with the Smart Schools
22 Bond Act that was recently approved both for
23 IT -- updating our network capacity,
24 expanding our broadband access to schools --

1 as well as expanding pre-K and removal of
2 TCUs.

3 SENATOR LIU: Okay. By the way, since
4 you mentioned TCUs, our Senate staff --
5 they're very capable. I want to thank them,
6 by the way, because they've been working very
7 closely with our chairperson, Shelley Mayer,
8 and myself. Their estimate is that in that
9 Smart Schools Bond Act, \$300 million is
10 coming for the removal of TCUs. In your
11 testimony you mentioned \$230 million going to
12 the removal of TCUs. So is that like a
13 \$70 million cut that the DOE has to take?

14 You know, I don't expect you to answer
15 that right off the bat. Maybe you can work
16 with our staff and reconcile the difference
17 between the \$300 million that we have and the
18 \$230 million cited in your testimony.

19 NYC DOE CFO OATES: I believe that's
20 the amount that was already spent to date on
21 removal. And the Smart Schools Bond Act
22 funding is \$300 million earmarked for the
23 removal of temporary classroom units. But we
24 can confirm that with you.

1 SENATOR LIU: Okay, great.

2 But that \$230 million is part of the
3 upcoming five-year capital plan, right? So
4 it's presumably not money that's already been
5 spent, because the capital plan hasn't been
6 approved yet.

7 NYC DOE CFO OATES: We can confirm
8 with you, sir.

9 SENATOR LIU: Okay, great.

10 Seventeen billion dollars, according
11 to news reports, about 8.8 billion is for the
12 construction of new school seats, or
13 increasing classroom capacity.

14 CHANCELLOR CARRANZA: Yes.

15 SENATOR LIU: And in your testimony
16 you mentioned 57,000 new seats in high-needs
17 areas, a total of maybe 87,000, 88,000 seats
18 schoolwide.

19 CHANCELLOR CARRANZA: About 83?

20 NYC DOE CFO OATES: So -- yeah.

21 SENATOR LIU: Okay. So, I mean, I'm
22 just wondering, that's roughly, at a minimum,
23 \$100,000 for each additional school seat.

24 And, you know, honestly I don't have

1 any standards or metrics by which to
2 determine how reasonable that number is. But
3 I'm just thinking, \$100,000 for each
4 additional school seat. Is there any way we
5 can do better?

6 CHANCELLOR CARRANZA: Well, I think
7 what we'd love to be able to do is sit with
8 you and your staff and actually go through --
9 I mean, there's a lot of facets to what that
10 number looks like. We all know that it's
11 very expensive in New York City -- real
12 estate, construction, et cetera. So it's not
13 like -- in the aggregate it may be \$100,000,
14 but there are different facets to what makes
15 up that number.

16 And I think the best way to do it,
17 rather than under the time constraint, is to
18 sit with you and your staff so we get a
19 better understanding of what that looks like.

20 SENATOR LIU: Okay, that's fine.

21 A rough rule of thumb that I've kind
22 of used is like 50 to \$100 million for each
23 new school. And that's, you know, maybe
24 anywhere from 500 to a couple of thousand

1 students. That's a lot less than \$100,000
2 per school seat. You know, just by what I
3 know from the past.

4 CHANCELLOR CARRANZA: Sure.

5 SENATOR LIU: But I look forward to
6 seeing the details of this capital plan.

7 CHANCELLOR CARRANZA: You bet.

8 SENATOR LIU: Thank you very much.

9 CHANCELLOR CARRANZA: Thank you, sir.

10 SENATOR LIU: Thank you, Madam Chair.

11 CHAIRWOMAN KRUEGER: Assembly.

12 CHAIRWOMAN WEINSTEIN: Education Chair
13 Assemblyman Benedetto.

14 ASSEMBLYMAN BENEDETTO: Thank you very
15 much.

16 I will be channeling my colleague
17 Ms. Richardson in these questions and
18 statements I will be making right now.

19 MALE LEGISLATOR: Good luck.

20 (Laughter.)

21 ASSEMBLYMAN BENEDETTO: In no special
22 order.

23 (Laughter.)

24 ASSEMBLYMAN BENEDETTO: I can assure

1 you it will be stated a lot more calmly.

2 First off, the good Assemblywoman
3 would like to send out some shout-outs to you
4 and your staff for being at the town hall
5 meeting back in December and the 67th
6 Precinct council meeting that was held. And
7 I guess it's bad form to single one person
8 out, but we all love Katie and the job she's
9 doing. And don't you dare touch that lady.

10 (Applause.)

11 ASSEMBLYMAN BENEDETTO: No applause.

12 A question, though. Rumors have
13 gotten back to the Assemblywoman that maybe
14 the district offices are not properly funded
15 and therefore might not be able to properly
16 do the work in their districts. Can you
17 comment on that at all?

18 CHANCELLOR CARRANZA: So we are
19 actively having conversations with all of our
20 community education districts and their
21 leadership groups. And that is something
22 that they've brought to me in terms of what
23 their funding is.

24 So we are actually working on that

1 issue with them: What would that look like,
2 what is it and how is it used? So that is on
3 our agenda. We're working with them.

4 ASSEMBLYMAN BENEDETTO: Another
5 concern she has is within her own school
6 districts, a proliferation of maybe charter
7 schools that might be there, possibly taking
8 children from the feed-ins, local public
9 schools, and therefore declining enrollment
10 of those schools.

11 Has any thought been put towards
12 possibly better promotion of those local
13 public schools, so any tie that might be
14 leaving can be kept in?

15 CHANCELLOR CARRANZA: So Mr. Chair,
16 Assemblymember Richardson, absolutely. And
17 as I referred to in my testimony here this
18 afternoon, we're working very closely with
19 school communities, local superintendents,
20 community education councils around not only
21 how do we describe what schools are and what
22 they're doing, but also by involving the
23 community education districts and the
24 communities around schools that have seen

1 kind of a decline in enrollment. Surveying
2 the community in terms of what is it that
3 you're looking for, what kind of programming
4 are you looking for? Asking the question
5 "Why are you leaving," so that we have
6 insight as to what do we need to be
7 concentrating on to keep those students
8 enrolled in our schools as well.

9 So we by no means have exhausted all
10 of that work, but I'm really excited about
11 the orientation that we've had around
12 empowering communities and working closely
13 with them. We're not only listening but
14 we're working shoulder to shoulder with those
15 communities around those very issues.

16 ASSEMBLYMAN BENEDETTO: That's
17 encouraging to hear.

18 And lastly, in regards to basically
19 school construction in general, lots of
20 concern about old schools in the district,
21 deteriorating schools, maybe school budgets,
22 money being diverted for repairs within the
23 school. And the \$17 billion that you have
24 mentioned about the capital plan, that

1 possibly someone could contact
2 Ms. Richardson, her office, and maybe the
3 other Assemblypeople in the area as to how
4 those funds will be distributed within that
5 district -- if they are being distributed in
6 that district -- and get an overview of that
7 plan.

8 CHANCELLOR CARRANZA: Absolutely.
9 And, you know, I will say this. New York
10 City has a historic portfolio of schools --
11 which is, in layman's terms, a bunch of old
12 schools -- some built over 100 years ago.
13 They were not ADA-accessible. They didn't
14 have all of the latest bells and whistles.
15 Try putting wireless in a school with
16 two-foot-thick walls.

17 So part of what our capital plan is
18 really focused on, that \$750 million for
19 accessibility, is a real investment in making
20 our schools accessible, ADA-accessible;
21 another 750 million in technology upgrades.
22 It's real money and real investment in our
23 schools.

24 That being said, I want to just again

1 point to the fact that in my testimony I have
2 spoken to the equity lens that we're applying
3 to all of these investments to make sure that
4 communities in schools that have not had that
5 investment historically will actually be at
6 the front of the list.

7 So we will be reaching out, I will
8 work with also Lorraine Grillo, so that she's
9 at that meeting, and absolutely would love to
10 hear your insight and your assessment of
11 where those schools are.

12 ASSEMBLYMAN BENEDETTO: And with the
13 three seconds left, Superintendent Clarence
14 Ellis is doing a fine job.

15 (Laughter.)

16 CHANCELLOR CARRANZA: Yes.

17 CHAIRWOMAN WEINSTEIN: Thank you.
18 Senate?

19 SENATOR KRUEGER: Thank you.

20 Senator Bob Jackson, three minutes.
21 You have the lightning round, Bob Jackson.

22 (Laughter.)

23 SENATOR JACKSON: Lightning round.

24 So first I heard the Finance chair

1 talk about 3-K and the possible situations
2 with that. But I wanted to say that I
3 appreciate the mayor and you putting forward
4 universal pre-K for all for 4-year-olds, and
5 AP courses and 3-K also. But the concern
6 raised is a very legitimate concern.

7 What is your position on the APPR
8 legislation that's out there?

9 CHANCELLOR CARRANZA: I'd have to
10 learn more about that, sir.

11 SENATOR JACKSON: Okay. All right,
12 very good.

13 So can you -- what about -- there are
14 40 schools in my senatorial district, based
15 on information that was provided to me, and
16 they will not receive the funding under the
17 Governor's budget. Juan Pablo Duarte, PS 132
18 in Washington Heights, with Carmen De La
19 Rosa, Assemblymember. The Duke Ellington
20 School, PS 4, with Al Taylor in the 71st
21 Assembly District. The High School for Math,
22 science and Engineering at City College,
23 Assemblymember Inez Dickens in the
24 70th Assembly District. Emily Dickinson

1 School, PS 75, in Danny O'Donnell's district,
2 which is the 69th. The West End Secondary
3 School, which is Linda Rosenthal, in the
4 67th Assembly District. And the Chelsea Prep
5 School, PS 33, in Richard Gottfried's
6 district in the 75th.

7 Those are a lot of schools,
8 40 different schools in my district. And
9 quite frankly, it's not acceptable. And so
10 what can you do to help us make that
11 acceptable?

12 CHANCELLOR CARRANZA: Well, I
13 appreciate the question. It's not acceptable
14 to us either. And as we've stated in our
15 testimony, that's why we have a real
16 challenge with the executive's proposal. The
17 intent I will take from a very, very
18 egalitarian perspective. We like the intent
19 of equity. But equity without specific
20 strategy creates winners and losers.

21 And this is a perfect example of how
22 the best place to have those decisions are at
23 the local level, where we're working with
24 Assemblymembers and Senators to understand

1 what are the needs of the schools, and then
2 we get to, from our equity lens, apply those
3 resources where they need to be applied.

4 We would never exclude those schools
5 if that were our equity formula. Give us the
6 dollars; we are accountable to make sure they
7 go to the right places.

8 SENATOR JACKSON: Under the Fair
9 Student Funding formula, school leadership
10 teams -- my understanding is that as the
11 team, they work together to decide how the
12 money is going to be spent.

13 CHANCELLOR CARRANZA: Yes, sir.

14 SENATOR JACKSON: If in fact the
15 principal of a school does not agree, what is
16 the process?

17 CHANCELLOR CARRANZA: Well, there
18 should be an equity school decision-making
19 team. If the principal does not agree, there
20 should be a conversation. The
21 superintendents in those schools also get
22 involved in trying to mitigate what those
23 conversations are.

24 But that's the whole process of a

1 budget development -- I would say exercise.
2 What is important, what is the highest
3 priority, and then how do we put our budget
4 to that.

5 I often say to folks, when I'm out in
6 the field: Don't tell me about your
7 priorities, show me your budget. Your budget
8 will tell me all I need to know about your
9 priorities.

10 We try to keep that intact at schools
11 as well.

12 SENATOR JACKSON: Thank you.

13 CHANCELLOR CARRANZA: Thank you, sir.

14 CHAIRWOMAN WEINSTEIN: Thank you.

15 Assemblywoman Dickens.

16 ASSEMBLYWOMAN DICKENS: Thank you,
17 Madam Chair.

18 Lightning round. You didn't get a
19 chance to answer -- the chief executive
20 officer did not get a chance to answer my
21 question on the Bronx Plan, the outreach to
22 schools who have not applied for that
23 funding.

24 CHANCELLOR CARRANZA: So the outreach

1 to schools that have not applied, there's a
2 number of schools, based on criteria, that
3 were invited to apply. In order to apply,
4 the principal and the chapter leader had to
5 both sign up to apply. There were a number
6 of schools that chose not to apply.

7 So if they've made the conscious
8 decision not to apply, we're not going to
9 strong-arm anyone. But I just will say that
10 there will be buyers remorse if they didn't
11 apply, because this is going to be an
12 incredible opportunity for the schools that
13 did.

14 ASSEMBLYWOMAN DICKENS: Thank you.

15 And the \$750 million capital plan,
16 does that include the upgrading in those old
17 schools that you were referring to of the
18 electrical system? Because a few years ago,
19 Senator Jackson, when he was in the council,
20 and I had to -- before we could put in a
21 computer lab, we had to first upgrade the
22 electrical systems in these schools. And
23 that was coming out of our budgets.

24 CHANCELLOR CARRANZA: So the capital

1 plan, the \$17 billion capital plan, does have
2 funding for upgrades in infrastructure --
3 boilers, electrical systems, et cetera.

4 It also -- when we talk about putting
5 air-conditioning in all of our schools by
6 2021, what most people don't realize, it's
7 not as simple as plugging in an
8 air-conditioner in every classroom. Some of
9 them don't have the electrical capacity to
10 take that additional electrical load, so that
11 also includes upgrading the electrical.

12 So the answer is yes.

13 ASSEMBLYWOMAN DICKENS: Okay. And I
14 want to be very -- now I'm going to talk
15 about PS 194. I went to that school last
16 Friday. And the auditorium, which they have,
17 is terrible. It is -- probably 50 percent of
18 the seats are either missing or unusable.

19 And so that's something I'd like you
20 to go to work with the PTA and the principal
21 in order to see what can be done about that.

22 CHANCELLOR CARRANZA: Yes, ma'am. So
23 I've got a note of PS 194.

24 ASSEMBLYWOMAN DICKENS: PS 194.

1 CHANCELLOR CARRANZA: 194. Yes,
2 ma'am.

3 ASSEMBLYWOMAN DICKENS: All right.
4 And lastly, collocations of charter schools
5 within the schools.

6 Since you as the chancellor really
7 have no oversight on charter schools, which
8 are also public schools receiving public
9 school funding, with the collocations, what
10 can you do to either stop collocations or to
11 hinder them from being expanded additionally
12 in the schools? Ten seconds.

13 (Laughter.)

14 CHANCELLOR CARRANZA: As the
15 chancellor, I don't have the authority to
16 circumvent state law. State law, as you
17 know, says that we either collocate or we pay
18 the rent.

19 We have a process to facilitate when
20 that happens. But, you know, it causes
21 issues that we try to mitigate through the
22 process.

23 ASSEMBLYWOMAN DICKENS: Thank you.

24 SENATOR KRUEGER: Thank you.

1 Senator Benjamin, I believe, to close
2 for the Senate.

3 SENATOR BENJAMIN: Thank you, Madam
4 Chair.

5 I want to talk to you about the
6 District 3 diversity plan. Can you give an
7 update on sort of where things are with that?
8 And then I hope I get to ask a follow-up
9 question. But you've got to do it quick,
10 though.

11 CHANCELLOR CARRANZA: Sure. So the
12 District 3 diversity plan is up and running.
13 Part of what's happened with District 3 is
14 there's a tremendous professional development
15 happening with schools around this whole
16 notion of having much more diverse students
17 and being able to meet the needs of the
18 students.

19 I will say that the principals in
20 District 3 feel ownership of this plan, so
21 it's moving.

22 SENATOR BENJAMIN: Got it. Now, the
23 25 percent of students that you took from --
24 I guess from the lowest 25 percent of some of

1 the schools to create diversity, is there a
2 reason why you did that versus saying --
3 taking just 25 percent generally or
4 25 percent at the highest end, assuming that
5 there might be easier integration across
6 schools? I mean, explain the philosophy of
7 doing the lowest 25 percent versus either
8 being just agnostic and taking any 25 percent
9 or the top 25 percent.

10 CHANCELLOR CARRANZA: What we didn't
11 want to do is create -- what District 3
12 didn't want to do, to be really clear, is
13 create another series of screens where only
14 certain students get to go to certain
15 schools.

16 So what they said is diversity is
17 diversity. You will have a diverse set of
18 students. And the underrepresented
19 percentage of students are the students that
20 they have targeted for inclusion in those
21 schools.

22 SENATOR BENJAMIN: Right. But so did
23 you then discriminate against the top 25
24 percent by not allowing them to be part of

1 the pool to go to the diversity class?

2 CHANCELLOR CARRANZA: What our
3 colleagues and residents in District 3 would
4 say is that they've given preference to
5 students that have not had that preference in
6 the past.

7 SENATOR BENJAMIN: I see. Okay. One
8 more question on behalf of Assemblymember
9 Richardson, if I could try to squeeze that
10 in. And I need to be quick.

11 So as you know, cultural
12 responsiveness and training in our schools
13 are important. About 75 percent of those
14 students in our schools right now are black
15 and brown. And so there's significant
16 concern about making sure that we have a
17 culturally responsive education and
18 curriculum for them.

19 There is a bill that has been
20 introduced, Senate Bill 2937, that looks to
21 address this. And obviously as you might
22 be -- you're aware of what's happened during
23 Black History Month where a teacher stood on
24 the back of a student saying that simulated

1 the Middle Passage -- you know, you look at
2 the teachers of color in our schools, not a
3 great situation.

4 Can you talk about how important it is
5 to have culturally responsive education and
6 curriculum in our schools and what you plan
7 to do about that?

8 CHANCELLOR CARRANZA: Yes. So I'd
9 like to learn more information specifically
10 about the bill and its provisions. But I
11 will tell you that philosophically I think
12 it's important to understand that of the 1.1
13 million students in New York City's public
14 schools, 70 percents are black and Latino
15 students. If they do not see themselves in
16 the curriculum, if they do not see themselves
17 in the history, if they do not read from
18 authors that look like them, if they do not
19 have that experience, they are not connected
20 to what this thing called school is all
21 about.

22 It's critically important for
23 engagement of students, and we are very --
24 and I am very, very supportive of making them

1 inclusive.

2 SENATOR BENJAMIN: Thank you.

3 CHANCELLOR CARRANZA: Madam Chair, may
4 I just add a point of personal privilege? I
5 just want to correct my testimony. I
6 misheard Senator Jackson's question about
7 APPR, and I just want to say to the Senator I
8 agree.

9 SENATOR JACKSON: You agree with what?

10 CHANCELLOR CARRANZA: I agree with the
11 changes. APPR. Thank you.

12 CHAIRWOMAN WEINSTEIN: Thank you.
13 That may have avoided a follow-up question
14 from the panel here.

15 (Laughter.)

16 CHAIRWOMAN WEINSTEIN: But I did want
17 to just ask for your assistance -- and I
18 think I had mentioned this when you came to
19 Coney Island, I guess, to visit a school.

20 CHANCELLOR CARRANZA: Yes.

21 CHAIRWOMAN WEINSTEIN: Been having
22 trouble with getting the correct estimates or
23 getting estimates from the School
24 Construction Authority for some capital

1 projects that I am -- and I don't think I'm
2 alone, I've heard this from other colleagues
3 also -- trying to direct some money to do
4 some of this electrical work or library
5 renovations, and we've been having trouble
6 getting some concrete numbers so that we can
7 submit the proper capital requests and get
8 some needed resources into the schools.

9 So if we could -- I mean, you've been
10 helpful; I think that the problem is really
11 on the School Construction Authority's end.

12 CHANCELLOR CARRANZA: We
13 will absolutely -- if we can get some detail
14 about specifics, we will absolutely be
15 helpful.

16 Listen, if any Senators or
17 Assemblymembers want to spend money on our
18 schools, we will do everything we can to help
19 spend that money.

20 CHAIRWOMAN WEINSTEIN: Sure. And to
21 follow up on Mr. Benedetto's asking the
22 question for my colleague, you know, in some
23 of what you talked about, in some of the
24 electrical work one of the things that we

1 found with one of the grants that I was
2 helping to do is that in upgrading classrooms
3 or schools for air-conditioning, it was only
4 the classroom and not the auditorium.

5 So by doing now the auditorium
6 separate from the contract to do the
7 classroom, it becomes more costly both in
8 terms of probably additional electrical work
9 and the air-conditioning. So I would just
10 hope that that would be taken into
11 consideration maybe moving forward, trying to
12 see if there isn't a way to do it all -- you
13 know, I know that other colleagues also are
14 facing the same situation and providing money
15 for auditoriums to supplement what wasn't
16 done in the classroom. It seems like a waste
17 of city and state resources.

18 CHANCELLOR CARRANZA: Thank you. As
19 the son of a journeyman sheet metal worker, I
20 understand how, if you have a comprehensive
21 approach, it's much more effective.

22 Again, I'm not being facetious, it's a
23 matter of money. So to be aggressive in
24 getting air-conditioning into classrooms,

1 there's a limited budget. But we are -- and
2 Lorraine Grillo and I have talked about this,
3 about how we can provide a comprehensive
4 approach to each one of the schools, braiding
5 different funding streams to make that
6 happen.

7 So we have our commitment, we can talk
8 about how we do that.

9 CHAIRWOMAN WEINSTEIN: Right. Thank
10 you. Are we done?

11 So we are done before 4 o'clock
12 dismissal. And thank you for being here. I
13 know there are some follow-ups, and we'll be
14 happy to receive those and make them part of
15 the official record.

16 CHANCELLOR CARRANZA: Thank you so
17 much.

18 CHAIRWOMAN KRUEGER: Thank you.

19 CHAIRWOMAN WEINSTEIN: So next we are
20 going to be going to the UFT and NYSUT.

21 (Discussion off the record.)

22 CHAIRWOMAN WEINSTEIN: So we have
23 Michael Mulgrew, president, the United
24 Federation of Teachers, UFT, and Andrew

1 Pallotta, president, New York State United
2 Teachers, NYSUT.

3 You each get five minutes, but we want
4 you both to be there so that when there's
5 questions, you can --

6 MR. PALLOTTA: We'll try to help speed
7 it up.

8 CHAIRWOMAN WEINSTEIN: Whatever you
9 can do, that's fine.

10 MR. PALLOTTA: So good afternoon,
11 almost good evening. And thank you for the
12 opportunity to testify before you today. And
13 I'm glad we're not saying good night.

14 So I'm joined today by Michael
15 Mulgrew, president of the UFT. You have a
16 copy of my testimony; I'm not going to read
17 it. I'm going to make a few strong points
18 today about school aid, the tax cap, take a
19 look at teaching and also charter schools.

20 And also I just want to take the
21 opportunity to thank the Legislature for the
22 APPR bill: 125 to 6, not so bad in the
23 Assembly, and 60 to 0 in the Senate. Thank
24 you very much.

1 While we appreciate the increase that
2 was provided, we also figure out that there
3 was only 338 million provided in
4 Foundation Aid, and 50 million of that will
5 be going to a community schools set-aside.

6 NYSUT requests a total of 2.2 billion.
7 We're in cooperation with the Regents and
8 also the Educational Conference Board. Of
9 that, 1.3 billion in Foundation Aid,
10 409 million to fully fund expense-based aids
11 and 500 million for targeted school funding.

12 The level of funding we believe over
13 the next three years would be able to phase
14 in Foundation Aid. We've heard a lot about
15 that today.

16 On the issue of expense-based aids, we
17 are glad to see that the Executive Budget
18 fully funds them this year, but we urge you
19 to reject the proposal to lump them into one
20 aid and tie that to inflation, rather than
21 reimbursing schools for their actual costs.

22 We also urge the Legislature to reject
23 the proposed base school aid growth cap on a
24 10-year annual average. We urge you to

1 reject the Executive Budget proposal that
2 would require school districts in certain
3 instances to reallocate up to 75 percent of
4 their Foundation Aid. This proposal does not
5 address the true issue here, which is
6 providing more funding to schools.

7 With respect to the Foundation Aid
8 formula, we ask for a real commitment to
9 fully fund Foundation Aid. And NYSUT urges
10 the Legislature to expand the funding program
11 for school districts that will face either
12 power plant closures or will face adverse tax
13 decisions.

14 We need for this work to be done on
15 issues -- we have other issues now also with
16 financial penalties that have been given to
17 districts around the state, and the money is
18 taken away from those districts, not
19 reimbursed. And we plead with you to make
20 sure that that money actually gets to
21 districts. When there are mistakes made at
22 the district office, the ones who suffer are
23 the children.

24 Also on this, for our students with

1 intense needs that cannot be met in
2 traditional school settings, NYSUT requests
3 that the Legislature provide additional
4 funding for the 4201, 853 and Special Act
5 schools, as well as the 4410 schools.

6 On the property tax cap, the statewide
7 amount that can be generated is about
8 \$400 million. NYSUT urges you to reject the
9 proposal in the Executive Budget to make the
10 tax cap permanent. Living under a tax cap
11 has hindered many districts or most districts
12 in their ability to restore cuts that were
13 made during the recession. On average,
14 school districts receive about 38 percent of
15 their money from the state.

16 We urge the Legislature to enact
17 changes to the current tax cap, including but
18 not limited to removing the supermajority
19 provision making it a 2 percent or higher of
20 the CPI, instead of lower.

21 We heard today from one of the
22 Senators about Massachusetts really doing
23 well educationally. We also say that they
24 have a progressive tax cap, which is

1 2 percent or CPI, whichever is higher.

2 Also we met with folks from California
3 recently on Los Angeles, the teachers strike
4 that went on there, and we just talked a lot
5 about Prop 13 and the damage that had done to
6 the schools.

7 We also have something very positive
8 to talk about, and I just wanted to take a
9 minute to talk about Take a Look at Teaching.
10 So our executive vice president, Jolene
11 DiBrango, has led this initiative. And what
12 we're trying to do is focus on increasing
13 diversity in the teaching profession and the
14 workforce, and also have folks come into this
15 profession. Because you know, over the past
16 few years less and less people have come into
17 the teaching profession. At the SUNY
18 schools, it's down almost 47 percent.

19 Out of these summits we have expressed
20 a need for loan forgiveness -- we've talked
21 about that -- greater mentoring opportunities
22 for those coming into the profession.

23 On charter schools. Our traditional
24 public schools should not be held responsible

1 for state-mandated increases in charter
2 school tuition payments. Low-wealth,
3 high-needs districts are hit especially hard
4 by the current lag system. I see the bell,
5 and I'm almost done. NYSUT urges the
6 Legislature to oppose any new funding to
7 charters and opposes lifting the charter cap
8 until transparency and accountability
9 measures are enacted.

10 In conclusion, we heard some good news
11 today about the graduation rate going up. Of
12 course we're never satisfied, we always want
13 it to get better each and every year.

14 And I thank you, and I now turn it
15 over President Mulgrew from the UFT.

16 CHAIRWOMAN WEINSTEIN: Thank you.

17 MR. MULGREW: Well, thank you,
18 President Pallotta.

19 And thank you to everyone here who has
20 come to this hearing.

21 And I want to thank you for your
22 partnership over the last couple of years,
23 especially last year when I testified before
24 some of you and said we are now facing a

1 credible threat from our federal government
2 and it is more important than ever that we
3 work together. And I am proud to say that
4 New York State has, we have worked together.
5 And we are moving public education in a way
6 that most states are envious of at this
7 moment in time.

8 And as we have seen numerous teacher
9 actions across this country, those teacher
10 actions were all spurred by one thing, which
11 was a disinvestment in public education. In
12 New York State we have all worked together at
13 very difficult times to make sure that we are
14 investing in our public education, and I can
15 tell you now that that money has been well
16 spent. The accountability is there.
17 Graduation rates at the state level are at
18 their highest level ever. Graduation in the
19 New York City school system is at its highest
20 level ever. And that is -- in the end, that
21 is what we're all trying to get, to a better
22 place for all of our students. So I expect
23 us to continue to do that hard work.

24 While we support the Executive's

1 attempt to say that we should do funding
2 based on need, we believe that the proposal
3 he has put forth is not in the best interests
4 of students at this moment. We do not
5 believe that you created equity by taking
6 money from one student, Student A, and giving
7 it to Student B. We believe first and
8 foremost you should put more money overall
9 into education and then run it through a
10 formula based off of the needs of students.

11 Teacher Centers, I appreciate the
12 support that you've given to the Teacher
13 Centers, especially after the law that was
14 passed a couple of years ago which requires
15 the professional hours for teachers, as I
16 testified to last year. But this year I
17 wanted to report a little differently. We
18 tracked every participant in a Teacher Center
19 professional development and I am proud to
20 report to you that 246,000 people received a
21 rigorous professional development at least
22 once, and that's for teachers,
23 paraprofessionals, guidance counselors and
24 parents inside of New York City. So each one

1 of those you funded at \$24 a head, and we
2 expect and we want to do more. Our goal is
3 to reach over 300,000 this year. But that
4 is, once again, another example of money well
5 spent.

6 The community learning school project
7 of the United Federation of Teachers in
8 New York City now has 31 schools inside of
9 it. I am proud to also say to you that for
10 every \$100,000 we have invested inside of a
11 community learning school, we have been able
12 to get back more than \$600,000 in additional
13 services. So we are leveraging the taxpayer
14 money in a very smart way and making it work
15 for school communities.

16 In all of those original 31 that we
17 are running, the academics are up, absentee
18 rates are down. The schools all across the
19 board have healthier cultures, and parent
20 engagement is at an all-time high in all of
21 those schools.

22 So we do support the \$50 million that
23 is being proposed at this moment, but we
24 would appreciate if it was taken outside of

1 the formula and be directly targeted for the
2 schools. Because once it goes into the
3 formula, into the pot in the school
4 district -- as I said, the UFT has 31
5 schools. We don't have targeted money from
6 the state for that. We would appreciate, in
7 the Executive's budget, the 50 million be
8 more targeted and not go into the formula
9 because when it goes into the formula, we
10 don't know if it's actually being used for
11 community learning school purposes.

12 Discipline is always a big issue. And
13 I always say at this point at the UFT,
14 discipline versus a positive climate.
15 Discipline, first of all, we need to move
16 away from the overreliance on suspensions and
17 punitive actions. This is something we've
18 been saying for years.

19 We put our money where our mouth is,
20 we used the dues-payer money of teachers from
21 New York City. We started what is known as a
22 Positive Learning Collaborative in those
23 schools.

24 It is a requirement that every single

1 person in the school is trained for four days
2 of training on using a varied what we call
3 toolbox of different approaches and different
4 ways to get a positive culture inside of a
5 school. We have had it without any sort of
6 policy or legislation that is about trying to
7 regulate the outcomes without -- because when
8 we're just trying to regulate the numbers on
9 the outside, we believe that we will always
10 fail because you will have people gaming the
11 system.

12 So the approach that we took, we can
13 show you that the 17 schools, who all had
14 very -- what we would call troubling
15 statistics, now their suspensions are down
16 82 percent. We have a 54 percent reduction
17 in violent incidents. Their ELA and math
18 scores went up. And parent approval of the
19 schools is up dramatically in all of the
20 17 schools. We did not mandate a drop in
21 suspensions or any of those other things.

22 And last but not least, on revenue, we
23 believe everyone should pay their fair share.
24 As I said, we had just come back from a

1 national meeting, myself and Mr. Pallotta.
2 All these other states are talking about
3 revenue and specifically tying any new
4 programs inside of a state towards
5 educational funding. We have spent your
6 money wisely. We have the results that are
7 there. Sports betting, anything that is
8 going to affect our communities -- cannabis,
9 as well as a millionaire's tax -- any of
10 those things directly being tied to education
11 is something we would support, but not to
12 supplant -- we have learned our lesson from
13 the Lottery -- but to supplement educational
14 funding.

15 And I thank you for hearing our
16 testimony today.

17 CHAIRWOMAN WEINSTEIN: Thank you.

18 I think we have a quick question from
19 Assemblyman Benedetto.

20 ASSEMBLYMAN BENEDETTO: Well, not so
21 quick.

22 CHAIRWOMAN WEINSTEIN: Okay.

23 ASSEMBLYMAN BENEDETTO: Thank you.

24 Let me just start out by saying we had

1 press conferences in the past 10 days, both
2 on the state and the city level, about
3 graduation rates, you know, in this state and
4 the City. And it's wonderful to see what
5 happens. Okay? And I praise both the
6 commissioner and the chancellor for that. I
7 praise the administrators of the schools for
8 that. But I've got to praise my old
9 colleagues, the teachers of the State of
10 New York, for what they're doing. You guys
11 are to be commended. And continued.

12 (Applause.)

13 ASSEMBLYMAN BENEDETTO: This is not a
14 cheering section, no. Okay? It's just a
15 statement of fact. And they've been
16 much-aligned over the years, and very, very
17 unjustly.

18 Okay, two quick questions, one for
19 each of you. Okay, let's start with you,
20 Mr. Mulgrew. We've got mayoral control
21 coming up this year. Okay? The Governor, to
22 many of our surprise, has said let's go with
23 it for another three years. Your opinion on
24 that?

1 MR. MULGREW: Well, he used to -- I
2 don't want to go into a -- say eight or nine
3 years ago when that was never a surprise.

4 Look, mayoral control as the
5 chancellor said correctly, we would not have
6 been able to do pre-K. We wouldn't have
7 been able to do 3-K, we wouldn't have been
8 able to do what we know as the PROSE plan in
9 New York City, where 168 school communities
10 now are doing very innovative work. Or we
11 would not have also been able to do what
12 we're now so invested in, which is the Bronx
13 Plan.

14 Were we surprised? Nothing surprises
15 me in Albany. I'm sorry, it's been over a
16 decade -- and I know that doesn't put me up
17 above a lot of people here, but nothing
18 surprises me anymore.

19 So for us the question is the UFT's
20 position is it never wants -- we've been very
21 clear, we don't want to go back to school boards.
22 It's not something that we intend ever to do, and
23 we will always fight to stop that. Because it is
24 the ability of us as a school system to move so

1 quickly because of mayoral control.

2 So that is where we're at at this moment,
3 and we will continue to be there.

4 ASSEMBLYMAN BENEDETTO: Thank you.

5 Mr. Pallotta.

6 MR. PALLOTTA: Yes.

7 ASSEMBLYMAN BENEDETTO: I'm a big fan
8 of Broadway musicals.

9 MR. PALLOTTA: Okay. This sounds like
10 a hard question.

11 (Laughter.)

12 ASSEMBLYMAN BENEDETTO: And Rogers and
13 Hammerstein, okay? "Oklahoma." And there's
14 a storm. Can't the cowboys and the farmers
15 be friends? Or words to that effect.

16 Now, in the State of New York we've
17 got a battle going, so I'm asking you: Do
18 you see a scenario that the charters and
19 publics can be friends? Okay, is there a
20 common ground there where we're educating
21 kids where they can coexist together, in your
22 view? I don't want to really put you on the
23 spot, but I guess I am.

24 MR. PALLOTTA: Obviously you gave

1 Michael the easy question, right?

2 MR. MULGREW: I might jump in on this
3 one too.

4 MR. PALLOTTA: No, this is good, and
5 it does take a lot of New York City schools
6 into that.

7 So is there a way? Well, we've been
8 saying for years, for accountability and
9 transparency, to have the same rules that
10 work for charter schools and traditional
11 public schools. So that would be something
12 that we would want. And also we spoke about
13 some of the changes that would be necessary,
14 and the money that goes -- the lag we spoke
15 about, and it's in the testimony, that a
16 school district would have to pay this and
17 not get reimbursed by the state anymore?
18 This is a real burden for the school
19 districts around the state.

20 MR. MULGREW: And for me the issue is
21 there are many charter schools that we have
22 worked with and will continue to work with.
23 But there are specific charter chains who do
24 not have the best interests of public

1 education in terms of their operating
2 procedure. And we will continue to fight
3 with them.

4 But for your question, that's a fight
5 with a small number of folks. The other
6 folks that we work with, we never get credit
7 for working with them. And that is the
8 larger number of folks that we work with.

9 But in my work and Mr. Pallotta's
10 work, because we are both national vice
11 presidents, we've seen what happens when
12 these certain chains, who basically have
13 destroyed states' public education systems
14 because of their policies and their beliefs
15 that education should be a marketplace for
16 them to make money off of the backs of
17 children -- and not be held responsible for
18 what their damage has done. And we will
19 continue to fight with those people as long
20 as they continue to have that position.

21 ASSEMBLYMAN BENEDETTO: I appreciate
22 your candor.

23 Thank you, Madam Chair.

24 CHAIRWOMAN WEINSTEIN: Thank you.

1 Senator Mayer.

2 SENATOR MAYER: Thank you.

3 Thank you both. Thank you both for
4 your partnership, particularly in fighting
5 and helping us statewide. And in particular,
6 thank you on behalf of the Yonkers public
7 schools and our teachers there for getting
8 through as many hurdles as we have.

9 MR. PALLOTTA: Thank you.

10 SENATOR MAYER: Andy, in your
11 testimony about supporting a new cost study
12 for the purposes of having an accurate
13 Foundation Aid formula that reflects true
14 need and distributes money more fairly, other
15 than in your testimony here, do you have
16 specifics -- and I know you signed onto some
17 other documents with respect to updating
18 certain data.

19 But based on your members' experience,
20 do you have specific items that you would
21 substitute for what's currently in the -- at
22 least in the statute for how poverty is
23 weighted?

24 MR. PALLOTTA: I think we have put

1 together a package that we could definitely
2 get to you. And I think the dollar amount
3 that we're asking for this year, which is
4 1.9 in Foundation Aid and making up for the
5 CFE -- this has really been something that
6 has weighed on us for many years, and we
7 believe now is -- I know we have financial
8 problems. Every time we come here, and it
9 just happens to be just before this hearing
10 there was an announcement. It's not the best
11 scenario, right, to come here and ask for
12 \$2.2 billion in increase. But I believe we
13 can get closer to that than we see in the
14 Executive Budget. But we will send you
15 specifics.

16 SENATOR MAYER: Well, you've been here
17 in tough years before and you've asked for
18 and fought for, really on behalf of the
19 children, a greater amount of money than was
20 in the proposed budget. This isn't the first
21 tough year we've faced. So, you know, we
22 look forward to working with you on that.

23 With respect to what is called the
24 equity plan in the Governor's proposal -- and

1 I know we just had the chancellor of the New
2 York City schools and commissioner of the
3 State Department of Education both say that
4 it would be harmful to them and to students
5 in their districts. I just want to get on
6 the record, do you both reject that or
7 suggest that we reject that?

8 MR. PALLOTTA: We reject it. And ask
9 that you reject it also.

10 MR. MULGREW: I rejected it in my
11 testimony.

12 SENATOR MAYER: Yes.

13 MR. MULGREW: That plan is basically
14 taking money from Student A and giving it to
15 Student B. It's not funding more money into
16 the system itself. So people should just
17 understand it that simply.

18 SENATOR MAYER: You know that the
19 schools in New York City and many of the
20 other schools were required to provide this
21 school-specific data, which was a large
22 exercise being extended to additional
23 schools. I personally think that parents are
24 entitled to know how much schools get and

1 that we should work with districts to ensure
2 that there's as much equity -- the goal being
3 equity for students -- as possible.

4 I don't know whether -- I don't recall
5 last year -- I think you had concerns about
6 these requirements. But are you willing to
7 work together to try to improve that
8 reporting process so it's directed more at
9 equity?

10 MR. PALLOTTA: Transparency for the
11 parents to be able to see what the funding is
12 for the schools? Sure.

13 MR. MULGREW: And the other piece is
14 that -- one of the troubling pieces for us in
15 the reporting system is the use of an actual
16 teacher salary. So a school system -- we're
17 asking teachers to stay in the profession,
18 yet as a school you can be penalized because
19 as that teacher stays in the profession they
20 earn a higher salary, but now we're going to
21 penalize you as a school for keeping someone
22 who stayed in the profession.

23 So each school district, it's my
24 belief that each school district should have

1 what's known as an average teacher salary,
2 and then you do a head count. That would be
3 a more equitable way of looking at it.
4 Because if not, you're actually incentivizing
5 people to say -- to push somebody at a higher
6 salary out of a school if it might then have
7 a negative effect on their, quote, equity
8 number. And it's just not fair for someone
9 who actually stays in the profession.

10 I think we could have a policy that
11 actually is -- works and can get parents the
12 information they need and at the same time
13 not create a perverse incentive inside of a
14 school system.

15 SENATOR MAYER: And it also might lead
16 to the most highly qualified teachers
17 leaving.

18 MR. MULGREW: Yes, exactly.

19 SENATOR MAYER: Lastly, I know you
20 gave, Mr. Mulgrew, the number of those that
21 participated in the Teacher Centers in the
22 UFT. I wonder, from NYSUT, do you have the
23 number statewide that participated outside of
24 New York City?

1 MR. PALLOTTA: I don't have that right
2 now, but that I can get to you.

3 But I do know each and every year we
4 come here and lobby and speak to members of
5 the Legislature to put the money back in the
6 budget because the Executive Budget always
7 cuts it out completely.

8 SENATOR MAYER: It would be useful to
9 have the specific numbers of those who
10 benefit by it.

11 MR. MULGREW: The direct correlation
12 between the huge increase in participation
13 is -- has a lot to do with the law that was
14 passed here. But that has led to actually a
15 lot more of an ability to have schools now
16 recognize what the Teacher Centers are doing.
17 So it's this huge effect that is happening.

18 So now not only do we have, you know,
19 hundreds of thousands of teachers actually
20 participating in PD during their own personal
21 time, but you're also seeing a growth of
22 schools asking for that support. So it's
23 really now the Teacher Center is becoming
24 more and more of an important piece in all of

1 the support for the education going on in the
2 school systems.

3 MR. PALLOTTA: And the Teacher Center
4 was also key in the school that I worked in
5 as a turnaround, what they used to call CERA
6 {ph} schools. And they've changed the name
7 of those schools many times over the years.

8 MR. MULGREW: I think it's CSI now.

9 MR. PALLOTTA: So, you know, every
10 once in a while they give it another letter,
11 another name.

12 MR. MULGREW: Probably NCI next year.

13 SENATOR MAYER: Thank you.

14 CHAIRWOMAN WEINSTEIN: Thank you.

15 Assemblyman Bronson.

16 ASSEMBLYMAN BRONSON: Good afternoon,
17 gentlemen.

18 And I echo Chair Benedetto's
19 sentiments. Thank you, your organizations,
20 as well as the teachers. They are in a very
21 difficult position as we place more and more
22 responsibilities beyond education on our
23 teachers and our school districts as a whole.

24 And it's in that vein that I ask this

1 question. So we have lots of hurdles that
2 our students face, and in my area, in the
3 Rochester City School District in particular.
4 And to address those hurdles, we have
5 programs with English language learners, we
6 have programs for students with disabilities,
7 we have programs to help students with their
8 mental health and their health situations and
9 to provide additional services.

10 Yet in the budget, both the Governor's
11 proposal and to some degree SED's proposal,
12 you have the Foundation Aid, which is
13 supposed to be distributed based on needs,
14 right? And then they do set-asides. SED is
15 proposing an \$85 million set-aside for ELL,
16 and the Governor's set-aside is \$50 million
17 for community-based schools.

18 So my feeling would be that for ELL,
19 for students with disabilities, and for
20 mental health and health services, it would
21 be better to have separate line items, if you
22 will, keep that apart from the Foundation
23 Aid, but have those line items -- which in
24 essence would be additional money -- so that

1 we could specifically identify funds for
2 those programs.

3 Comments on using that type of
4 approach versus including that in
5 Foundation Aid?

6 MR. PALLOTTA: Well, part of the
7 testimony is 500 million in targeted funds to
8 improve student support in the schools. So
9 say a school decides that it wants to hire
10 some more social workers because that's where
11 they feel the need is, they should be able to
12 do that with targeted funding in areas such
13 as that.

14 MR. MULGREW: We would like to work
15 with you on such a proposal because we get
16 very frustrated when, as I like to say, we
17 come up here, we do our work with all of you,
18 and we appreciate that we've done good work
19 in the past, but then we'll walk into a
20 school and we're like, We got money for this,
21 why don't we see it here? And it's extremely
22 frustrating to us.

23 And there should be some sort of an
24 accountability that says if it's targeted,

1 you must use it for this and then you have to
2 prove you used it for that. That would
3 alleviate some of these problems.

4 You know, New York City is a large
5 school system and there's a major bureaucracy
6 in the middle of it. But to have an
7 announcement in early April saying look what
8 we did in the budget, and then knowing in
9 September and October when you walk into a
10 school saying, well, we did something in the
11 budget but I'm not seeing the results, is
12 quite frustrating.

13 So we would look forward to working
14 with you on something like that.

15 ASSEMBLYMAN BRONSON: Thank you.

16 CHAIRWOMAN WEINSTEIN: Thank you.

17 SENATOR KRUEGER: Thank you.

18 Senator Jackson.

19 SENATOR JACKSON: Thank you, Madam
20 Cochair.

21 So, Presidents, welcome. So I'm just
22 going to be real quick because I -- only
23 three minutes?

24 CHAIRWOMAN WEINSTEIN: Public

1 witnesses, three minutes.

2 SENATOR JACKSON: Oh, my gosh.

3 (Laughter.)

4 CHAIRWOMAN WEINSTEIN: You've already
5 wasted 15 seconds.

6 MR. MULGREW: It's okay, we know. We
7 got it.

8 SENATOR JACKSON: Well, I understand
9 that. But it's not good at all.

10 So our Governor said the CFE is a
11 ghost of the past and a distraction to the
12 present. Do you agree or disagree with his
13 statement?

14 MR. MULGREW: Disagree.

15 SENATOR JACKSON: Mr. President?

16 MR. PALLOTTA: We need the money.

17 That is the key piece. And we know what the
18 dollar amount is. We're talking
19 \$3.9 billion.

20 SENATOR JACKSON: The City of New York
21 gave me a list of 40 schools in my senatorial
22 district, and it goes past three Assembly
23 districts that will not receive any money
24 under the current Executive Budget. What are

1 your teachers going to say about that? What
2 are you going to say about that?

3 MR. MULGREW: The problem -- and this
4 has been a great frustration because of all
5 the hard work -- as you clearly know, all the
6 hard work that went into this, and then we
7 had the recession and then that was the big
8 excuse at that moment. And then the
9 recession was over, but then it was, oh, well
10 now we don't want to pay it. And it was all
11 politics at that moment.

12 So for us it is we need the -- what we
13 are proposing, 1.3 additional for the next
14 three years. But then what we would ask you
15 is to make sure that that money actually gets
16 to those 40 schools and is spent for what it
17 was originally intended. Because when we
18 were getting CFE funding, remember, we had a
19 major problem with that mayor because he
20 refused to spend it on what it was supposed
21 to be spent upon.

22 So it's a combination of things. If
23 we're going to move forward on this, which I
24 will fully support, there has to be an

1 accountability that it is being used for what
2 it was originally intended.

3 SENATOR JACKSON: Right. So when you
4 talk about the APPR -- I asked the chancellor
5 about that. He said he agrees with it. And
6 I know that both of you agree with it. But
7 I'm telling you, there are parent activists
8 that are reaching out to me as a parent
9 activist saying that it doesn't go all the
10 way, that we should eliminate the child
11 testing to the teacher's evaluation.

12 What's your opinion about that?

13 MR. PALLOTTA: Well, the bill itself
14 does eliminate the state test being mandated
15 to be used by a school district. So it does
16 eliminate it.

17 SENATOR JACKSON: But local
18 alternative examinations?

19 MR. PALLOTTA: Whatever they
20 collectively bargain, they can use.

21 MR. MULGREW: We believe, and this is
22 my -- we support the legislation that's there
23 for -- we believe that student learning is an
24 important part of what we do each and every

1 day, and we accept that responsibility.

2 In New York City, under the
3 moratorium, we're using many things that
4 would never be considered tests. We're using
5 portfolios, we're using what is known as
6 running records and things that are done
7 naturally inside a day of teaching.

8 But let us not -- for years, myself,
9 teaching for 12 years, I designed my own
10 tests. That is part of my job, is to test
11 and assess my students. We are not asking
12 for a school district to do any sort of
13 additional testing.

14 SENATOR JACKSON: I have three
15 seconds. Three seconds left.

16 So I voted yes, with reservations.
17 And my reservations is stop continuously
18 testing our children and teaching them
19 towards the test.

20 MR. MULGREW: We agree.

21 MR. PALLOTTA: I agree.

22 SENATOR JACKSON: Thank you.

23 CHAIRWOMAN KRUEGER: Thank you.

24 Assembly.

1 CHAIRWOMAN WEINSTEIN: Thank you.

2 Assemblywoman Jaffee.

3 ASSEMBLYWOMAN JAFFEE: Hi. Welcome.

4 Welcome. And thank you for your leadership.

5 It's so very essential.

6 You know, regarding -- I raised the
7 question earlier regarding the number of
8 teachers outside of New York City -- my
9 understanding that -- it's a conversation
10 I've had about six months ago regarding the
11 number of teachers and the need for more
12 educators. Is it something that you have
13 been working towards? Because it is a real
14 issue of concern.

15 MR. PALLOTTA: It certainly is. And
16 we definitely have taken a lead on this. We
17 have some stats, I'll just give you this.
18 Between 2009 and 2015, enrollment in New York
19 teacher education programs fell by
20 47 percent. And it's a national trend. So
21 there's a teacher shortage. We have it all
22 over the state.

23 According to TRS reports, the Teachers
24 Retirement System, within the next five years

1 nearly one-third of the active members will
2 be eligible to retire.

3 So it hasn't been -- they've been
4 scapegoated, right, there was this terrible
5 system of overtesting. It became teach for
6 the test. It was a disaster for this state.
7 It was a disaster for teachers, students,
8 parents. You had the opt-out movement
9 because of it.

10 So we believe in supporting parents in
11 their right to choose to be able to say I
12 want to opt out my student from these tests.
13 And it is an ongoing problem.

14 But we do know, through this program
15 that NYSUT and our Executive Vice President
16 DiBrango has led, we've been all over the
17 state -- they did one in Buffalo.
18 Assemblyman Ryan, were you there for that
19 one?

20 ASSEMBLYMAN RYAN: I was not there.

21 MR. PALLOTTA: You were not there.

22 But we will be doing them --

23 ASSEMBLYMAN RYAN: I was here.

24 MR. PALLOTTA: You were here. No, you

1 were working. I understand.

2 So we will be doing these around the
3 state, making sure that we have an
4 encouraging -- I don't see anybody from
5 Syracuse. We did one in Syracuse also.

6 ASSEMBLYWOMAN JAFFEE: Maybe we could
7 do one in Rockland. I would love to do it.

8 MR. PALLOTTA: And part of it is to
9 get young people, high schoolers, that they
10 would think that this is a great profession.
11 It is a great profession. But it needs to be
12 respected.

13 ASSEMBLYWOMAN JAFFEE: And that's the
14 goal, yes. My whole family were educators,
15 you know.

16 But also -- thank you. Let's move
17 forward with that, because it's really
18 essential, especially reaching out to our
19 youth -- also the mental health services.
20 You know, the targeted funding that I think
21 you've mentioned.

22 The mental health services are
23 essential. I did a roundtable discussion on
24 our youth, and one of the issues that came

1 up, it was very clear that there weren't
2 enough schools, even in our communities, with
3 mental health providers. It's also another
4 issue in terms of having our youth go into
5 those fields. But schools desperately -- in
6 every school. I have a piece of
7 legislation -- every district, every school,
8 elementary, middle school, high school --
9 should have a psychologist or somebody
10 within -- a mental health provider or within
11 that career. Our children need it
12 desperately.

13 MR. PALLOTTA: We agree.

14 MR. MULGREW: We agree, absolutely.

15 ASSEMBLYWOMAN JAFFEE: It's something
16 that you --

17 MR. PALLOTTA: Yes.

18 ASSEMBLYWOMAN JAFFEE: Yeah, because
19 we need to focus on that and target that.

20 CHAIRWOMAN WEINSTEIN: Thank you.

21 Senate?

22 CHAIRWOMAN KRUEGER: Thank you.

23 Senator Metzger.

24 SENATOR METZGER: Hi, there. First of

1 all, thank you for your advocacy for the
2 funding that our schools and our kids need.
3 Really appreciate that. And I spoke earlier
4 about the need for that funding.

5 The question I didn't raise earlier,
6 you brought up the point about community
7 schools. And I completely agree that it
8 should not be part of Foundation Aid. But I
9 was wondering -- there are a number of
10 schools in my district that currently get
11 that funding. But do you have a sense of the
12 level of funding, adequate level? Because
13 the current level of funding seems wholly
14 inadequate. So what would be adequate?

15 MR. MULGREW: Well, I would like to
16 see every school take on what is known as the
17 community school approach. You know, that
18 would be ideal.

19 At this moment -- I can only speak
20 about the 13 schools that we specifically run
21 in New York City, the union runs, is
22 supporting, our community learning school
23 project. And that cost is -- if you do it in
24 the model that we have, which we are working

1 with school districts outside of New York
2 City to help facilitate the model that we're
3 using, it approximately -- it comes down to
4 about \$175,000 per school.

5 And part of that is a plan that says
6 that you're going to take that money and
7 bring in services because you can leverage it
8 in a different way. There is a business
9 model behind it. Because we understood that
10 years ago when people were giving out large
11 grants to change schools around, that there
12 was no way that that was sustainable. It's
13 not a sustainable system to say that we're
14 going to give a school an additional
15 \$5 million every year to have these services.
16 We know that that's -- sooner or later, that
17 would not be something that could be
18 continued to be funded.

19 So it's more about teaching a school
20 community how to do this work and leverage
21 the assets that the community already has,
22 that nobody has really done what we call a
23 mapping for the school to figure out what is
24 already there and how do we use it. But it

1 requires a lot of integration and a lot of
2 legwork.

3 SENATOR KRUEGER: Thank you.

4 Assemblywoman Inez Dickens.

5 ASSEMBLYWOMAN DICKENS: Thank you so
6 much, Madam Chair. And thank you, gentlemen,
7 for being here for testimony.

8 Mr. Mulgrew, I wanted you to know that
9 one of your members is here listening to your
10 testimony, my sister, who is a teacher in the
11 New York City school system.

12 MR. MULGREW: I'm glad she's here
13 today.

14 ASSEMBLYWOMAN DICKENS: But I wanted
15 to talk about SALT for just a moment.

16 MR. MULGREW: SALT?

17 ASSEMBLYWOMAN DICKENS: SALT.

18 MR. MULGREW: Got it.

19 ASSEMBLYWOMAN DICKENS: I know that
20 you're working with the New York delegation
21 on that, but what is being done? Because the
22 New York delegation needs other state
23 delegations in order to see and prevent that
24 harmful policy.

1 MR. MULGREW: So on the SALT policy,
2 as I said, we were just -- yesterday we were
3 at a national meeting and SALT was
4 specifically some of the things we were
5 speaking to Massachusetts, California,
6 Maryland and Connecticut about, that it was a
7 clear attack upon us and our ability to fund
8 public-sector work inside of our states. And
9 it's more about -- let's just say a national
10 political strategy is going to be required to
11 fix this.

12 I mean, this is one thing we
13 completely agree with the Executive on. It
14 was an outright attack upon basically
15 10 states. And it's an attack so that
16 those -- the frustrating part is that the
17 10 states -- New York State taxpayers are now
18 funding programs in 40 other states. Let's
19 just put out there what it is. Other states
20 who refuse to do what they need to do for
21 their public sector support services are now
22 being funded by the taxpayers of New York
23 State. That's what's going on.

24 ASSEMBLYWOMAN DICKENS: Thank you. I

1 wanted to get to that point.

2 The last thing is LGBTQI and NCG. I
3 see that in your written testimony you refer
4 to gender-inclusive schools. Are you talking
5 about separate schools? Because I would
6 prefer to see that an education is provided
7 to all of the students in order to prevent
8 that type of bullying.

9 MR. MULGREW: Yeah, we prefer them to
10 be as an inclusive school. We believe that
11 that's the way you actually make society a
12 better place, bring everyone together in a
13 diverse setting. And that is how we actually
14 sought to change our society for the better.

15 ASSEMBLYWOMAN DICKENS: Let me
16 understand. Are you saying a separate school
17 or --

18 MR. MULGREW: No.

19 ASSEMBLYWOMAN DICKENS: -- inclusive?

20 MR. MULGREW: Inclusive.

21 ASSEMBLYWOMAN DICKENS: All right. I
22 just wanted to be sure I understood that.

23 Lastly, also on the school climate, I
24 know that it's not good to remove the

1 children from schools. But in bullying cases
2 where there are children that are doing the
3 bullying, I know of two instances where they
4 were removed to special ed, which is not the
5 answer, in the Bronx.

6 MR. MULGREW: No, that should be done
7 when it's appropriate and after a real
8 evaluation is done.

9 When it comes to what we call a
10 positive school culture, the only way to
11 really get to this is to actually get all the
12 adults trained on different approaches.
13 There is no one set -- I know certain times
14 we hear one approach works and then somebody
15 says, oh, that's the one we have to use
16 everywhere. That is not the proper way to do
17 it. You give people different tools to use.
18 But you train them that when you have
19 bullying, which is pervasive in our
20 schools -- which is why we have a bullying
21 hotline that the UFT funds and we do all this
22 other stuff.

23 But, one, it's how do you take care of
24 the child who's being bullied, and then how

1 do you get the intervention that's
2 appropriate for the child doing the bullying.
3 And you have to take care of all of those
4 things at the same time. If not, what you'll
5 do is just a punish thing: Oh, you got
6 bullied, who did it? And now we're going to
7 suspend -- that is the wrong approach.

8 ASSEMBLYWOMAN DICKENS: Thank you so
9 much. And I yield my 15 seconds to come
10 back.

11 CHAIRWOMAN WEINSTEIN: No coming back.
12 (Laughter.)

13 CHAIRWOMAN WEINSTEIN: You lost them.
14 (Laughter; overtalk.)

15 SENATOR KRUEGER: Senator Savino.

16 SENATOR SAVINO: Good afternoon,
17 Presidents.

18 MR. PALLOTTA: Good afternoon,
19 Senator.

20 MR. MULGREW: Good afternoon.

21 SENATOR SAVINO: I'm happy to hear how
22 successful the community learning schools
23 are. It was one of the initiatives of some
24 of my former colleagues and I to help bring

1 them along. And I'm really interested in
2 hearing, though, about the Positive Learning
3 Collaborative. And I don't think enough
4 attention is focused on those schools. There
5 are 17 now that we're --

6 MR. MULGREW: And we're going to add
7 an additional six in the next month.

8 SENATOR SAVINO: How do we decide
9 which school is eligible to become a PLC
10 school?

11 MR. MULGREW: Well, at this moment the
12 schools approach us. And then we go and we
13 have a discussion with the entire school
14 community and say if you're committed to --
15 you have to commit, first and foremost, that
16 every single person who works in the school
17 building will be trained. Everyone. Okay?
18 The security guards at the front desk, the
19 custodian, the food service workers --
20 everyone has to do a four-day training. And
21 once they have the four-day training, they
22 then have the approach and they will have not
23 just the tools but they'll have an approach
24 to -- what they are then tasked with doing

1 is, how do you change the culture of your
2 school itself?

3 We don't believe -- we never believed
4 in zero tolerance, because you'll end up with
5 way too many children being suspended. We
6 don't believe also in saying that all
7 behavior should be something we sit down and
8 have a conversation about. Because both
9 approaches are wrong. You have to be able
10 to, as a school community, help the children
11 who are having problems and at the same time
12 facilitate that somebody else -- the other
13 children are also getting the education that
14 they need.

15 If a child is having a bad day and
16 picks up a chair and throws it, which happens
17 at times, we can't -- the school has to be
18 equipped with the tools to deal with it. And
19 they're not, because what we do is we give
20 them policies and not training and not the
21 tools to deal with the different issues that
22 we face.

23 So we believe the Positive Learning
24 Collaborative -- the numbers are clear, it

1 has worked.

2 And the other piece is -- going to
3 your point, Assemblywoman Jaffee -- is that
4 we now know that every school community has a
5 number of children who need clinical
6 intervention. So you're not doing this child
7 any favor by suspending them. It's just not
8 going to work. They need a clinical
9 intervention, and the schools are not
10 equipped.

11 So in our PLC schools -- in our
12 community learning schools now we're putting
13 in -- the union is paying for psychologists
14 and sociologists to come in, who are
15 clinical, to do that work. But we need to
16 look at that as a systematic approach, not
17 just a part of our programs.

18 SENATOR SAVINO: Thank you.

19 SENATOR KRUEGER: Assembly is done.

20 I just have one quick follow-up
21 question for the Senate.

22 So you said the unions are paying for
23 these staff. But then when they --

24 MR. MULGREW: I want to be clear -- on

1 PLC, that is a joint partnership which was
2 originally our and the Department of Ed. We
3 took it further. They still partner with us,
4 but we've taken it much further than
5 originally intended. And yes, we're paying
6 for it out of our union dues, a lot -- a good
7 portion of it, yes.

8 SENATOR KRUEGER: So when these
9 clinicians make a determination that the
10 child probably needs X, Y, Z, does it then
11 get moved over to the DOE to be dealt with as
12 follow-up?

13 MR. MULGREW: I would -- I don't want
14 to -- I know that in some cases they do it in
15 a different way. But I would like to get a
16 more comprehensive answer. It's a good
17 question.

18 SENATOR KRUEGER: I ask because
19 diagnosis is incredibly valuable, but you
20 then need referral to treatment. And -- I
21 mean, I suppose if the city is listening and
22 the union's prepared to just pay for all
23 these services for kids on their own, they'll
24 be delighted to hear that you would continue

1 forever. But I suspect that's probably not a
2 model that's sustainable.

3 MR. MULGREW: No, it is not
4 sustainable. What we'd like to do is say,
5 listen, there's a problem that the system
6 itself is not dealing with. We will then
7 work with stakeholders from the school
8 community, we will come up with a plan.

9 We never walk in with a plan. We're
10 not arrogant. We don't come in and tell you,
11 oh, here's how to fix yourself. We work with
12 the individuals and the stakeholders and then
13 we implement it. And yes, we will put money
14 behind it. And then hopefully if it works,
15 we can say this is something we now advocate
16 for through the political process.

17 SENATOR KRUEGER: Thank you.

18 And I jumped ahead of Senator Seward,
19 I apologize, because I wanted to follow up on
20 that last question.

21 Senator Seward.

22 SENATOR SEWARD: No offense, Madam
23 Chair.

24 And Presidents, it's good to see you

1 this afternoon. It's still afternoon, I
2 guess.

3 I just wanted to say I'm very
4 encouraged by the Take a Look at Teaching
5 initiative. Now, Assemblyman Benedetto stole
6 all my thunder about praising the teachers.

7 MR. PALLOTTA: You can do it again.
8 Feel free.

9 (Laughter.)

10 SENATOR SEWARD: Okay. I've only got
11 three minutes, I would go on longer.

12 No, seriously, this is a great
13 initiative, greatly needed. And I have a
14 number of SUNY schools in my Senate district,
15 and I hear from them, you know, in terms of
16 the drop-off in terms of education majors and
17 those that are going forward for teaching.

18 So any way we can be helpful in
19 helping to spread that word, please let us
20 know how we can be helpful.

21 MR. PALLOTTA: That's great. Maybe
22 we'll do a forum at the Capitol. We'll
23 definitely be here for Black and Puerto Rican
24 Caucus weekend, and Somos, so -- and it is

1 crucial that we encourage young people that
2 this is a great profession, they could really
3 consider teaching.

4 SENATOR SEWARD: Absolutely.

5 I had a question specifically on the
6 APPR, following up on Senator Jackson's
7 discussion with you. You know, as one who
8 never believed in -- the coupling of tests
9 with the teacher evaluation is something
10 that, shall we say, got -- well, it passed at
11 a time when there was a different atmosphere.

12 But I was very pleased to support the
13 legislation in the Senate, obviously; it
14 passed unanimously, bipartisan support.

15 MR. PALLOTTA: Thank you for that.

16 SENATOR SEWARD: But my question is,
17 is our work finished in terms of APPR? For
18 example, is there any further revisions to
19 Section 3012 of the Education Law? Or also
20 we all agreed that, you know, we've been
21 overtesting our students in our schools. And
22 is there anything statutorily we need to do
23 for a non-increase in testing? Is our work
24 finished, and do you have any other

1 recommendation?

2 MR. PALLOTTA: I would say the work is
3 not finished. And the parents have gotten in
4 touch with us, and they have made it very
5 clear that they want to make sure that the
6 benchmarks are set correctly at SED, that the
7 tests are correct, that they're not too long.
8 At one point some of these tests were three
9 days, then they knocked it down to two.
10 Well, who's really looking at it to make sure
11 it should even be one? You know, we took the
12 Iowa tests many years ago, and they were --
13 it wasn't the same system that we had.

14 What developed was an obsession with
15 testing. So that is all wrong. And we're
16 not done with working on this, making sure
17 that the parents have confidence in the state
18 education system, that they haven't lost it.

19 SENATOR SEWARD: Absolutely. One of
20 the problems is that all these tests are
21 taking time away from teaching.

22 MR. PALLOTTA: Right.

23 MR. MULGREW: And a ton of money.

24 CHAIRWOMAN WEINSTEIN: Thank you. I

1 believe we are now completed with your
2 testimony. So you can --

3 MR. PALLOTTA: Thank you.

4 MR. MULGREW: Thank you so much.

5 CHAIRWOMAN WEINSTEIN: Thank you for
6 being here, and thank you to your members for
7 all they do for our children.

8 MR. MULGREW: Have a good evening.

9 SENATOR KRUEGER: Thank you to all the
10 teachers.

11 CHAIRWOMAN WEINSTEIN: Next we are
12 going to hear from the Conference of Big 5
13 School Districts. Joining at the table will
14 be Jennifer Pyle, executive director; and
15 Dr. Edwin Quezada, superintendent, Yonkers
16 Public Schools; Jaime Alicea, superintendent,
17 Syracuse City School District; Kriner Cash,
18 superintendent, Buffalo Public Schools;
19 Kenneth Hamilton, superintendent,
20 Mount Vernon City School District; and
21 Everton Sewell, CFO, Rochester City School
22 District.

23 I'll wait till everybody gets seated.

24 MS. PYLE: Good afternoon. I'm

1 Jennifer Pyle, executive director of the
2 Conference of Big 5 School Districts. Thank
3 you all for your support and for having us
4 testify here today. I've submitted written
5 comments; I won't speak to those today so
6 that the panel has time to address you.

7 (Multiple calls of "mic.")

8 (Discussion off the record.)

9 CHAIRWOMAN WEINSTEIN: Can you just
10 reset the time for 10 minutes?

11 MS. PYLE: Thank you. Hi. My name is
12 Jennifer Pyle. I'm executive director of the
13 Conference of Big 5 School Districts. I
14 won't speak today. I have submitted written
15 comments in order to allow the four
16 superintendents and the chief financial
17 officer to take our time today.

18 So we will begin with Dr. Edwin
19 Quezada, from the Yonkers Public Schools.

20 SUPERINTENDENT QUEZADA: Thank you,
21 Ms. Pyle. And good afternoon, everyone.
22 Thank you for the opportunity to address you
23 this afternoon and to share with you that we,
24 the Conference of Big 5, we are doing well.

1 I'm speaking on behalf of Yonkers.
2 However, the issues that we are presenting
3 today apply to each and every one of us.

4 Our mantra in Yonkers is "Yonkers
5 Public Schools, a proven return on
6 investment." Over the past few years we have
7 garnered considerable community support
8 because of our progress. The results are
9 magnificent. Our graduates achieved an
10 on-time 86 percent graduation rate in August
11 2017 and August 2018, which is higher than
12 the state average.

13 Yonkers has embraced the community
14 school model, as has all of the districts
15 here. Our diverse students and parents,
16 especially our students with disabilities and
17 English language learners truly benefit from
18 on-site health and mental health clinics,
19 dental services, as well as extracurricular
20 activities. Community schools, a flexible
21 targeted support, are costly to implement and
22 maintain. However, the far-reaching benefits
23 are greater than the costs.

24 For Yonkers to maintain our programs

1 with fidelity, I'm requesting two changes to
2 the Governor's proposed budget: Increase
3 Yonkers total community schools set-aside
4 from 7.6 million to \$15 million, with a
5 commensurate increase in Foundation Aid, and
6 continue the flexibility in the current
7 legislation that enables us to target funds
8 to schools where there is the greatest need.

9 Yonkers' unified commitment is
10 hampered by our dependency on New York State
11 funding that fails to address vital necessary
12 recurrent revenue. The Foundation Aid
13 formula as it exists today forces Yonkers to
14 annually plead and rely on one-time
15 appropriations. This year Yonkers Public
16 Schools' balanced budget includes
17 \$32.9 million in nonrecurrent revenue.

18 This structural financial problem can
19 only be solved by correcting the assumption
20 in the Foundation Aid formula. The current
21 formula does not address the needs of
22 Yonkers' children. Over 79 percent of them
23 live in poverty. The Foundation Aid formula
24 appropriates close to \$8,000 per pupil to

1 Yonkers. Conversely, our sister cities
2 receive significantly higher per-pupil
3 appropriations, which they deserve and need.
4 Yonkers also needs and deserves the same
5 level of per-pupil appropriation.

6 A simple formula correction for
7 Yonkers will solve the problem. The
8 antiquated Foundation Aid formula puts
9 Yonkers at a 52.8 percent Foundation Aid
10 ratio, while Buffalo, Rochester and Syracuse
11 are at 90 percent. Today I ask you to
12 increase Yonkers' Foundation Aid ratio by
13 25 percentage points to increase Yonkers'
14 ratio to 77 percent, which will result in a
15 per-pupil appropriation of \$11,771.

16 The Yonkers proposal offers -- the
17 Governor's proposal, rather, offers a
18 2.2 percent increase, which is \$4.4 million
19 in Foundation Aid for Yonkers. Our school
20 district's status quo expenses are projected
21 to increase 3.5 percent, which is about
22 \$22 million. Simply stated, the reality for
23 Yonkers is that our preliminary status quo
24 budget has a \$60 million budget gap that must

1 be addressed if we truly believe in equity
2 for all children.

3 Equity for all students will not be
4 realized in Yonkers until we build new
5 schools and repair our antiquated buildings.
6 Our schools' average age is 80 years old. It
7 is time to invest in our children and give
8 them state-of-the-art community schools. The
9 citizens of Yonkers alone cannot afford the
10 exponential cost to fix our deteriorating
11 schools.

12 The Yonkers Public schools and all the
13 districts here welcome the equity
14 conversation. Over the past five years, our
15 learning communities have relentlessly
16 pursued avenues for equity in our teaching
17 and learning, as well as providing all of our
18 students access to opportunities in and out
19 of school. I respectfully suggest if equity
20 is truly driving the conversation, that the
21 state reassess the distribution of funds
22 based on the specific needs of the students
23 served and the programs being provided.

24 CHAIRWOMAN WEINSTEIN: Excuse me.

1 Excuse me. You know, it's 10 minutes, right,
2 for everybody. I'm only saying because
3 you're talking --

4 SUPERINTENDENT QUEZADA: At this time
5 I'm going to turn it over to Mr. Alicea, the
6 superintendent of Syracuse.

7 (Laughter.)

8 CHAIRWOMAN WEINSTEIN: Okay, thank
9 you.

10 SUPERINTENDENT ALICEA: Thank you,
11 Dr. Quezada.

12 And good afternoon, everyone. It is
13 my pleasure to be here with you today.

14 And first I want to say thank you that
15 in my 35 years in education with the Syracuse
16 City School District, the body that is in
17 front of me has always gone the extra mile to
18 support public education in the State of
19 New York and, more important, to support
20 public education in the Syracuse City School
21 District. So on behalf of the 21,000 kids
22 that I serve and the 14,000 families that I
23 have the honor to serve, I want to say thank
24 you.

1 This coming year is going to be a new
2 challenge for us in the Syracuse City School
3 District. We have a new strategic plan that
4 is building the future -- building the future
5 for our students in Syracuse, building the
6 future for our community, building the future
7 for New York State, and building the future
8 for our nation.

9 We have five priorities that we'll be
10 working on this year, and the first priority
11 is to engage our families and community. The
12 education of the children in the city of
13 Syracuse is the responsibility of all the
14 stakeholders. It's not only the
15 responsibility of the teachers, the
16 administrators, it's everyone must be engaged
17 in educating our students.

18 We need to implement culturally
19 responsive practices. We need to provide a
20 dynamic, rigorous curriculum, and very
21 important is we need to recruit, develop,
22 support and retain teachers in our school
23 system.

24 This year we're faced with three

1 schools that did not make demonstrable
2 improvement, and we have to close those
3 schools and reopen them next year with new
4 programs. So Dr. King Elementary School will
5 be reopening with a new STEAM program;
6 Westside Academy at Blodgett will be opening
7 with a new STEM program; and Danforth Middle
8 School will open with an Expeditionary
9 Learning program.

10 Syracuse depends on you, the state,
11 for their financial support. The property
12 tax from the city is only 20 percent, so
13 80 percent of our funding comes from the
14 state. We have a budget gap of \$22 million
15 after factoring in the \$7.6 million state aid
16 increase. So we are asking for an extra
17 \$15 million beyond the 7.6 from the
18 Executive Budget.

19 How are we going to be using this
20 money? This money is going to be used to
21 continue to support our students in Syracuse,
22 continue to expand the programs in those
23 three schools that I just mentioned, and to
24 continue to provide services to the

1 4,300 kids with special needs in Syracuse and
2 the 3,500 ELL students that we have in the
3 Syracuse City School District.

4 We're also going to be using the money
5 to continue to support Career and Technical
6 Education. But we would like to ask you
7 again to revisit the formula for CTE in New
8 York and to expand that by 10 percent, and to
9 include the 9th graders. Because all of us
10 in the Big 5 School Districts, we're not part
11 of BOCES. Our CTE programs begin with
12 9th graders. So it is important that we get
13 the funding that we need to support the
14 students in CTE.

15 I was sitting back there, I was
16 listening to you and listening to the
17 presenters about the lack of teachers that we
18 have or the reduction in that area. In
19 Syracuse that's one of our fields. We have
20 begun our own growing new teachers program to
21 address the needs that we have in Syracuse.

22 CHAIRWOMAN WEINSTEIN: So I think
23 we're going to move on to Buffalo.

24 SUPERINTENDENT ALICEA: Okay, my

1 pleasure. Dr. Cash.

2 SUPERINTENDENT CASH: For colleagues,
3 I can yield my time and you can ask me the
4 questions and then I'll have a lot more time.

5 (Laughter.)

6 CHAIRWOMAN WEINSTEIN: Okay. Well,
7 whoever is next, then.

8 SUPERINTENDENT HAMILTON: Good
9 evening. Dr. Kenneth Hamilton,
10 superintendent of the Mount Vernon City
11 School District.

12 And I'd like to begin by saying that
13 Mount Vernon District is strengthening its
14 teaching staff and implementing greater
15 supports and interventions for students. As
16 a result of this support, and our careful
17 planning and delivery of services, 15 of our
18 16 schools are now designated as schools in
19 good standing, as per the New York State
20 Department of Education.

21 I am here this evening to speak very
22 specifically about some of the proposed
23 budget allocations that directly impact
24 Mount Vernon. Continuous federal cuts and

1 the rise of the for-profit corporate
2 education system could significantly
3 dismantle and derail the true purpose of
4 public education, which is to create equity
5 for all students to prepare them for the
6 skills to be successful in life and to
7 nurture their potential regardless of their
8 demographic footprint or geography or country
9 of origin.

10 We share the concerns of the Board of
11 Regents with the Governor's current
12 recommended funding. The Governor's proposed
13 plan would merge 11 expense-based aids into
14 one new category, almost all of which
15 directly impacts Mount Vernon. The proposal
16 from the Governor calls for the calculation
17 of these aids to be done on an annual basis
18 using the database by SED from November 2019,
19 which would actualize our expenses for
20 2018-2019.

21 A second example of this deals with
22 our transportation expenses, and our
23 transportation expenses for the 2018-2019
24 school year for classified students we

1 anticipate will be several million dollars
2 higher than last year.

3 In closing, Mount Vernon is a
4 high-tax, poverty-stricken community with
5 nearly 10 percent of its population
6 designated as homeless. Imagine how daunting
7 it is to deal with the issues of living in
8 poverty tethered to the dehumanizing,
9 demoralizing designation of homelessness.
10 Few if any of our surrounding communities are
11 faced with such tremendous odds. Our moral
12 requirement is that we provide for these
13 students and, if we fail to do so, they will
14 be severely damaged should this proposal and
15 these proposed budget allocations be enacted.

16 There are several other areas that are
17 vital to Mount Vernon, specifically the
18 Foundation Aid --

19 CHAIRWOMAN WEINSTEIN: I think
20 we'll -- some of that will be elicited in
21 some questions.

22 And can we just add a minute so we can
23 hear from Rochester. I know Assemblyman
24 Bronson is going to be --

1 MS. PYLE: And I'd like Dr. Cash to be
2 able to address, if it's possible -- I mean,
3 everyone was allotted two minutes and I know
4 that everyone didn't stay within their two
5 minutes.

6 CHAIRWOMAN WEINSTEIN: Okay. So we
7 could have it if we just do a minute each,
8 and there will be some questions that will --

9 MS. PYLE: So I'd appreciate that.

10 CHAIRWOMAN WEINSTEIN: All right, so
11 why don't we do one minute for whoever's
12 going first. Mr. Sewell.

13 ROCHESTER CSD CFO SEWELL: Thank you
14 very much for having us here.

15 My name is Everton Sewell. I'm the
16 CFO representing the superintendent.

17 I concur with what all my
18 superintendent colleagues have said. The
19 thing I wanted to bring up about Rochester is
20 that we are one of the poorest school
21 districts not just in the state but also in
22 the nation, with a 56 percent poverty rate.
23 We also have gotten in about 500 students
24 from a hurricane-impacted area. We have

1 started a bilingual academy just to target
2 those students to make sure that while they
3 are learning English, they're also getting
4 taught in their native language.

5 In addition to that, I wanted to ask
6 the Senate and the Legislature for increasing
7 the amount in health. Every year we go
8 through this rendition of the \$1.2 million
9 that gets taken away and we get it back. We
10 want it to be a permanent adjustment to the
11 budget.

12 Also for providing professional
13 development, we would like that to be
14 targeted for Rochester so that we can utilize
15 the funds.

16 And again, all the Foundation and
17 everything, we are -- I concur with all my
18 colleagues.

19 SUPERINTENDENT CASH: Colleagues, the
20 Education Bargain, which is the
21 transformation plan for the City of Buffalo
22 and the school system in Buffalo, is
23 beginning to yield impressive results in just
24 three years. Once seen as a failing school

1 district and a dysfunctional school district,
2 we are now breaking through to becoming a
3 proof point for what can be done when you
4 take children from being at risk and put them
5 at promise.

6 So look at those seven pages that
7 delineate the work more precisely, and please
8 add \$10.6 million to Foundation Aid for the
9 City of Buffalo over what the Governor has
10 proposed.

11 Point number two, please support the
12 commissioner's request. Those are very, very
13 important asks and requests from the Regents
14 and from the commissioner. We all would
15 benefit from those requests.

16 Number three, a \$3 million increase to
17 the health services grants, because more and
18 more of our children are requiring nursing
19 services and have significant health issues.
20 Please increase that grant.

21 Fourth and last, the charter school
22 allocations here in this state are presenting
23 challenges for us, both in their expansion
24 and in their closing. And we are for good

1 schools, we're for charter schools, but we
2 need to have a more equitable -- since that
3 seems to be the theme this more -- a more
4 equitable way to distribute funds and get the
5 school system and the children to be served
6 equitably by a better distribution and better
7 formula for distributing charter school
8 transition aid.

9 Those are my statements, and look
10 forward to your questions. Thank you for
11 your time and attention.

12 CHAIRWOMAN WEINSTEIN: Thank you. And
13 I know there will be a number of questions
14 that will help elicit some of the remarks you
15 weren't able to continue with.

16 Assemblyman Ryan.

17 ASSEMBLYMAN RYAN: Thank you. Welcome
18 everybody. Thanks for coming up from the
19 Big 5. It's really good to see everybody
20 together, recognizing the commonality of the
21 Yonkers, Syracuse, Rochester, Buffalo
22 districts.

23 In many ways we're all in the same
24 boat educationally, struggling with some of

1 the same social-demographic issues, multiple
2 languages spoken in our districts. So I give
3 all of you high credit for being
4 superintendents of these challenging
5 districts but also having great results in
6 the last few years. Certainly in my home
7 district in Buffalo, we're very proud to have
8 less schools on the receivership list this
9 year and a lot more community schools, so
10 we're happy with some of the turnaround
11 that's taking place.

12 I wanted to direct my questions
13 towards this question of the supplemental
14 charter school tuition. Which I know in the
15 City of Buffalo, that extra \$1,000 per
16 student times about 9,000 students -- it's my
17 understanding that districts front that
18 money. That's the state's obligation, but
19 you folks front the money. But it doesn't
20 come back to you in the same fiscal year.

21 So we allocate this Foundation Aid to
22 have you spend it on your students, but it
23 looks like we're shortchanging you and making
24 you give a no-interest loan on behalf of the

1 state. So I wonder if you can comment on
2 that.

3 SUPERINTENDENT CASH: If I could just
4 say something quickly about that.
5 Colleagues, the rate of increase for
6 Foundation Aid over the last three years has
7 not kept pace with the rate of charter school
8 tuition reimbursement aid. It's very
9 disproportional, it's out of whack, and it
10 needs to be corrected.

11 For us, we ask for support of a bill
12 that has been passed in the Assembly, it's
13 been passed in the Senate, and we'd simply
14 like the Governor to take another hard look
15 at this. This is important. It would result
16 in \$9.2 million of revenue right off for us,
17 and then in the years going forward would
18 probably come up to 22 million.

19 So while we come every year for more
20 in Foundation Aid, it's not going back out to
21 the students that needed it. It's actually a
22 pass-through when we send it right out to the
23 charter schools and the bulk of our students
24 don't get that aid. So it is a challenge, it

1 needs to be addressed.

2 ASSEMBLYMAN RYAN: So the objection
3 isn't to the \$1,000, it's to the effect that
4 we're asking you to front the \$1,000 that you
5 can't then spend on your students.

6 SUPERINTENDENT CASH: On the other
7 students. They're all our students. They're
8 all our students, but it needs to be
9 addressed. It's an easy fix, won't hurt
10 anybody, won't hurt the charters, won't hurt
11 the schools, and let's work on this. Let's
12 get this done.

13 ASSEMBLYMAN RYAN: I'm running out of
14 time, but I'll come back for a second round
15 of questions. So thank you very much.

16 CHAIRWOMAN KRUEGER: Thank you.

17 Senator Shelley Mayer, chair of
18 Education.

19 SENATOR MAYER: Thank you, and thank
20 you all for what you do in very challenging
21 districts.

22 Of course I have my first thank you to
23 my superintendent, Dr. Quezada, for really
24 helping, like many of you, turn around

1 struggling school districts and face
2 operating budgets. You said, and I just want
3 to get it on the record, you're currently
4 anticipating a \$60 million operating gap in
5 the Yonkers Public Schools in the next year,
6 is that correct?

7 SUPERINTENDENT QUEZADA: That is
8 correct. And the reason why that happens is
9 because in this current budget, this
10 \$32 million is non-recurrent.

11 SENATOR MAYER: Okay. Thank you. And
12 we're well aware -- I'm going to ask about
13 pre-K in the Yonkers public schools; I don't
14 know if it's the same situation elsewhere.
15 Can you explain how many students are
16 afforded the opportunity for full day for
17 pre-K? And how it is reimbursed in Yonkers?

18 SUPERINTENDENT QUEZADA: Thank you,
19 Senator, and congratulations for everything
20 that you are doing for Yonkers in New York
21 State.

22 Yonkers currently has approximately
23 1400 pre-K students. I will tell you, pre-K
24 is perhaps one of the most important

1 educational programs for our children in
2 urban communities. Currently we are
3 reimbursed -- about \$12 million are included
4 in the Governor's proposal. The total cost
5 of pre-K for Yonkers is \$20 million, so we
6 are short \$8 million. And we would ask that
7 the state fully fund pre-K programs in all of
8 our districts.

9 SENATOR MAYER: Okay. Thank you.

10 Lastly for you, Dr. Quezada -- and I
11 think this applies to all of you, but I have
12 limited time -- what is your belief about
13 whether the free and reduced lunch is the
14 right measurement for student poverty in your
15 district?

16 SUPERINTENDENT QUEZADA: Well, let me
17 begin by sharing with you that -- it isn't.

18 Most of us here are community-eligible
19 districts, which means that all of our young
20 people are receiving free breakfast and free
21 lunch. However, with that designation, it
22 means that families might not be interested
23 in completing the income application. So as
24 a result, our FRPL numbers are dropping

1 exponentially, which will have a direct
2 impact on Foundation Aid, Title I, Title II,
3 Title III -- in other words, a lot less money
4 for us and for our children just because we
5 just -- the assumption has to be that we are
6 all districts in need, and that a number
7 should not determine how much funding our
8 children need, but rather the needs of each
9 and every one of our children.

10 SUPERINTENDENT HAMILTON: If I may --

11 SENATOR MAYER: Yes.

12 SUPERINTENDENT HAMILTON: If I may --
13 pardon me, Dr. Quezada -- if I may, for the
14 context of our conversation around funding
15 and equity we have to think of -- define
16 poverty in a much broader sense. The
17 measurement of free and reduced lunch in and
18 of itself is not broad enough for the
19 communities that we represent, because there
20 are sociological conditions and psychological
21 conditions that are manifested by living in
22 poverty, associated with homelessness, that
23 gives that a different context when we talk
24 about poverty.

1 So more directly to answer your
2 question, the definition of eligibility for
3 free and reduced lunch in the context of the
4 children that we represent is much too narrow
5 of a definition.

6 SENATOR MAYER: I appreciate that.

7 And I know you have --

8 SUPERINTENDENT QUEZADA: Agreed.

9 SENATOR MAYER: -- a particular burden
10 with the homeless population in Mount Vernon
11 that is obviously not well-represented by
12 that number.

13 But the other thing, and Dr. Quezada
14 and I have spoken about this, given the
15 federal anti-immigrant fervor that our
16 communities are very concerned about, has
17 that resulted in a reduction in parents being
18 willing to fill out any forms for the school
19 system?

20 SUPERINTENDENT QUEZADA: Absolutely.
21 We in Yonkers have engaged in a campaign to
22 have our families complete the income
23 eligibility form, and the moment that we say
24 that you need to provide the Social Security

1 number to us, they will reject our ask.

2 So we just need to be really
3 intentional in the work we do and look at our
4 communities as a whole and make the
5 assumption that there are significant needs
6 and that an application should not determine
7 what those needs are.

8 SENATOR MAYER: And lastly -- and
9 thank you again, all of you, for your work, I
10 know how hard it is -- on after-school money.
11 And I know that in Yonkers you sought
12 reimbursement for the after-school grant,
13 Empire State -- I think it's Empire State
14 After School Grant. What is the status of
15 your application for reimbursement for funds
16 that were already spent by the district?

17 SUPERINTENDENT QUEZADA: Well, thank
18 you for that question. And we are all
19 suffering for all the very specific mandates
20 that come with all of the dollars that are
21 given to us.

22 We have not seen a penny yet from the
23 Empire Grant, neither Empire Grant I or
24 Empire Grant II. So for many of us,

1 applying for any grant through New York City
2 and having to come up with the funding
3 associated with those programs, we are sort
4 of rejecting that. Because if we're not
5 going to have the money available to follow
6 the program, then why apply?

7 So all these mandates are really
8 creating problems for us, and I think we just
9 need to be more flexible in understanding
10 that it is about our children, that it's not
11 about an application or paperwork.

12 SENATOR MAYER: Thank you.

13 CHAIRWOMAN WEINSTEIN: Thank you.
14 Assemblyman Benedetto.

15 ASSEMBLYMAN BENEDETTO: Gentlemen,
16 thank you for being here today.

17 CHAIRWOMAN WEINSTEIN: I think you
18 need to pull the mic closer.

19 ASSEMBLYMAN BENEDETTO: Okay. Am I
20 on?

21 CHAIRWOMAN WEINSTEIN: Yeah. We can
22 hear you.

23 ASSEMBLYMAN BENEDETTO: One of the
24 things that was brought up this morning when

1 the commissioner was here, you spoke to the
2 Regents examinations and the translations of
3 the Regents examinations.

4 My question to you -- maybe we can
5 start with the Buffalo district. I
6 understand you have -- you may have problems
7 in Buffalo translating certain tests. You
8 can get a translation, for instance, in
9 Spanish and in Chinese, Haitian, I believe,
10 and Russian also, but maybe the largest
11 languages that's spoken in your schools --
12 Arabic, Burmese, Swahili -- you can't.

13 Can you address the impact that that
14 has on your district and the students?

15 SUPERINTENDENT CASH: It's an impact,
16 colleagues, and I would support any
17 legislation to provide more resources in this
18 area.

19 But I will tell you that three years
20 ago, seeing that we had 84 different
21 languages spoken, students coming in from
22 over 107 countries around the world, I hired
23 10 cultural resource specialists that
24 translated a lot of information and material

1 for our top 10 languages.

2 So I provide that option, even in
3 Regents exams, if the student requests it.
4 They can get an oral translator to sit right
5 with them and be with them. But the demand
6 far outweighs the number of people that I
7 have to provide that service.

8 ASSEMBLYMAN BENEDETTO: But isn't that
9 rather cumbersome too? I'm a student and I
10 have a translator next to me, and I'm sure
11 I'm constantly asking that translator --

12 SUPERINTENDENT CASH: Certainly it is.

13 ASSEMBLYMAN BENEDETTO: -- to redo --
14 right.

15 SUPERINTENDENT CASH: But it was a
16 start, is my point. And so we now don't have
17 any of the -- money to keep up with the
18 demand --

19 ASSEMBLYMAN BENEDETTO: And what did
20 that cost you?

21 SUPERINTENDENT CASH: What's that?

22 ASSEMBLYMAN BENEDETTO: Approximately
23 what did that cost you?

24 SUPERINTENDENT CASH: A little over a

1 million dollars.

2 ASSEMBLYMAN BENEDETTO: Wow. Okay.

3 The Executive has proposed in his
4 budget consolidating 11 expense-based aids
5 into a block grant. Can we get a comment
6 maybe from Rochester on how you see that
7 block grant, and whether it would be
8 effective for your schools?

9 ROCHESTER CSD CFO SEWELL: It would
10 impact us in the sense that you need to look
11 at each of the individual areas that makes
12 that up. And then when you do that, there
13 are certain areas that will be weighted more
14 than others, because as you block all of that
15 together, it's like just lumping everything
16 and giving it -- saying this is all you get.

17 But as we look at the needs in the
18 individual areas, those needs are unique and
19 those need to be addressed individually. So
20 unless all the different pieces and
21 parameters around each of the needs are
22 included in the block, then it's going to
23 hurt us in terms of funding.

24 ASSEMBLYMAN BENEDETTO: Since Mount

1 Vernon is my neighborhood, okay, in the
2 Bronx, let me ask you a question in regards
3 to the community schools model. Have you
4 been employing that in Mount Vernon, and what
5 has been the effect? Good results, bad
6 results?

7 SUPERINTENDENT HAMILTON: We have
8 employed that model. In one of our schools
9 in particular we have -- we're in our second
10 year, and in another one we're in our first
11 year, and it is yielding positive fruit.
12 Fifteen of our 16 schools are right now
13 recognized as schools in good standing, and
14 we attribute a lot of that to the
15 community-based models.

16 But I want to get back to an earlier
17 question that you raised in terms of the
18 various -- the 11 categories. In Mount
19 Vernon in particular, 10 of those categories
20 would impact our funding. That would apply
21 to textbooks, school library materials,
22 computer software, computer hardware, BOCES
23 aid, supplemental excess aid, transportation,
24 academic enhancement, high taxes, and charter

1 school transitional aid.

2 And I think there's also a misnomer
3 about charter schools in general, that while
4 the money follows the student, and that makes
5 sense, it does not manifest itself in
6 reducing our costs, because these kids are
7 not -- it's not like you're moving a whole
8 class of third-graders to a charter school
9 and therefore you can reduce your costs
10 accordingly.

11 So this notion that the money follows
12 the students as it relates to the current
13 funding formula puts districts at a
14 significant disadvantage because of the
15 reimbursement associated with that, number
16 one -- which is essentially a no-cost loan to
17 charter schools. But secondly, it does not
18 reduce our operating costs at all.

19 ROCHESTER CSD CFO SEWELL: And just to
20 add to something that he just mentioned, one
21 of the things many people don't understand is
22 when we say the tuition rate for charter
23 schools, there are a lot of additional
24 services that we provide that's not included

1 in that tuition rate, and many people tend to
2 not know about that. We provide nursing
3 services, special ed services,
4 transportation -- that those items are
5 usually overlooked.

6 ASSEMBLYMAN BENEDETTO: Thank you very
7 much.

8 CHAIRWOMAN WEINSTEIN: Thank you.
9 Senate?

10 CHAIRWOMAN KRUEGER: Thank you.
11 Senator Robert Jackson.

12 SENATOR JACKSON: Let me thank you all
13 for coming in. Let me just say that I have
14 sat here and listened to all that you have to
15 say. It seems as though that all of the
16 districts are in deep trouble like New York
17 City, but New York is on a larger basis.

18 My gosh, I say to you that you need to
19 get with the -- I don't know if you have
20 joined onto the lawsuit that was filed by
21 Michael Rebell in order to go after the \$4
22 billion that our children are entitled to
23 statewide. But if you haven't, then you need
24 to get on board. Because I tell you, you are

1 going to depend on the State Legislature and
2 the Governor to try to do what's right on
3 behalf of the children of New York State.
4 And at the rate we're going, I hope and
5 expect that that will happen. But you have
6 to be prepared to fight back.

7 And that's what I'm saying to you,
8 because quite frankly, I'm listening to
9 you -- all of you talk about the whole
10 situation as far as the free and reduced
11 lunch and the requirements to submit that,
12 and you ask for SS numbers -- you are asking
13 for it, but they're not handing it in because
14 people are afraid under this current time.

15 What measurement, if any, are we going
16 to use? Just the assumption -- and I'm
17 asking a question, I want a response -- you
18 make an assumption that everyone in the
19 entire district is entitled to a free or
20 reduced-price lunch? What measurement is the
21 state or anyone else going to use? Somebody
22 help me out to understand.

23 SUPERINTENDENT QUEZADA: The answer is
24 yes, Senator, every child in our district

1 should absolutely receive free breakfast and
2 free lunch.

3 And there are significant other
4 metrics that can be used in our communities.
5 Just look at the zip codes and how many
6 families come from high poverty. Look at the
7 number of families receiving financial
8 assistance from the government --

9 SENATOR JACKSON: Who do we have to
10 get that to, to the state or to the feds?
11 Because there are some -- you know, if you're
12 saying -- let's say 90 percent of the
13 children are free or reduced-lunch eligible,
14 but you've got 10 percent that is not, should
15 they pay, or should we just lump everyone
16 together and everyone is entitled to a free
17 or reduced lunch? And that's -- if that's
18 all of you -- it affects New York City also.
19 Help me out. I'm trying to understand.

20 SUPERINTENDENT HAMILTON: Well, I
21 think there is a -- when you look at that
22 small percentage of youngsters who may not,
23 you have to also look at the distribution of
24 wealth in the various communities. That

1 becomes a huge issue.

2 The other thing that is not something
3 that you can measure is the shame associated
4 with being a recipient of free and reduced
5 lunch and the inequity that it provides when
6 you're -- that you're represented in that
7 10 percent of students who may be able to
8 afford to pay for lunch and how that demeans
9 and demoralizes the other youngsters. So
10 that makes perfect sense in terms of --

11 SENATOR JACKSON: I'm sorry, I'm going
12 to cut you off --

13 SUPERINTENDENT HAMILTON: That's all
14 right.

15 SENATOR JACKSON: I only have
16 10 seconds left.

17 SUPERINTENDENT QUEZADA: Colleagues,
18 it goes far beyond free and reduced lunch.
19 In the high-poverty areas that we live in and
20 our children live in, we need breakfast, we
21 need lunch, I provide supper, we need two
22 meals on Saturday which we provide, we need
23 snacks and after-school programs. The
24 health, wellness, and nutritional needs of

1 our children are significant, and they are
2 costly.

3 SENATOR JACKSON: Thank you.

4 CHAIRWOMAN KRUEGER: Assembly.

5 CHAIRWOMAN WEINSTEIN: We have
6 Assemblyman Bronson.

7 ASSEMBLYMAN BRONSON: Thank you, Madam
8 Chair.

9 My question is going to go to Everton,
10 since we share the Rochester City School
11 District together. And first of all, I want
12 to thank the school district: Our graduation
13 numbers are the highest in August they have
14 been in 10 years, 59.3 percent.

15 But we have a lot of work to do.
16 And unfortunately those graduation rates, if
17 you look at last year compared to this year,
18 black people, our Hispanic students, our
19 students with disabilities and English
20 language learners are all far behind the
21 increases that our white students are. So
22 there's a huge gap there.

23 And in addition, as you pointed out in
24 your narrative, our poverty rate is

1 56 percent. We rank third, third in the
2 nation.

3 My question to you, though, is in the
4 context of the Distinguished Educator's
5 Report, which I wanted put on the record that
6 I hope the district will substantially adopt
7 the recommendations, the task, and the
8 timeline to move our school district forward.

9 But in particular, I agree with him.
10 Poverty isn't an excuse for not educating,
11 but it is a barrier to education. And with
12 that, and the demographics that I just talked
13 about, could you explain what would be the
14 impact of not receiving full Foundation Aid
15 and not bringing out ELL as a separate line
16 item, students with disabilities as a
17 separate line item, and mental health and
18 health services as a separate line item?
19 What would be the impact of us turning around
20 the school district if we don't make those
21 changes to the Executive's proposal?

22 ROCHESTER CSD CFO SEWELL: The first
23 thing, we have to embrace the Distinguished
24 Educator's Report. And we put together and

1 are working in collaboration with the board
2 on a plan, an action plan, to make sure that
3 all those recommendations are addressed. We
4 have actually forwarded it on to the board,
5 and the board is reviewing it. And we will
6 meet the deadline, I think it's February 8th,
7 to submit that to State Ed.

8 As it relates to the service that
9 we're providing, if we don't get that money,
10 the progress that we have made and the
11 trajectory that we are on, that's going to be
12 impacted. Because we won't be able to
13 provide the service that we have been
14 providing to get to where we are.

15 And those services not only include
16 the instructional delivery, it includes the
17 support services for students with social and
18 emotional problems. It includes making sure
19 the racial gap is closing, to make sure that
20 the curriculum that we have, the students who
21 are being instructed can see themselves in
22 those reports. It makes sure all the health
23 services that the students need that they may
24 not be getting at home are being delivered.

1 So not only does it distort the
2 delivery of the instruction, it also has an
3 impact on the community school model.
4 Because if we are not able to provide
5 services to those students, then we are going
6 to see a fall back from where we are.

7 ASSEMBLYMAN BRONSON: Thank you. I
8 agree 100 percent.

9 CHAIRWOMAN WEINSTEIN: Thank you.

10 SENATOR KRUEGER: Thank you.

11 Just a quick statement. One, thank
12 you all for your work. But for you from
13 Buffalo, I did read the seven pages, and
14 whatever it is that you've been doing for the
15 last couple of years, we should figure out
16 how to bottle it and distribute it throughout
17 the state. So I congratulate you for all the
18 success that your data shows that you've been
19 having.

20 So thank you. Thank you all.

21 CHAIRWOMAN WEINSTEIN: Thank you all
22 for being here today. There may be some
23 follow-up questions that members will send if
24 necessary. Sure.

1 Okay, thank you. So next we're going to
2 have a panel: Dr. Bernadette Kappen, cochair,
3 Tim Kelly, cochair, 4201 Schools Association, and
4 the New York Association on Independent Living,
5 Lindsay Miller, executive director. As soon as
6 the Big 5 leave, you can have your seat.

7 And, you know, you are a panel, but you
8 each -- it would just be easier for questions.
9 But Five minutes for the 4201 Schools and five
10 minutes for the Association for Independent
11 Living. Just wait a minute until it quiets down.

12 So yes, you can begin if you want.

13 DR. KAPPEN: Good afternoon. My name
14 is Bernadette Kappen, and I'm here with my
15 colleague Tim Kelly. We're representing the
16 4201 Schools Association. And as you know,
17 it's made up of schools that service children
18 who are deaf, blind, and children with
19 physical disabilities.

20 I'd like to start off the afternoon
21 with a quote from Dr. Seuss. "Unless someone
22 like you cares a whole awful lot, nothing is
23 going to get better, it's not." And with
24 that I want to say that we know that each of

1 you cares so much for our children and for
2 our schools, and that you have supported us
3 throughout the years and with the many
4 struggles that we've had. And we've had such
5 a long, positive relationship with the
6 Legislature, and we thank you so much for
7 that.

8 We want to thank you for last year --
9 we were able to receive the \$2.3 million
10 increase to support our students, and this
11 represents the fourth year of those
12 increases. And we were happy that the
13 Governor carried that over into the budget
14 for us for this year as well. This has
15 helped us support the students in many ways
16 at our schools and our staff as well.

17 The one issue related to that -- as I
18 said, we are thankful -- this really brings
19 us back to 2008-2009, before we had some of
20 the cuts. So that we really haven't kept
21 pace with the funding, and that's really an
22 issue for us with our schools. The other
23 special ed schools in the state have really
24 had about a 4 percent increase in their

1 budgets over the last few years, and we
2 haven't been able to keep pace with that.

3 We feel that at a minimum we would
4 really need to have the 2.4 annual growth to
5 really keep pace. At our schools, the
6 children aren't just deaf, blind, or
7 physically disabled; many of our children
8 have additional disabilities which require
9 extra support really to have them grow and
10 develop into independent young people. We
11 also see increased compliance issues that we
12 have in our schools, and certainly the school
13 safety issues that everyone is faced with.

14 We also are so appreciative -- and
15 when we saw the Governor's budget, we were
16 thrilled to see the increase of the
17 \$30 million for the capital improvements.
18 Many of our schools have been around for a
19 little less than 200 years. The school that
20 I represent, we've been in existence for
21 187 years. And we work hard to keep our
22 campuses going, but with old structures we do
23 need that support to be able to fix things as
24 they break. And all of these things are

1 health and safety issues. There's really
2 nothing there that's glamorous for the
3 students in those areas.

4 We have been the recipients -- and
5 we're grateful also for being included in the
6 Smart Schools Bond Act, and that really
7 helped with the technology for students that
8 have disabilities.

9 We also are thinking about our
10 long-term -- as I mentioned, the 30 million
11 really would help us on a short-term basis,
12 but to really try to engage again with the
13 Dormitory Authority authorization. And we
14 would hope that we would be able to have the
15 bond raised to \$100 million to be able to use
16 among the various schools and participate in
17 another round of DASNY projects that were
18 very helpful to us.

19 So we are very grateful for everything
20 that you have done for us. And someone that
21 I've been reading about lately, and I saw a
22 quick quote that I thought would wrap it up
23 for us, from Sonia Sotomayor. She says that
24 "Until we get equality in education we won't

1 have an equal society." And that's what
2 we're thanking you for today, supporting us
3 and also helping us achieve that with our
4 children who are deaf, blind, and physically
5 disabled. Thank you.

6 CHAIRWOMAN WEINSTEIN: Thank you. You
7 start with Dr. Seuss and end with Justice
8 Sotomayor. It's going to be a tough act to
9 follow.

10 Lindsay Miller.

11 MS. MILLER: Okay. Thank you all for
12 your time. My name is Lindsay Miller. I'm
13 the executive director of the New York
14 Association on Independent Living. We're the
15 membership association for Independent Living
16 Centers across the state which are funded
17 through the State Education Budget under
18 ACCES-VR.

19 Independent Living Centers are
20 nonprofits, community-based organizations.
21 They're run by people with disabilities for
22 people with disabilities, so the majority of
23 the board and the majority of the staff are
24 people with disabilities. And we provide a

1 range of advocacy services and supports that
2 are all focused on helping an individual live
3 independently in the community.

4 So all centers provide a set of core
5 services that are really focused on helping
6 individuals navigate the service system,
7 navigate their community, empower
8 independence. And also a huge part of the
9 work we do is transitioning individuals out
10 of institutions and back into the community,
11 which does bring a cost savings to the state.

12 And then the centers are really
13 intended to respond to their community's
14 needs, so they all -- you know, every center
15 in your community may offer a different range
16 of services based on what they've identified
17 as the needs to be within their community.

18 Unfortunately, Independent Living
19 Centers have been level-funded for over a
20 decade. So we're seeking your support for
21 our recommendation of a \$5 million increase,
22 which would bring up the total funding to
23 \$18 million. This recommendation was
24 included with the State Education and Board

1 of Regents recommendations for the last three
2 years in a row.

3 Unfortunatley, the Governor's budget
4 continues to propose level funding. We've
5 had very strong support from the Legislature
6 in the past. Thank you, Senator Seward, I
7 know you've been a champion for us in the
8 Senate. And we had a great visit with
9 Michael Benedetto just last week.

10 You know, we have been successful in
11 having some funding in the one-house budget
12 bills, but unfortunately they've dropped off
13 at the 11th hour in the last two budgets in a
14 row. So our centers are really struggling to
15 survive.

16 We've seen an increase in the number
17 of people served despite level funding of
18 30,000 in the last five years, which clearly
19 shows the need of the communities. And
20 clearly our number served would be
21 significantly higher if the funding had kept
22 pace with the demand.

23 You know, our centers -- you all know
24 a level funding for 11 years is really

1 equivalent to a cut. Our centers report
2 increased costs of health insurance, you
3 know, overhead expenses, by 200 to
4 300 percent. So centers are constantly
5 losing staff, having staff turnover. And
6 then in addition to the funding helping to
7 level and maintain their current services, as
8 I said, all the centers identify needs in
9 their community and have services that they
10 would love to and know that they need to
11 expand but just have not been able to at this
12 point.

13 So I'll leave it at that, and I'm
14 happy to answer any questions.

15 CHAIRWOMAN WEINSTEIN: Assemblyman
16 Ryan.

17 ASSEMBLYMAN RYAN: Thank you, and
18 thank you for coming to testify today.

19 So, Superintendent Kelly, I had a
20 question for you. If you could -- you have a
21 request for capital in your proposal -- if
22 you could describe for us St. Mary's School
23 for the Deaf, its age, but also your capital
24 needs.

1 MR. KELLY: And thank you, Assemblyman
2 Ryan. Our school was founded in 1853, our
3 current building is 1898, and then we've
4 added on buildings in 1916, 1958, and most
5 recently 1975.

6 So we have a need in the short term
7 for a new security system, windows -- there's
8 a lead-paint issue in a lot of our schools.
9 Schools have to be a warm, safe place. So we
10 would use that money in the short term for a
11 security system, doors, windows, and even
12 resurfacing our track, which is more than
13 25 years old.

14 ASSEMBLYMAN RYAN: And how much of
15 your campus is from 1898?

16 MR. KELLY: Just the main building
17 there, but at 12 acres -- I think we should
18 have a little more property, but somewhere
19 along the line we lost some to our neighbors.

20 ASSEMBLYMAN RYAN: It's been over a
21 century, so those things --

22 MR. KELLY: Correct. Yes.

23 ASSEMBLYMAN RYAN: All right. Thanks
24 again for coming up.

1 MR. KELLY: Thank you.

2 CHAIRWOMAN WEINSTEIN: Thank you.

3 Senator Mayer.

4 SENATOR MAYER: Thank you.

5 Thank you all for being here. And
6 Dr. Kappen, thank you for the tour we had
7 recently.

8 One of the things you pointed out to
9 me that I think it would be useful for us to
10 understand is the medical complexity or the
11 complexity of the children that you now
12 provide education to, as compared to maybe
13 20 years ago, and the fact that you are
14 having more complex children with more
15 complex needs -- some of the ones we met --
16 and that has required a change, I think to
17 some extent, in the approach of the
18 4201 schools towards these children.

19 Could you just explain, for example,
20 some of the costs that are associated with a
21 student who has multiple needs as compared to
22 a student who simply is -- well, not
23 simply -- who is deaf or hard of hearing or
24 blind or one of the other sort of old

1 definitions of what these schools served?

2 DR. KAPPEN: I think it's really
3 important to really talk about this, because
4 you might have someone who is just considered
5 visually impaired but they also may have
6 severe cerebral palsy, they could have
7 additional seizure issues. Some of those
8 children require additional support, more
9 medical services in the school, and certainly
10 adaptation of the facility for accommodation.

11 I think that has been something that
12 we all face. And that our buildings were all
13 around before ADA, so to be able to create
14 the proper bathroom situations so the child
15 could move freely throughout the campus --
16 those are all additional costs that you would
17 need to have in place there, and we see it in
18 all the disability groups.

19 When you visited us, there was a young
20 girl that was there from the Lavelle School
21 for the Blind. And right now in the
22 United States the leading cause of visual
23 impairment in children is something called
24 cortical visual impairment. And this is a

1 neurological disability where the child's
2 eyes look okay -- they have trouble seeing --
3 but they have physical disabilities with
4 other complications. So more and more of
5 these kinds of children are coming to our
6 schools. And I would say at Lavelle they
7 probably have -- about 25 percent of their
8 population have cortical visual impairment.
9 So it definitely raises the cost.

10 I think the other would be in
11 professional development, in that when the
12 children come to school, many of the people
13 that we have are certified in vision, in
14 hearing impairment, but we need to educate
15 them on these additional needs that the
16 children have.

17 For example, if you have a child in
18 your classroom that needs to be tube-fed, you
19 have to teach the teacher how to do this and
20 get support from the medical services. So
21 that also adds on.

22 SENATOR MAYER: Thank you.

23 And Ms. Miller, I had a question. I
24 think it's very interesting that the

1 number -- that there's 30,000 more people
2 served by the ILCs over five years, yet
3 you've had flat funding. So can you give
4 your explanation of why additional people are
5 hearing about and utilizing ILCs?

6 MS. MILLER: Yeah, absolutely. So as
7 I spoke about, one of the core services that
8 we provide is really system navigation, so
9 helping individuals navigate the very
10 complicated service system to access the
11 benefits that they need, whether it be
12 Medicaid-funded services, benefits
13 counseling, employment services.

14 The state has undergone significant
15 changes to the service system over the last
16 couple of years, which means that they manage
17 long-term care and all of that, so the need
18 for IL services has been significant in terms
19 of the ability to navigate the services and
20 maintain that independence in the community.

21 SENATOR MAYER: Thank you.

22 CHAIRWOMAN WEINSTEIN: Thank you.

23 Assemblywoman Simon.

24 ASSEMBLYWOMAN SIMON: Thank you.

1 I actually taught at the New York
2 Institute years ago. So I guess I have a
3 question about the 4201 schools and the needs
4 beyond the needs that you've identified in
5 your testimony. We clearly have to update
6 this formula.

7 But I'm curious about some of the
8 needs that are related to, for example, the
9 additional disabilities that the students
10 have these days, and the causes of blindness
11 and deafness which -- we had a big Rubella
12 bulge at one point and, you know, the
13 causes are different. How much of that is
14 sort of very medical? I know you gave an
15 answer to Senator Mayer.

16 I'm curious about the additional costs
17 to the schools for treatment for these kids,
18 as well as what you're doing with regard to
19 services when they leave your schools, when
20 they age out, and the connections like with
21 ACCES-VR traditionally has not been too
22 terribly helpful with this population. I'm
23 curious if you could tell me a little bit
24 more about it.

1 DR. KAPPEN: Sure. I think the
2 different causes -- some are medical in
3 nature, some are more developmental that the
4 people may have, that they have some
5 intellectual difficulties in addition to
6 their primary disability.

7 I would say as far as the access after
8 they leave school, all of our schools have
9 had good success there, I think in that
10 particular area, being involved with ACCES-VR
11 or, say, in our situation with the New York
12 State Commission for the Blind.

13 At our school our children primarily
14 are academic. They may have some physical
15 disability. And we've had good success the
16 last several years: We have 100 percent
17 graduation rates, and last year we had 14
18 students that graduated and we had 12 that
19 were able to go to college. The other two
20 went to a training program to get additional
21 skills. They were both students that came to
22 us later in their career and really didn't
23 have a lot of services, so they needed more
24 blindness skills.

1 aren't maybe able to get in other settings
2 would be really the whole focus on vocational
3 opportunities, and that we really start with
4 children when they're young to think about
5 what are you going to do when you're older,
6 and having a lot of internship opportunities
7 with students, that they're able to be work
8 in the community, work on the campus.

9 We had a young fellow who was
10 interested in -- he's low vision, no vision
11 in one eye, low vision in the other eye, and
12 he was interested in photography. So we gave
13 him jobs on the campus, he became really good
14 at it, he went to the New York Film School
15 for an internship, and they've accepted him
16 in there when he graduates this year.

17 So we really need to weave in the
18 vocational with the academic, and certainly
19 the social-emotional area. That's so
20 important for our children.

21 CHAIRWOMAN WEINSTEIN: Thank you.

22 We have Assemblyman Benedetto for a
23 comment.

24 ASSEMBLYMAN BENEDETTO: Yes. Thank

1 you very much. Thank you for your testimony.
2 Thank you for all the fine work. There are
3 ten 4201 schools throughout the state, three
4 of which are in the Bronx, one in my own
5 district, so I'm so well acquainted with the
6 good work, and we know your arguments and
7 pleas certainly have fallen, I think, on
8 sympathetic ears and with people who know.

9 A cautionary word, Ms. Miller. You
10 mentioned 30,000 more people you have served
11 with flat funding. Some people can use that
12 as an argument against you -- you don't need
13 more money, okay? And I know you do. I know
14 just in the -- rents go up, people have to
15 move to new -- and again, get rent increases
16 and do with the same, okay? So be careful,
17 okay? And thank you very much for your
18 service.

19 Thank you, Madam Chair.

20 CHAIRWOMAN WEINSTEIN: Thank you.

21 And we also have Senator Jackson.

22 SENATOR JACKSON: Thank you,

23 Madam Chair.

24 So good afternoon. So I don't know

1 too much about your schools, but I've learned
2 a lot by your testimony, and I have your
3 material. So I want to thank you for coming
4 in, and I'm glad that I'm staying here to
5 listen to everyone that's coming to this
6 joint hearing today.

7 My wife and I brought my
8 brother-in-law -- his brother -- here when he
9 was 19 years old, and he was visually
10 impaired at the time as the result of
11 retinitis pigmentosa, and he'd lost all of
12 his vision. But he came here and he learned
13 Braille, went to the Lighthouse and had the
14 opportunity to go to community college,
15 Adelphi University, and got his master's
16 degree. Now he's a licensed social worker.

17 But that had taken a long time. He
18 was 19, and now he's 60 years old. But I say
19 to you -- so I have my experiences with
20 someone that is visually impaired and then
21 now totally blind, that had lived with me for
22 a long time -- he's been on his own for a
23 long time.

24 But I understand what you're saying.

1 And anything that I can do to be helpful --
2 because I know I have relatives myself that
3 are visually impaired, not only my
4 brother-in-law but my sister-in-law, the same
5 thing. And she's retired now, and she worked
6 for the VA.

7 But so I thank you for coming here and
8 I'm giving you the opportunity to listen, and
9 anything I can do to be helpful, I will help.

10 DR. KAPPEN: Thank you so much.

11 SENATOR JACKSON: Thank you both --
12 all three of you.

13 MR. KELLY: Thank you, Senator.

14 CHAIRWOMAN WEINSTEIN: Thank you.

15 Assemblywoman Jaffee is the final
16 questioner.

17 ASSEMBLYWOMAN JAFFEE: I just wanted
18 to ask, do you sense or is it your
19 experiences in terms of the early
20 intervention programs in the state, do we --
21 are they sufficient? Are they -- in various
22 areas around the state, are they being
23 helpful to provide opportunities? Because I
24 know -- I did special education, and the need

1 for that was very, very clear, was to have
2 the youth be -- the intervene programs -- the
3 intervention programs with early intervention
4 really made a huge difference.

5 The question is, are they sufficient,
6 are they functioning now as well? I know
7 there are some problems that I've been told,
8 and I'm looking perhaps to do a roundtable
9 discussion, but I wanted to know if your
10 interaction with the early intervention
11 programs have been helpful, and are there
12 issues that you have noted?

13 DR. KAPPEN: I'll kick it off. I
14 think early intervention is critical for
15 children -- all children that have
16 disabilities, but certainly for children with
17 sensory impairments, for children that --

18 ASSEMBLYWOMAN JAFFEE: Could you speak
19 into the --

20 DR. KAPPEN: I would say it's critical
21 for all children with disabilities. But
22 certainly for children with sensory
23 impairments, it's really critical.

24 And Tim will speak a little bit more,

1 he's involved with the deaf infant programs
2 that some of the schools are involved with.
3 I would say in the field of visual impairment
4 it's really not adequate for children who are
5 blind and visually impaired. There are some
6 agencies that provide early intervention, but
7 not enough providers.

8 And I think the real issue is the cost
9 is great, often, to provide these kind of
10 services. And when there's not proper
11 reimbursement, then some of the agencies who
12 were providing those services close those
13 services, and then those children are
14 without.

15 So I would say that within New York
16 State it's important that there would be more
17 emphasis on early intervention for children
18 that are blind and visually impaired, and Tim
19 could speak to the deaf infant program.

20 MR. KELLY: Sure. At our schools we
21 have a deaf infant program which services the
22 students from birth to age 3, until they hit
23 the CPSE process at age 3. And in these
24 programs it's a family approach to education

1 where we teach the parents how to teach the
2 children, and they have access to family sign
3 language classes, their siblings have access
4 to these classes, and we use a multimodal
5 approach in that program.

6 ASSEMBLYWOMAN JAFFEE: Thank you.

7 CHAIRWOMAN WEINSTEIN: Thank you. I
8 believe that is it for questioners. Thank
9 you for being here, and thank you for the
10 work you do.

11 CHAIRWOMAN KRUEGER: Thank you.

12 DR. KAPPEN: Thank you so much.

13 CHAIRWOMAN WEINSTEIN: Next we have
14 Jasmine Gripper, legislative director,
15 Alliance for Quality Education.

16 MS. GRIPPER: Thank you for the
17 opportunity to be here.

18 Madam Chairwoman, Education chairs, it
19 is my pleasure to be here. I'd like to note
20 that I am a proud product of the New York
21 City public school system from kindergarten
22 to CUNY, a former first-grade teacher and
23 currently the legislative director at the
24 Alliance for Quality Education.

1 I'm just going to do a brief summary
2 of my testimony. You have the full text in
3 front of you. I think we can all agree that
4 the Governor's Executive proposal is
5 completely inadequate to address the needs of
6 students today. We support the Regents'
7 recommendations to fully fund the
8 Foundation Aid formula over three years with
9 a \$1.66 billion dollar phase-in for this
10 school year.

11 In terms of the Governor's equity plan
12 or so-called equity plan, as you heard the
13 chancellor say and others say, it is not a
14 good program and should be completely
15 rejected. As one superintendent told me, it
16 would require poor students in high-needs
17 districts to fight over crumbs.

18 What the Governor considers to be
19 wealthy schools is some really funny math,
20 and there are no wealthy schools in some of
21 these school districts. For example, in the
22 City of Yonkers there are 36 schools out
23 of -- 36 out of 40 schools have poverty rates
24 above 50 percent. So schools that the

1 Governor considers to be wealthy are schools
2 that have a poverty rate as high as
3 69 percent. These schools are not wealthy.
4 They need their Foundation Aid formula.
5 Instead of them fighting over crumbs, they
6 need to be fully funded.

7 But I do want to say AQE has always
8 supported updates to the Foundation Aid
9 formula to make it more accurate to meet the
10 current needs of students, and we've also
11 always supported accountability with that
12 funding.

13 I do want to point out something that
14 no one has mentioned today, which is the
15 Contract for Excellence, which was put into
16 state law when Foundation Aid was put into
17 state law. It is an accountability
18 mechanism. It would trigger the 75/50 rule,
19 which means 75 percent of the school
20 districts' increase would have to go to the
21 50 percent of the schools that are the
22 lowest-performing. But the Contract for
23 Excellence does not go into play unless the
24 Foundation Aid threshold is met in state law.

1 So if we fully fund Foundation Aid, we
2 would automatically kick in the Contract for
3 Excellence. And so we therefore already have
4 an equity mechanism in state law that I think
5 is a really good mechanism, and we should
6 require districts to follow it.

7 And it's not often that AQE agrees
8 with the Governor, but there are a few points
9 in the Executive Budget that we do agree
10 with, so I do want to take the time to
11 acknowledge that.

12 One is his continued commitment to
13 pre-K. We support universal pre-K statewide,
14 but I do want to caution that at the current
15 rate it will take us 57 years to get to
16 universal, statewide pre-K. Currently
17 80 percent of 4-year-olds outside of New York
18 City still don't have access to full-day
19 pre-K. And just to give you a number, that's
20 80,000 four-year-olds who still don't have
21 access to full-day pre-K. I think it's time
22 we fulfill that promise that we made to those
23 students.

24 Our community schools work. They are

1 a great investment. We agree with what NYSUT
2 recommended, which is that you take the
3 Foundation set-aside out of the Foundation
4 Aid formula and make it its own categorical
5 aid.

6 I do want to point out a huge success
7 we had in community schools in Buffalo
8 particularly. There were 21 schools
9 identified to be in receivership, they
10 transformed into community schools. Now 18
11 of those schools have shown significant
12 improvement, are no longer in receivership,
13 and are fully functioning community schools.
14 We should continue that investment and expand
15 it.

16 Creating a positive school climate is
17 something we've heard about a lot today. We
18 want to protect our students. The Governor
19 actually has some really great language on
20 MOUs between SROs and police officers in
21 schools. Ultimately we support getting cops
22 out of schools, but we think it's a
23 significant step to limit the interaction of
24 SROs and police officers with students and

1 leaving the jurisdiction with the school and
2 not with police officers. And the Governor's
3 language is really strong on that.

4 He does put in 3 million. Three
5 million is not sufficient for any statewide
6 initiative. We think it needs to be closer
7 to 50 million as a pilot program, and we
8 support -- Senator Montgomery has a bill
9 called the Safe and Supportive Schools Act
10 which really addresses this.

11 We also want to applaud Assemblywoman
12 Diana Richardson for taking the initiative
13 for introducing a culturally responsive
14 education bill, which we've heard a lot about
15 today as well. It helps students stay in
16 school and stay focused, and we want to
17 continue our investment in culturally
18 responsive education.

19 Again, we believe that we should fully
20 fund our schools, our students should be a
21 priority, they have waited long enough for
22 the Foundation Aid commitment, and it's time
23 that we prioritize them and get it right in
24 this year's budget. Thank you.

1 CHAIRWOMAN KRUEGER: Thank you.

2 CHAIRWOMAN WEINSTEIN: Thank you.

3 CHAIRWOMAN KRUEGER: Senator Robert
4 Jackson.

5 SENATOR JACKSON: Thank you, Jasmine,
6 I agree with everything that you said.

7 But can you explain to myself and
8 others what AQE is doing as far as touring
9 the State of New York?

10 MS. GRIPPER: Sure, thank you. We are
11 accompanying Senator Robert Jackson in a
12 statewide school tour. We are talking to
13 superintendents, chief financial officers of
14 schools, teachers, and students to talk about
15 what they would do if their schools were
16 fully funded, and then we will put together a
17 statewide report that we will share with the
18 Legislature.

19 It's really important that we capture
20 the need on the ground. The Governor says
21 there's already enough money, and when you go
22 into these schools and you talk to the
23 teachers and the superintendents, no one
24 agrees with that. And so we have the hard

1 evidence to show why we need to fully fund
2 the Foundation Aid formula, and that these
3 districts actually have a plan that as soon
4 as they get the money they will put it into
5 positive programs that work for their
6 students.

7 SENATOR JACKSON: And can you tell us,
8 explain to us, what did we find in
9 Schenectady, New York?

10 MS. GRIPPER: Sure, I think one of the
11 things we noted in Schenectady, they did a
12 really good job of putting together a sensory
13 room to deal with trauma-informed
14 instruction. It was a beautiful room. Dim
15 lighting, lots of textured things to deal
16 with students.

17 But one of the things the
18 superintendent pointed out to us was that
19 there was a para staffing the room. The para
20 had gone through some training, but it wasn't
21 sufficient. The superintendent pointed out
22 they would rather have had a social worker or
23 a behavioral specialist manning the room
24 full-time, but they couldn't afford that.

1 They also would have liked to have
2 more than one room to deal with the
3 population of students that they were
4 serving. And so they are managing at a
5 triage level, and they are treating about a
6 third of their students that actually need to
7 be in those rooms. And so they do not have
8 the capacity or the funding to go to capacity
9 to meet the current needs of their students.

10 SENATOR JACKSON: And what was your
11 view of the visit to the library and the
12 number of students there and the amount of
13 time that they get to come to the library?

14 MS. GRIPPER: I think what was really
15 important was that the school district took
16 the initiative to buy Chromebooks, they did
17 not wait for the Smart Schools buyback
18 because it took too long. And they bought
19 these Chromebooks for their students, a
20 high-needs population that don't have access
21 to the internet or a laptop in their homes,
22 but now they have significant limitations on
23 how often they can interact with this
24 technology because they can only go to the

1 library once every two weeks because the
2 librarian is split between their school and
3 two other schools.

4 And as the librarian pointed out, she
5 would love to coordinate directly with what
6 they're learning in the classroom, but with
7 50 sections of students across three schools,
8 that makes it nearly impossible to keep up
9 with what was going on in every single
10 classroom. And these students are having
11 limited interaction on this great technology
12 that they have in their school.

13 SENATOR JACKSON: Thank you. And I
14 yield the rest of my time.

15 SENATOR KRUEGER: Well, thank you.
16 And also Senator John Liu.

17 SENATOR LIU: Thank you, Madam Chair.

18 And Jasmine, I want to thank you and
19 AQE. I mean, I think Senator Jackson has
20 said as much, but the work that you and the
21 organization continue to do for the
22 schoolchildren in our state is really
23 phenomenal. My office relies on the
24 information quite often. So keep up the

1 great work, and thanks for being here with
2 us.

3 MS. GRIPPER: Yes, we thank the
4 Assembly and the Senate for the continued
5 commitment and leadership to education
6 equity. And we thank you for all that you've
7 done in the recent years, and we have high
8 expectations to continue to work with you in
9 the future.

10 SENATOR KRUEGER: Thank you. Thank
11 you very much.

12 CHAIRWOMAN WEINSTEIN: Thank you.

13 MS. GRIPPER: Thank you.

14 CHAIRWOMAN WEINSTEIN: So we're going
15 to have a couple of panels just to help
16 things move along a little faster. We're
17 going to ask the New York State Council of
18 School Superintendents, Robert Lowry, deputy
19 director, and the Council of School
20 Supervisors and Administrators, Mark
21 Cannizzaro, president, to come down. You
22 each have the five minutes, but it might help
23 if there are questions.

24 MR. LOWRY: Good afternoon, Chairwoman

1 Weinstein, Chairwoman Krueger, and other
2 members of the Assembly and Senate. I'm
3 Robert Lowry, deputy director of the New York
4 State Council of School Superintendents.
5 Thank you for the opportunity to testify and
6 your support of public schools.

7 Our submitted testimony includes some
8 highlights from a survey report that we
9 released yesterday. Three big themes from
10 the reports: School districts are dealing
11 with circumstances for their students that
12 are very different from what was prevalent
13 just 10 years ago, especially in the area of
14 mental health.

15 Second, in the post-Parkland period,
16 districts have really ramped up efforts to
17 try and assure families that they're doing
18 everything possible to make their schools as
19 safe and secure as possible.

20 And third, it seems that the pace of
21 improvement in school district finances seems
22 to have faltered since 2016. We recommend a
23 financial sustainability agenda for schools,
24 starting with the tax cap. It should not be

1 made permanent without a few changes,
2 making -- providing an exclusion for BOCES
3 capital, just as districts can exclude their
4 school district capital from the cap. Also,
5 adjustments for PILOT payments, payments in
6 lieu of taxes.

7 We would also say that the tax cap
8 should be 2 percent, not the lesser of
9 2 percent or inflation. That would give
10 districts predictability going forward. And
11 most people seem to think it's a 2 percent
12 cap.

13 We suggest some actions that could
14 help school districts manage and control
15 costs, and we also ask to allow school
16 districts to have a reserve for teacher
17 pension obligations. Right now they cannot
18 set aside funds for those obligations,
19 whereas municipalities can for essentially
20 their entire workforces. But the cornerstone
21 really is a commitment to phase in and update
22 the Foundation Aid formula.

23 The Governor proposes a \$338 million
24 increase. At that rate it would take

1 10 years to fully phase in the formula. And
2 the districts that are furthest from their
3 full phase-in amount, they would get an
4 average of about a 1 percent increase in
5 Foundation Aid -- and predominantly these are
6 average and below-wealth districts.

7 But just phasing in the formula isn't
8 enough. We need to be looking at some
9 changes, because again, student needs have
10 grown and they have changed since the formula
11 was enacted, and we didn't have a tax cap
12 10 years ago.

13 We oppose the Governor's proposal for
14 service aid consolidating 11 formulas,
15 including BOCES and transportation aid.
16 There might be some winners in any given
17 year, but the vast majority of districts
18 would lose.

19 But more to the point, the growth
20 factor that would be applied, it wouldn't
21 accommodate some unusual circumstances that
22 can arise, like a spike in fuel costs or a
23 need for a district to transport more kids to
24 charter schools or to out-of-district special

1 education programs.

2 We're especially concerned about the
3 potential impact on BOCES aid, which many
4 poor districts rely on to provide services
5 that they couldn't provide on their own. The
6 average high-needs school district can only
7 raise about \$100,000 with a 2 percent tax
8 levy increase, so they're excruciatingly
9 dependent on state aid.

10 We oppose the so-called Governor's
11 equity plan. This would potentially subject
12 any school district with two or more schools
13 at any level to being required to direct a
14 share of their Foundation Aid to a school
15 deemed underfunded and high-need relative to
16 other schools in the district. It would be
17 required to spend at least 10 percent of
18 their Foundation Aid times the number of
19 identified schools. So if you have a
20 district with a \$400,000 increase in
21 Foundation Aid, that would be a \$40,000
22 increase. What do they do, hire part of a
23 teacher? Have social workers spend part of
24 his or her day in that district in that

1 school? Do they buy a bunch of laptops?

2 The reporting that was required last
3 year, that will illuminate inequities --
4 disparities -- inequities where they exist,
5 and that should spark local discussions.

6 And I would add, you know, if you have
7 a concern about how funds are allocated among
8 schools in your districts, talk to the
9 superintendent. Talk to the school board.
10 Don't rely on a clumsy state formula to try
11 and rectify the situation.

12 Finally, I do want to say there are
13 some parts of the Governor's budget that we
14 do support. I point out the emphasis he
15 places on creating better transitions from
16 high school to whatever comes next, increased
17 funding for advanced placement and
18 international baccalaureate programs, also
19 funding for P-TECH and early college high
20 school. And we would say that should be
21 combined with increases in funding for Career
22 and Technical Education through BOCES and
23 special services aid and trying to ensure
24 that students can take community college

1 classes at SUNY free of charge.

2 Thank you very much.

3 SENATOR KRUEGER: Thank you.

4 Good evening.

5 MR. CANNIZZARO: Good evening, and
6 thank you. It's obvious from just listening
7 to the questions from this Legislature that
8 you're in the weeds, and we really appreciate
9 that. It makes it a lot easier for us to
10 have discussions knowing that we have your
11 support, which we've had for many years.

12 But I just have to commend this group
13 and especially those of you that stuck
14 around. This going this late is actually
15 good for the economy in Albany. I was
16 ordered by my wife to stay over another
17 night, so --

18 (Laughter.)

19 MR. CANNIZZARO: But I do really thank
20 you for this opportunity.

21 My name is Mark Cannizzaro. I'm the
22 president of the Council of School
23 Supervisors and Administrators in New York
24 City. I'm just going to base my testimony --

1 because you have my written testimony, I'm
2 just going to base it on some of the things
3 I've heard this afternoon.

4 Fair Student Funding, first and
5 foremost. Fair Student Funding in New York
6 City is a needs-based formula. In other
7 words, every school should be at 100 percent.
8 And that doesn't mean they all get the same
9 funding, it means that the needs of the
10 children in that school are taken care of.

11 So the fact that for the last 10 years
12 we've had disparate amounts of Fair Student
13 Funding in schools is a problem. It means
14 whatever the needs are of the children in
15 those schools that are below 100 percent,
16 their needs are not being met. So I just
17 wanted to clarify that so that everyone was
18 aware.

19 So with that, we ask that any increase
20 in school Foundation Aid that you are able to
21 negotiate -- and like I said, from what I
22 heard, I know you're going to do the battle
23 for us and get as much as you possibly can.
24 But that money, when it's directed to

1 New York City schools, we're asking that it
2 comes with the request that all of the money
3 is sent to increasing Fair Student Funding
4 for schools that are below 100 percent before
5 any other priorities. Of course we do expect
6 and ask that the Foundation Aid is fully
7 phased in over time.

8 The other thing we've heard a lot
9 about today in differing capacities, we heard
10 about Teacher Centers from the UFT. And they
11 do an excellent job. I had one in my school
12 when I was a principal. We've heard about
13 the professional development that is needed,
14 CTLE approved, PD on LGBTQ students and
15 anti-bullying, social and emotional learning,
16 and school climate, culturally responsive
17 education, leadership coaching, and
18 leadership training -- all of these things
19 are professional development that is provided
20 through a group at CSA called the Executive
21 Leader Institute. And this leadership
22 institute and this body has been generous
23 with funding over the years. And we're
24 asking for a modest increase this year, and

1 we certainly hope that you could -- that you
2 will be able to support that.

3 I also heard today some conversation
4 about the Bronx Plan. And one of the things
5 that concerned me was when I listened to the
6 question from Assemblymember Dickens, she had
7 asked about schools that didn't apply for the
8 Bronx Plan. And I appreciate Chair
9 Benedetto's question for the chancellor
10 regarding whether or not the school
11 supervisors are involved.

12 The truth of the matter is this plan
13 was negotiated and created without the input
14 of the school leaders in New York City. What
15 I find really interesting about that is the
16 fact that it's supposed to be a plan that
17 involves collaboration between school leaders
18 and school staff. But the fact that we
19 weren't consulted, we think that there was a
20 missed opportunity there, a big missed
21 opportunity.

22 There are a lot of holes in this plan.
23 And when I heard the Assemblymember ask what
24 schools wouldn't possibly want to sign up for

1 these extra resources, the truth of the
2 matter is if this plan was well thought out,
3 schools would be jumping towards it. I just
4 hope she will understand that they had
5 some -- there were some good reasons for
6 folks not to sign up.

7 Mainly we heard a lot about how
8 mayoral control is so much better than school
9 boards, and basically what this plan does is
10 creates a school board at the school level.
11 And if there are questions and concerns about
12 a certain decision to be made, rather than
13 the school principal being able to settle any
14 type of impasse, it goes beyond -- it goes
15 over the principal's head and it comes down
16 from above.

17 So we're concerned that this would
18 possibly erode some of the discretion of the
19 school principal and some of the authority of
20 the school principal. And again, some of our
21 members did opt to sign up, and we support
22 them 100 percent and we wish them well, and
23 we hope that this plan is ultimately
24 extremely, extremely successful.

1 But for those who chose not to -- and
2 despite what you may have heard about not
3 being pressured, a full-court press was on,
4 and some of them still chose not to
5 participate. We just hope that this body
6 understands that they made this decision
7 based on what they felt was best for their
8 school.

9 Thank you.

10 CHAIRWOMAN WEINSTEIN: Thank you.

11 We'll go to our Education chair,
12 Assemblyman Benedetto.

13 ASSEMBLYMAN BENEDETTO: Gentlemen,
14 thank you for your testimony.

15 President Cannizzaro, just a quick
16 question. When I was speaking this morning
17 with the chancellor I specifically asked him
18 about your involvement, and I got the
19 impression from his answer that talks are
20 ongoing. Has there been outreach from the
21 chancellor, and has CSEA been involved to be
22 included in the collaboration here?

23 MR. CANNIZZARO: Well, we were brought
24 to the table after the structure was made.

1 And we've been asked questions, but our input
2 has not been favorably taken. So while yes,
3 there's been discussions, there's been no
4 progress.

5 ASSEMBLYMAN BENEDETTO: Well, I hope
6 there are some.

7 MR. CANNIZZARO: So do I. Thank you.

8 CHAIRWOMAN KRUEGER: Senator John Liu.

9 CHAIRWOMAN WEINSTEIN: I think
10 Shelley.

11 CHAIRWOMAN KRUEGER: Oh, I'm sorry.

12 SENATOR MAYER: That's all right.

13 CHAIRWOMAN KRUEGER: I didn't realize,
14 Shelley --

15 SENATOR MAYER: We're a team over
16 here.

17 CHAIRWOMAN KRUEGER: So sorry.

18 Senator Shelley Mayer, Education
19 chair.

20 SENATOR MAYER: So Mr. Lowry, I
21 appreciate what you said on the budget
22 proposals very much, and moving into the
23 other priorities that you mentioned.

24 One, on the Teachers Retirement System

1 Reserve Fund, I think it's fairly clear that
2 we need a statewide solution to this, as
3 opposed to an individual school district.
4 One. And I just want to be clear -- I know
5 you have it in your testimony, but for the
6 record -- that the superintendents do support
7 a statewide solution such as the TRS program
8 bill.

9 MR. LOWRY: We support the bill that
10 has been proposed by the Teachers Retirement
11 System which would authorize a reserve but
12 set limits on how much districts could set
13 aside in any given year and in the aggregate
14 in this reserve.

15 SENATOR MAYER: Okay, good.

16 The second, and it came up in some of
17 our prior witnesses, is forgiveness for late
18 final cost reports. Again, we are doing I
19 believe sort of a piecemeal approach to
20 forgiveness. The Governor has vetoed some,
21 he's signed some. We don't seem to have a
22 statewide approach to a very serious problem.

23 I don't know if you heard Commissioner
24 Elia say that they are going to propose some

1 forgiveness going forward. But you are
2 asking for forgiveness across the board, is
3 that correct?

4 MR. LOWRY: Yes. You know, one thing
5 we would say is the penalties are so often
6 vastly out of proportion to the errors that
7 were made. So this seems -- you know, it's
8 fairer to taxpayers and to students.

9 SENATOR MAYER: Yeah, I think you'll
10 find consensus on our part.

11 One issue you did not mention that I
12 found in my conversations with
13 superintendents is the challenges of vaping
14 in their schools. And we haven't discussed
15 it today, but I would say it has been top of
16 the list of a number of the superintendents
17 that I have met with. And I wondered if the
18 Council of School Superintendents has come up
19 with a proposed policy for how to deal with
20 vaping, particularly in middle school and
21 high school.

22 MR. LOWRY: The short answer is no.
23 But I have those same conversations; it does
24 seem to be rising to the top as a concern for

1 superintendents.

2 SENATOR MAYER: Well, I'm just
3 suggesting going forward --

4 MR. LOWRY: Yes.

5 SENATOR MAYER: -- in order to be part
6 of the solution legislatively, I think it
7 would be helpful to have your input and
8 probably CSEA's as well. I think there's a
9 little bit of a lack of direction about how
10 to proceed and what's the best approach both
11 in more affluent suburban districts and in
12 other districts as well. It's an
13 across-the-board problem, and I think we're
14 going to have to address it.

15 Thank you.

16 SENATOR KRUEGER: Thank you.

17 Senator John Liu.

18 SENATOR LIU: Thank you very much for
19 joining us today, and for your patience.

20 I had a quick question that perhaps,
21 Mark, you might have more insight into.
22 Everybody's complaining -- or pretty much
23 everybody's complaining about the Executive
24 Budget, the additional money that they're

1 putting in but, even more than the small
2 amount of additional funding, the fact that
3 the Executive chamber wants the Division of
4 Budget to specify how much each school will
5 get.

6 And then the New York City chancellor
7 complained about that, and complained about
8 how there is a fair school funding formula
9 which you testified is a very good if not the
10 best way to gauge a -- to provide a
11 needs-based formula. So that's all fine.

12 But it's my understanding -- and I
13 could be wrong about it, but it's my
14 understanding that although there is a
15 100 percent amount for every school in
16 New York City, because they don't get the
17 full amount of the Foundation Aid, there's
18 some variation in the percentages that each
19 school gets. So for example, if somehow
20 New York City public schools got 70 percent
21 of the amount necessary in order to --
22 70 percent of the amount that would be
23 necessary for every school to get
24 100 percent, well, then, it seemed like every

1 school should get 70 percent.

2 But my understanding is that, well,
3 you know, if that is the case, sometimes
4 schools -- some schools get 100 percent, some
5 schools get much less than 100 percent.

6 Do you know who determines the
7 variation, like who assigns the percentage
8 for each school, even though 100 percent does
9 not mean the same amount of money? It means
10 the amount of money necessary on this fair
11 school funding formula.

12 MR. CANNIZZARO: So it's complicated,
13 but I'll start with when CFE was first
14 beginning to phase in, for one year every
15 school was at 100 percent. Okay? Then
16 cutbacks started coming. And at that time,
17 you know, we had a different administration,
18 but they started unevenly cutting schools and
19 waiting to see who screamed the loudest and
20 made the best argument, and they started
21 adjusting that way.

22 Yet there was this creation of many
23 small schools, and then all had to be at
24 100 percent, and then there were certain

1 schools that had things that for whatever
2 reason they wanted to fund at 100 percent and
3 everyone else was sort of left to fend for
4 themselves.

5 When the screaming started, they said,
6 We're not going to disrupt those up top,
7 we're going to bring everyone else up from
8 the bottom. Unfortunately, what happened
9 now -- like I said, it's been since about
10 2008, so now we're on 11 years where we've
11 brought people up incrementally, but nowhere
12 near where they need to be.

13 That doesn't mean that I think that
14 the Executive should be the one looking
15 down -- because I don't think that from
16 Albany you can tell the needs of our schools
17 in New York City. But I do think that we
18 need to do something to get all our schools
19 up to 100 percent, and very quickly. We've
20 been fighting this battle for a long time.

21 SENATOR LIU: All right. So what I
22 get from that is when the New York City
23 Department of Education says that they have
24 this formula that is truly needs-based -- and

1 you agree is needs-based and I would agree is
2 needs-based, but over the last 12 years we've
3 gone so far away from that formula that it
4 just doesn't mean anything anymore.

5 MR. CANNIZZARO: So Bayside High
6 School in your district is at 90 percent Fair
7 Student Funding. It cost 1.7 million per
8 year to be at 90 percent school funding.

9 CHAIRWOMAN KRUEGER: Thank you.

10 CHAIRWOMAN WEINSTEIN: Thank you for
11 being here. Oh, I'm sorry.

12 CHAIRWOMAN KRUEGER: Senator Robert
13 Jackson.

14 SENATOR JACKSON: Wow. Hi.

15 MR. CANNIZZARO: Hello.

16 MR. LOWRY: Hi.

17 SENATOR JACKSON: So I just have two
18 things. One, I asked the chancellor earlier
19 about schools that are at 100 percent. In
20 your opinion as the president of CSA, the
21 Council of Supervisors and Administrators,
22 what percentages of all the schools in your
23 opinion are at 100 percent and what
24 percentages are below 100 percent?

1 MR. CANNIZZARO: I'm going to give you
2 an approximate, but it's about 50 percent of
3 the schools are at 100 percent and the other
4 50 percent are not. Which leaves about
5 850 schools in New York City below
6 100 percent.

7 SENATOR JACKSON: So -- and based on
8 what you gave in your testimony, under the
9 Fair Student Funding formula the feeling is
10 or the thought is -- the directive is that we
11 should give those that are under the
12 100 percent to bring them up to 100 percent.
13 Some people will say that's robbing Peter to
14 pay Paul. What's your opinion on that?

15 MR. CANNIZZARO: Well, look, I think
16 that obviously the thing that should have
17 been done a long time ago is get every school
18 to 100 percent. There needs to be a very
19 good look -- because even though there is a
20 need-based formula, it's not perfect, right?
21 So there really needs to be a good look to
22 see what schools need to educate the children
23 adequately.

24 So just to say bring everyone to

1 here -- which does make a lot of sense and
2 would probably do a lot of good in a lot of
3 places -- it's not perfect everywhere, so
4 there really would need to be an in-depth
5 look -- and it's not hard to do. I mean, we
6 know that there are schools that have -- that
7 are very well funded.

8 SENATOR JACKSON: Now, the mayor gave
9 3 percent more to everyone, and I believe --
10 correct me if I'm wrong -- that supposedly
11 all of the schools are up to 93 percent.

12 MR. CANNIZZARO: No, the average is
13 now 93 percent.

14 SENATOR JACKSON: The average.

15 MR. CANNIZZARO: The bottom schools
16 are now at 90. They were at 88 something,
17 and now the lowest schools are at 90 percent.
18 The larger you are, the more money that would
19 be. PS 72 in Chair Benedetto's district is
20 \$422,000 per year below Fair Student Funding.
21 And Senator Jackson --

22 SENATOR JACKSON: What about PS/IS
23 187?

24 MR. CANNIZZARO: I have in your

1 district -- it was just in front of me. I
2 just took two schools --

3 SENATOR JACKSON: Go ahead.

4 MR. CANNIZZARO: Junior High School
5 143 is at 90 percent, and PS 18 in
6 Park Terrace at 90 percent. 143 loses about
7 194,000 per year, and PS 18, 203,000 per
8 year.

9 SENATOR JACKSON: Let me just ask my
10 last question and go on to something else.

11 MR. CANNIZZARO: Sure.

12 SENATOR JACKSON: People talk about
13 mayoral control. I don't believe in mayoral
14 control. Control is a dictatorship. So
15 we're trying to reconfigure that to mayoral
16 governance or mayoral authority with
17 oversight by the City Council and the State
18 Legislature and the Department of Education.
19 What's your opinion about that?

20 MR. CANNIZZARO: Mayoral control
21 hasn't -- the law came into effect about
22 17 years ago, I guess. It hasn't changed a
23 bit. We're certainly open to having a
24 conversation about, you know, working around

1 the edges there and trying to improve it.

2 SENATOR JACKSON: Thank you.

3 MR. CANNIZZARO: You're welcome.

4 CHAIRWOMAN KRUEGER: Thank you.

5 CHAIRWOMAN WEINSTEIN: Thank you.

6 So now we'll say thank you for being
7 here.

8 MR. CANNIZZARO: Thank you all very
9 much.

10 CHAIRWOMAN WEINSTEIN: Next we have a
11 panel: New York State School Boards
12 Association, Julie Marlette, director, Brian
13 Fessler, deputy director; and New York State
14 Association of School Business Officials,
15 Michael Borges, executive director.

16 Wait a moment. So each of you get
17 five -- each of the two groups -- each group
18 gets five minutes. So proceed.

19 MS. MARLETTE: Good afternoon. It's
20 almost time to say good evening. Thanks so
21 much for having us here today, and thank you
22 to so many of you who stayed to hear from us.

23 You have our written testimony, so I
24 certainly won't elongate the conversation by

1 going into too much detail, because you can
2 certainly review it and we're certainly
3 always here to follow up with questions.
4 But there were just a few things that I did
5 want to touch on in the context of the
6 conversation today.

7 As the chairwoman noted when we came
8 down, my name is Julie. I'm the director of
9 government relations for the New York State
10 School Board Association, representing about
11 90 percent of the school boards across the
12 state. And we echo a lot of the sentiments
13 that you have already heard today.

14 Our members very much want to see a
15 dramatic increase in the allocation for
16 school aid overall, and specifically
17 Foundation Aid, with a three-year commitment
18 to fully phase in Foundation Aid. We would,
19 in fact, even call into question the idea
20 that there's actually a \$338 million increase
21 for Foundation Aid this year because, due to
22 the number of set-asides that are included in
23 Foundation Aid allocation and are growing, it
24 actually reduces the actual operating aid

1 available to districts to actually be closer
2 to 288 million, if not a little bit less.

3 It's not to say we don't support the
4 programs that are embedded in those
5 set-asides. We certainly support community
6 schools and have seen the difference they can
7 make in districts around the state. But we
8 think that districts need both the
9 unrestricted operating aid to serve a wide
10 variety of academic programs and a dedicated
11 allocation to support those community
12 schools, and would encourage you to consider
13 that throughout the course of your
14 negotiations.

15 Another item you've heard a bit about
16 today is the proposal from the Executive to
17 merge the vast majority of the existing
18 reimbursable or expense-based aids and then
19 cap them moving forward. It's been
20 represented as an idea that this would
21 somehow create additional aids that could be
22 distributed through Foundation Aid, but the
23 proposal contains no language that would
24 actually enact that vision.

1 In addition, with the rough analysis
2 that we did, we determined that if this had
3 actually been adopted last year and therefore
4 applied this year, such a proposal would
5 result in \$110 million being lost across
6 about 500 districts statewide. And that's
7 \$110 million that those districts can
8 ill afford to lose, as the vast majority of
9 them would be high-needs districts that are
10 losing income primarily in our rural areas.

11 Along those same lines, we see the
12 proposal to perhaps cap or consolidate the
13 expense-based aids to be another attempt to
14 perhaps restrict how districts make decisions
15 about how they spend their money. We think
16 that the biggest example of that is in the
17 proposal to reallocate school-based funding.

18 I hesitate to call it an equity plan,
19 because I sometimes think giving it the name
20 validates the sentiment behind it, and who
21 wants to be against equity? I know I don't,
22 and I know my members certainly don't. But
23 as we've really tried to unpack the proposal
24 and look at the details, I'm not sure that

1 the proposal matches the intent. The
2 suggestion that shifting 10 percent of a
3 relatively small increase from one group of
4 students to another within a district I think
5 fails to address the larger equity issue
6 that's going on, which is that children
7 living in small districts are simply not
8 getting the resources that they need to be
9 successful. And that's something that we at
10 the state level have a real ability to
11 influence by growing the pot, not just
12 cutting the pot up differently.

13 We'd also ask that we take a strong
14 look at not just inputs but outputs, and if
15 we're going to have a meaningful conversation
16 about equity, look at student performance and
17 resources and programming and not something
18 as perhaps simple as really dividing up money
19 by building and not looking at the deeper
20 story.

21 Two quick things I'll mention, though,
22 that I'd like to note some positives in the
23 Executive Budget. We certainly were happy at
24 the recognition of the need to invest in

1 programs that deal with student mental health
2 as well as programs that would help to
3 improve school climate by making actual
4 resources available.

5 We agree with many of our colleagues
6 who you've already heard from that 3 million
7 for school climate programs and 1.5 million
8 statewide for mental health programs are
9 woefully inadequate to actually meet the
10 needs of a statewide population with
11 increasing problems. But we're happy for the
12 recognition and its presence in the budget
13 proposal, and hope that that can be a
14 starting place for a conversation and not an
15 end.

16 And with 30 seconds to spare, I'll
17 turn it over to my colleague Michael.

18 MR. BORGES: Thank you. Thank you for
19 sharing.

20 CHAIRWOMAN WEINSTEIN: Reset the
21 clock.

22 (Laughter.)

23 MR. BORGES: Good evening, everyone.
24 Again, thank you for inviting me, Chairs,

1 members of the committee. I also want to
2 thank the staff for running a well-run
3 operation here tonight, and I'm -- they get
4 kudos for doing that as well.

5 Again, my name is Mike Borges,
6 executive director of the Association of
7 School Business Officials.

8 The Executive Budget's proposed
9 increase in formula aid is the second-lowest
10 in the past five years, and it lacks a real
11 commitment to fulfilling the promise of
12 Foundation Aid and the CFE decision. It
13 seems as though the Governor equates
14 Foundation Aid with climate change -- if you
15 ignore it long enough, hopefully it will go
16 away. But I don't think that's the case
17 here. I think our students and our children
18 and our students in schools need the funding
19 that's been promised to them over the last
20 four or five years.

21 The Executive Budget also continues a
22 troubling trend, carving out unrestricted
23 Foundation Aid for community schools
24 initiatives. Two years ago we proposed that

1 this carve-out of Foundation Aid, which is
2 supposed to be unrestricted aid for school
3 districts to use for their own priorities, be
4 put into a separate category called "student
5 well-being and safety."

6 We recommend that of that \$250 million
7 it be used not only for schools who are
8 eligible for community schools funding but
9 all school districts, because all schools,
10 regardless of their socioeconomic
11 backgrounds, are facing mental health and
12 safety and security issues. If you look at
13 the school shootings around the country --
14 Parkland, Newtown, wherever -- they happened
15 in a variety of different school districts.
16 So we support, you know, taking out community
17 schools funding from Foundation Aid.

18 The Equity Plan. I mean, again, I
19 think Julie made a good case for why it's bad
20 policy. It really is putting the cart before
21 the horse, since 410 school districts in the
22 state are still underfunded in Foundation
23 Aid, including the 57 of the 76 school
24 districts that would have to comply with

1 these new gubernatorial mandates. These
2 57 districts are owed approximately
3 2.3 billion in Foundation Aid, including
4 1 billion for school districts outside of
5 New York City.

6 So how do you equitably fund buildings
7 if the districts themselves are underfunded?
8 So that's the dilemma that we're facing here.

9 We actually looked at the data of
10 those 76 school districts, and the Governor's
11 conclusions are based on partial data --
12 because it's only 76 school districts -- and
13 it's incomplete and it's based on faulty
14 conclusions. Because when we look at the
15 data, our analysis is that the reason that
16 there are disparities between buildings, a
17 majority of the time it's because of teacher
18 salaries, tenure, and enrollment.

19 So if there's one building that has
20 more kids than another, you're going to have
21 disparities. If one building has more
22 high-paid teachers than another, you're going
23 to have disparities. So our analysis of the
24 initial data doesn't arrive at the same

1 conclusions as the Governor.

2 On the services aid, again, the
3 Governor proposes to combine 11 categorical
4 reimbursable aids. The impact of that is
5 attached in charts that we've provided to
6 you. It shows that if the Governor's
7 proposal was enacted in the 2015-2016 school
8 year as a base year, high-needs rural school
9 districts and average-needs school districts
10 would be hurt the most.

11 You can see here per-pupil loss as
12 well as the percentage losses. It would be
13 devastating to those school districts that
14 need and rely on this kind of funding the
15 most.

16 We also have several recommendations
17 that would help school districts, especially
18 high-needs rural, save money with
19 transportation recommendations in terms of
20 being allowed to piggyback on transportation
21 contracts, being able to merge their bidding
22 processes together, as well as removing
23 obstacles and barriers to school districts
24 sharing transportation.

1 The building cap -- again, on Building
2 Aid -- again misses the mark when nothing is
3 being done to reduce the cost on which
4 Building Aid is reimbursed. The Wicks Law
5 has not been updated or reformed in 11 years.
6 I think it's perhaps time to go back and look
7 at Wicks, to look at the thresholds that had
8 been put in place back in 2008, see if we can
9 raise them -- there are some school districts
10 in the state like New York City that are
11 exempt from the Wicks Law. Perhaps it's time
12 to revisit that.

13 Also in terms of the final cost
14 reports, Building Aid penalties last year --
15 we led the effort at getting in the budget
16 partial aid amnesty. This year we're looking
17 for full amnesty for all those school
18 districts that are remaining that have to be
19 addressed.

20 Again, we're also looking at helping
21 small city school districts. Small city
22 school districts are both underfunded in
23 Foundation Aid and are also held differently
24 in terms of their capital bonding ability.

1 We want to level the playing field for small
2 city school districts so that they are
3 treated the same way as other school
4 districts.

5 Lastly, we'd also recommend that the
6 Legislature allow school districts to create
7 TRS reserve funds, remove the salary cap for
8 districts hiring retired police officers as
9 school resource officers, and allow school
10 districts to create regional high schools.

11 Thank you very much.

12 CHAIRWOMAN WEINSTEIN: Thank you.

13 Senate?

14 SENATOR KRUEGER: Senator Shelley
15 Mayer.

16 SENATOR MAYER: Thank you very much.

17 Julie, I have a question for both
18 groups. It's very helpful that you have this
19 analysis of what you think would be the
20 effect of this bundled reimbursable aid
21 proposal of the Governor's.

22 In the color chart that you have on
23 page 4 of your testimony, Julie, it's
24 interesting to me that high-needs rural

1 districts, 116 districts, coupled with the
2 average-needs districts, really are the
3 disproportionate losers in this proposal.
4 And I'm particularly concerned about these
5 high-needs rural districts.

6 Can you describe the kind of impact it
7 would have on a high-need rural district if
8 this proposal went through in terms of which
9 costs they would not either have reimbursable
10 or couldn't spend on because they knew it
11 wouldn't be reimbursed?

12 MS. MARLETTE: Yes. Well, we're
13 obviously working with a fixed data set, so
14 we're contributing some analysis to it
15 that -- we can't go out more than a few
16 years. Because of the way the calculations
17 are proposed in the Executive Budget,
18 everyone would be frozen in time where they
19 are now. So next year, instead of receiving
20 a reimbursement based on what you spent the
21 year before, you would receive what you
22 received the year before. Adjusted for --
23 CPI?

24 MR. FESSLER: Inflation and

1 enrollment.

2 MS. MARLETTE: Inflation and
3 enrollment. So if your enrollment is going
4 down, even if inflation stays flat or goes
5 up, that total pot of money could potentially
6 go down as well.

7 Beyond, though, just the pure
8 financial cost, I think there's an
9 opportunity cost that shouldn't be ignored
10 when discussing this. Because if you say to
11 a district however many kids you send to a
12 BOCES program next year is the total amount
13 of kids you can always ever send to a program
14 if you want to be reimbursed for it -- that
15 means that going forward, even if BOCES
16 offers a new program, you may not be able to
17 fully take advantage of it because you didn't
18 have kids going to that program in the prior
19 years.

20 It also has a pretty traumatic effect
21 on transportation reimbursement. And I'm
22 actually going to ask my colleague Brian if
23 he wants to add anything, because he's really
24 the one that did the financial analysis of

1 this.

2 MR. FESSLER: Yeah, I think speaking
3 for transportation in particular, I think a
4 good example of where this could have a
5 significant negative impact is the purchase
6 of buses. You know, that's a cost that isn't
7 necessarily annual. Buses aren't -- new
8 buses aren't needed every single year, but
9 when there's a need for new buses, the cost
10 increases proportionately. And under the
11 current Transportation Aid structure, the aid
12 would increase proportionately as the state's
13 share to support that cost is provided to the
14 district.

15 Under this services aid example or
16 proposal, there would be no upward adjustment
17 to recognize the increased costs that
18 districts face for bus purchases, for
19 example.

20 MS. MARLETTE: And just a closing
21 thought on that is we focus a lot on the
22 impact that it would have for districts that
23 may in the future want to take advantage of
24 new services that are available or increased

1 costs.

2 But continuing on the theme of what's
3 been topical today of equity, it also creates
4 an inequity within the services stream itself
5 because there could be districts availing
6 themselves of reimbursable services in that
7 base year that will essentially then continue
8 to be reimbursed for those services in
9 perpetuity, even if they cease to continue
10 using the programs.

11 SENATOR MAYER: Good point. Thank
12 you.

13 CHAIRWOMAN KRUEGER: Thank you.

14 CHAIRWOMAN WEINSTEIN: Thank you.

15 Assemblywoman Jaffee.

16 ASSEMBLYWOMAN JAFFEE: Regarding the
17 school buses and the services, sometimes if
18 there are private schools in the area -- and
19 then it become very costly, because then
20 there seems to be a requirement for the
21 school district to provide busing for the
22 students. And what if there are 30 or
23 40 private schools in the same district? It
24 becomes very costly.

1 Is there any discussion or anything
2 that's crossing the line when they do that?

3 MS. MARLETTE: Well, certainly under
4 the services plan it, like everything else,
5 would essentially be frozen in time as the
6 number of students being reimbursed for in
7 the base year would be the number of students
8 you would essentially have captured moving
9 forward.

10 And that would be true for charter
11 schools as well, because under current law,
12 for the purposes of transportation, the
13 charter school is treated as a nonpublic
14 school. And if it's within certain salary
15 limitations, the district must provide the
16 transportation. So if those numbers
17 fluctuate upwards, there would not be,
18 outside the fixed growth in the total pot,
19 links to inflation and total student
20 population. There would not be growth to
21 reflect that increased obligation.

22 ASSEMBLYWOMAN JAFFEE: I'd like to
23 follow up and continue that conversation.

24 Thank you.

1 CHAIRWOMAN WEINSTEIN: Thank you.

2 SENATOR KRUEGER: Sorry.

3 Senator Jim Seward.

4 SENATOR SEWARD: Thank you.

5 Julie, Brian, and Michael, it's good
6 to see you here tonight.

7 MR. FESSLER: Thank you.

8 MS. MARLETTE: Thank you.

9 MR. BORGES: Thank you.

10 SENATOR SEWARD: And I don't disagree
11 with a thing you've said in your testimony.
12 I'm fully supportive.

13 But let me -- let me just ask this
14 question. Every year when the Governor comes
15 out with his budget, and this year was no
16 exception, you know, he also issues in most
17 years -- not every year, I think there was a
18 year or two he didn't -- the school runs
19 based on his proposal.

20 And in my conversations with school
21 board members and school business officials,
22 they tell me that those numbers really are
23 not real because they will not be able to
24 access some of those funds, particularly I

1 know in the transportation area.

2 Are you familiar with that phenomena?

3 Do you hear the same?

4 MR. FESSLER: Yeah, I think part of
5 that -- you know, the school aid runs are
6 always an estimate because they're projecting
7 aid for the upcoming year.

8 What we have seen for the past number
9 of years is, because those figures are
10 estimates based on spending projections and
11 all that fun data --

12 SENATOR SEWARD: Plus it's the
13 November data versus --

14 MR. FESSLER: Yeah. It's not uncommon
15 for those total dollars to not end up as the
16 actual number. Each year the number that's
17 included in the school aid runs when the
18 budget is enacted in April, when you
19 fast-forward a year and take a look at the
20 actual aid paid out, you're looking at
21 anywhere from 50 to \$200 million less that's
22 paid out than what was approved.

23 It's part of a normal process, but you
24 all, you know, as part of your negotiations

1 take a look at those aid packages and, you
2 know, approve numbers collectively statewide
3 and individually for your district based on
4 the formulas and all the components of the
5 budget. And because of that estimate
6 process, millions of dollars of approved
7 aid are then not sent to school districts.

8 And so school districts know that
9 process, but it is something that they have
10 to deal with each year knowing that just
11 because the aid runs show a certain figure,
12 that doesn't necessarily always mean they're
13 going to get all of those funds.

14 SENATOR SEWARD: And I think it does
15 tend to raise expectations among, you know,
16 the public and taxpayers.

17 SENATOR KRUEGER: Thank you.

18 SENATOR SEWARD: Thank you.

19 CHAIRWOMAN WEINSTEIN: Thank you.

20 Hold on a second. Mr. Jackson, we're
21 more than happy to have you ask questions.
22 You've just got to let us know you want to.
23 Just turn around and let the Senator know,
24 please.

1 SENATOR JACKSON: I'm sorry. I just
2 wanted to comment on -- I know that you feel
3 the way we feel, that there's not enough
4 funding for you to carry out everything that
5 you need to as far as the district
6 administrators and as the school board
7 overall.

8 I'm doing some tours of various
9 schools -- and not only in the Big 5, but I
10 was in the small school district of
11 Schenectady, you may have heard that -- and I
12 want to come to some rural districts and be
13 able to document and get information as to
14 what your needs are and the fact that there's
15 not enough to carry out your program.

16 And so one of the questions that I
17 didn't ask others that I'm going to ask you,
18 but I'm sure it's the same: If you don't get
19 the necessary funding that you need to cover
20 everything that you have, what are you going
21 to do? And what's the end result going to be
22 if that doesn't happen?

23 MS. MARLETTE: I mean, I think that
24 the discrete answers will be different in

1 each of our districts and where they're
2 starting. But the consequences are as varied
3 as to simply not grow any programs -- and
4 that's potentially the best-case scenario,
5 where you can just keep everything flat -- to
6 arguably looking at legitimate cuts in
7 programs and services and looking at, you
8 know, what do we have to provide, where are
9 we required to provide certain services which
10 may not always align with what our students
11 need the most.

12 You know, there are certain
13 requirements of things we must do, but we all
14 know that what a student needs to be
15 successful in college and career is certainly
16 more than the bare minimum that maybe we
17 needed when all of us were in high school to
18 be successful in college and what comes
19 after.

20 So you're looking at the loss of
21 enrichment programs, the loss of mental
22 health programs, of perhaps addiction
23 services, after-school programs, tutoring
24 programs, and within the school day advanced

1 placement and IB and other enrichment
2 programs that actually allow students to
3 start prepared to do college-level work.

4 MR. BORGES: Yes, I just want to echo
5 that, that when I talk to my CFOs, the chief
6 financial officers of school districts, their
7 biggest concern right now is health insurance
8 costs. Their health insurance costs are
9 going up by 6, 7 percent. It's eating up --
10 or not entirely, but mostly all their school
11 aid increases that they're going to be
12 getting this year. So, you know, when we
13 look at the \$338 million increase, we're
14 looking at really a flat increase for school
15 districts.

16 So if the Legislature can do more to
17 help school districts save money that we
18 could redirect back into the classrooms, we'd
19 be all for it. And we've come up with lots
20 of recommendations, other groups have come up
21 with recommendations on how we could spend
22 our money more efficiently. We could
23 redirect that funding back into the schools,
24 hire more teachers, keep class sizes down,

1 things like that.

2 SENATOR JACKSON: Last question. I've
3 heard that there's a perception out there
4 that the money is taken from upstate to give
5 to downstate. Do you believe in that
6 perception or not?

7 MR. BORGES: The money goes where the
8 population is, so --

9 SENATOR JACKSON: Where the population
10 is.

11 MR. BORGES: Yeah. And where the need
12 is.

13 SENATOR JACKSON: Thank you. And
14 that's statewide, is that correct?

15 MR. BORGES: Yes.

16 SENATOR JACKSON: Thank you very much.

17 CHAIRWOMAN KRUEGER: Thank you.

18 Now you are excused.

19 CHAIRWOMAN WEINSTEIN: Yes, now you
20 are excused.

21 SENATOR JACKSON: Thank you.

22 MS. MARLETTE: Thank you, and have a
23 good night.

24 MR. FESSLER: Thank you.

1 MR. BORGES: Thank you.

2 (Discussion off the record.)

3 CHAIRWOMAN WEINSTEIN: Who is sitting
4 there?

5 MR. LITTLE: Hi. I'm Dave Little from
6 Rural Schools.

7 CHAIRWOMAN WEINSTEIN: I'm sorry,
8 who -- I think we have a Ms. --

9 MR. LITTLE: Rural Schools.

10 CHAIRWOMAN WEINSTEIN: No, no,
11 you're -- I mean, we'd love to have you, but
12 you've got to wait. We have a couple before
13 you.

14 ASSEMBLYMAN BENEDETTO: You're next.

15 CHAIRWOMAN WEINSTEIN: I thought we
16 have a couple before you.

17 MR. LITTLE: Oh, okay. I thought they
18 grouped us together.

19 (Discussion held off the record.)

20 CHAIRWOMAN WEINSTEIN: So what we have
21 is Agudath Israel of America, Rabbi Yeruchim
22 Silver, director of government relations, and
23 New York State Catholic Conference, Jim
24 Cultrara, director for education.

1 And the Rural Schools are the next
2 group, with BOCES. So you just sort of
3 jumped the gun. It's been a long day for all
4 of us. We'd like to be up to you already.

5 (Laughter.)

6 (Discussion off the record.)

7 CHAIRWOMAN WEINSTEIN: Okay. So
8 you're a group, and each of you gets five
9 minutes --

10 RABBI SILBER: I'll be less than five
11 minutes.

12 CHAIRWOMAN WEINSTEIN: Okay. And as
13 we reminded everybody -- just another
14 reminder, I guess, that we have all of your
15 written testimony, so the more that we can
16 have a conversation, the better I think for
17 all around, now that it's a quarter to
18 7:00. And we want to make sure everybody has
19 an opportunity to speak tonight.

20 RABBI SILBER: Okay.

21 CHAIRWOMAN WEINSTEIN: Yes.

22 RABBI SILBER: So I say good evening
23 now, because the afternoon is gone already.

24 All of you chairs, Weinstein, Krueger,

1 Mayer, Benedetto, thank you for this
2 opportunity. My name is Yeruchim Silber. I
3 represent Agudath Israel of America. We
4 advocate for the nonpublic school community,
5 specifically for the yeshivas and day schools
6 in the Orthodox Jewish community.

7 Now, we heard a lot of talk today
8 about funding shortfalls, and I've got to
9 tell you some good news, that the nonpublic
10 schools save the state probably,
11 conservatively, over \$10 billion a year, not
12 even including capital costs.

13 You know, Senator Liu earlier today
14 spoke about the capital costs, so it would be
15 enormous, just -- I couldn't even fathom the
16 cost of over 410,000 K-12 nonpublic schools,
17 over 160,000 on the Jewish day schools. And
18 the Jewish portion probably saves the state
19 about \$3 billion. Again, conservative
20 estimates.

21 Let me talk for a moment on the topic
22 of yeshiva education. I know it's been a hot
23 topic over the last couple of years. So in
24 2015, a group of former yeshiva students sent

1 a letter from New York City to the DOE
2 listing a number of schools that allegedly
3 did not offer an education or substantially
4 equivalent -- so in my written testimony I go
5 through it at length. I'm not going to
6 belabor it now, it's all in the written
7 testimony.

8 Just let me add that this past
9 November, SED released guidelines which were
10 frankly surprising in their rigidity, if
11 that's the correct word, and the
12 one-size-fits-all approach to equivalency.
13 Furthermore, the guidelines were released
14 with no public commentary -- or actually
15 about, I'd say, about 30 minutes for public
16 comments before it was given to the advisory
17 committee and posted on the website, and
18 despite stakeholders being informed that the
19 release would be a pilot program with time
20 for stakeholders to comment.

21 Our position is that guidelines should
22 focus on outputs, real educational results,
23 whether tests, exams, graduation rates, any
24 of the ways schools are evaluated, rather

1 than just the inputs like hours of
2 instruction and -- look, my written testimony
3 has some of the Regents scores from the
4 yeshivas, which are among the
5 highest-performing in the state.

6 Now let me just briefly focus on some
7 funding items. This morning both
8 Chair Weinstein and Chair Krueger mentioned a
9 \$7 million shortfall in immunization. That
10 \$7 million is a mandate -- to fulfill a
11 mandate from the state for actually three
12 districts, New York City, Rochester, and
13 Buffalo, for schools to have complete student
14 immunization records and to get records from
15 the parents and transmit them to the state.

16 Two, three years ago the state was
17 paying about 60 cents per child, their rate
18 was set in 1984. We did a survey of -- SED
19 has a survey that the actual cost was about
20 \$30 per student. The last two years, the
21 Legislature put in \$7 million as an add-on to
22 cover that mandate. It did not appear in the
23 Executive Budget. So again we're asking the
24 Legislature to please restore that

1 \$7 million, especially after we know there's
2 been unfortunately an increase in measles and
3 it's more important than ever to have
4 schools -- to be able to have proper records
5 of their students' immunization.

6 The last thing is security. We all
7 know how important security is, I don't need
8 to go through incidents we've had, school
9 security. Last year the Legislature --
10 actually, for the last two or three years --
11 allocated \$15 million for nonpublic school
12 security, which translates into approximately
13 \$37 per child. New Jersey just added a huge
14 allocation across the river. We're asking
15 the Legislature to double the level of
16 security funding for nonpublic schools to
17 \$30 million, which would calculate to about
18 75 and would hopefully cover the cost of
19 securing our students.

20 Again, my written testimony is there
21 for it to be read. Thank you again for the
22 opportunity to come here every year, and
23 hopefully together we can achieve positive
24 results for all schoolchildren across the

1 state.

2 CHAIRWOMAN WEINSTEIN: Great. Thank
3 you.

4 Jim?

5 MR. CULTRARA: Jim Cultrara, New York
6 State Council of Catholic Schools
7 Superintendents. And I concur with Rabbi
8 Silber and his comments.

9 And the Catholic Conference is
10 grateful to lawmakers for all the support you
11 provide to our schools, all religious and
12 independent schools. Despite that, our
13 appreciation -- obviously our testimony
14 outlines some of the unmet needs for which we
15 are receiving additional support.

16 I want to focus my comments also on
17 the substantial equivalency issue. The
18 guidelines issued by the State Education
19 Department create three routes for measuring
20 schools and determining substantial
21 equivalents. The first route is you're a
22 registered high school. The determination is
23 made by the State Education Department.

24 The second route is, as amended in

1 last year's state budget, those schools that
2 are extended-day bilingual schools, a review
3 is made by the local school superintendent or
4 staff and, again, the final determination is
5 made by the State Education Department.

6 The third route is everybody else.
7 That is the route that the New York State
8 Council of Catholic School Superintendents
9 emphatically rejects and is directing all
10 their diocesan schools not to participate.
11 They will not accept ultimately a route which
12 will lead to a local school board voting on
13 whether or not a private school can operate.
14 That authority, we believe, rests solely with
15 the State of New York, whether it's with you
16 as lawmakers -- but we believe it's also with
17 the Board of Regents.

18 Having local school authorities come
19 in to evaluate and make a determination of
20 any religious and independent school, but
21 especially religious schools, creates equal
22 protection claims, excessive government
23 entanglement claims, infringement on free
24 exercise, and at a minimum offends the U.S.

1 Department of Education's rules on equal
2 treatment.

3 We are suggesting and urging, in fact,
4 the creation of multiple routes for measuring
5 substantial equivalency of schools. The vast
6 majority of schools are already chartered by
7 the New York State Board of Regents. Those
8 charters are, in effect, a state license to
9 operate schools. You can't have a local
10 school board in an action contravene a
11 state-issued license. Chartered schools
12 ought to be determined automatically as
13 substantially equivalent, but Regents can
14 review those charges at any time.

15 Like registered high schools, which
16 are determined by the state as substantially
17 equivalent, schools that are already
18 accredited by rigorous accrediting
19 agencies -- and we would even say the
20 crediting agencies approved by the State
21 Education Department -- those schools ought
22 to be determined as substantially equivalent.

23 We would also suggest that those
24 schools that -- the majority of nonpublic

1 schools that are already administering state
2 tests, the department has sufficient data to
3 determine those schools to be substantially
4 equivalent with a simple computer run.

5 And the BOCES colleagues that were
6 here, our Catholic school superintendents
7 would even support a review by a BOCES
8 team -- and some of those teams are being
9 created now -- as long as the final
10 determination is not with the local school
11 board, is with the State Education
12 Department.

13 We believe that the department is
14 going to need some additional capacity.
15 The State Office of Religious and Independent
16 Schools originally had a \$2 million
17 appropriation to support not only staff but
18 programs under that office. It's funded now
19 at \$800,000. We believe that returning that
20 to a \$2 million appropriation -- even though
21 that's a modest increase, it is a priority
22 for us. It would be sufficient to allow them
23 to take on this responsibility.

24 We're also in need of capital funding

1 for the critical capital needs for our
2 schools. As Chairman Benedetto said earlier
3 this morning about the 4201 schools and the
4 853 schools, these schools are in aging
5 buildings. I shouldn't say aging, they're
6 old buildings that need repair. The same is
7 the case for our schools.

8 The Archdiocese of New York on Monday
9 announced the closing of seven schools. Part
10 of the decisions around those closings is not
11 just that we have unfilled seats, but they
12 have capital needs for which they can't raise
13 funds. Right? And so they try to move kids
14 into the schools that don't have the critical
15 capital needs.

16 So the more schools that end up
17 closing, it contributes to -- Senator
18 Jackson, your comments about reduced class
19 sizes -- for the public schools it
20 contributes to larger class sizes in New York
21 City public schools. Senator Liu, your
22 comments about the \$100,000 seats it costs to
23 produce -- it's going to contribute -- it's
24 going to exacerbate that problem.

1 So providing the minimum supports to
2 help the religious and independent schools,
3 as Rabbi Silber has said, is going to save
4 the state a ton of money.

5 CHAIRWOMAN WEINSTEIN: Perfect timing.
6 Assemblyman Benedetto.

7 ASSEMBLYMAN BENEDETTO: Yes, please.

8 Thank you. And thank you for your
9 testimony. Right to the point. There was
10 commonality in your testimony on the issue of
11 substantial equivalency. Okay?

12 Let me just get it straight in my mind
13 and make sure we're all straight on this.
14 You are not saying in any way that you don't
15 want it perceived to be that your students
16 don't -- you send out students into the world
17 who are not educated, who are not prepared
18 and ready to exist in today's society, that
19 they have the basics of reading and doing
20 math and a background in history and in
21 science and so on. This is what you're
22 professing?

23 RABBI SILBER: Yeah. I will say that
24 if you look at the output, at the products of

1 the yeshiva system, it's been incredible.
2 One of your colleagues in the Assembly this
3 term is a proud yeshiva student. There's a
4 legislator in Rockland County who is a
5 product of the -- elected officials,
6 successful people in all walks of life are
7 products of the system.

8 So yes, going through a dual
9 curriculum -- this system puts out -- you
10 know, I myself, I'm not proud of my -- as a
11 product, but I -- a couple years ago -- yeah,
12 I mean, there -- look at -- just look at the
13 results of people that have gone to yeshivas.

14 ASSEMBLYMAN BENEDETTO: So what you're
15 basically saying is you totally believe that,
16 and that you have a responsibility to the
17 students in the State of New York, those who
18 you educate, to give them that good, fine
19 basic education.

20 What you seem to be dwelling on is who
21 should rate you --

22 MR. CULTRARA: Is the process.

23 ASSEMBLYMAN BENEDETTO: -- whether you
24 do it.

1 MR. CULTRARA: Right. The Catholic
2 schools have a strong, solid track record of
3 academic excellence. And not only are we
4 happy to demonstrate it, we demonstrate it
5 every day because we're in a free market,
6 right? We have to make sure that our
7 education is what parents are willing to
8 sacrifice hard-earned dollars for, right? So
9 not only are we happy to demonstrate that, we
10 do that every day.

11 CHAIRWOMAN WEINSTEIN: Thank you.

12 CHAIRWOMAN KRUEGER: Senator Shelley
13 Mayer.

14 SENATOR MAYER: Thank you both.

15 First question on the substantial
16 equivalence issue. Are either of your groups
17 engaged in conversations with SED with
18 respect to your objections to the guidance
19 that Commissioner Elia issued? Or have
20 either of you commenced a lawsuit to
21 challenge the guidance that she issued?

22 MR. CULTRARA: So we haven't engaged
23 in conversations, and the Council of Catholic
24 School Superintendents have reiterated the

1 same point that I made to you today in our
2 testimony over the last year. And we believe
3 it has gone, in effect, unheard.

4 So we have retained counsel in
5 preparation in case we can't reach a
6 political solution. But we believe a
7 political solution is achievable, right? I
8 think if you had asked the School Boards
9 Association, the School Superintendents, do
10 you guys want to take on this unfunded
11 mandate, I think they would say no, we don't
12 want to take on this unfunded mandate.

13 I think the fact that the standard of
14 this local review has been in place for
15 decades, right --

16 SENATOR MAYER: Yes.

17 MR. CULTRARA: -- and has not been
18 enforced is a lesson to all of us that having
19 the local public school officials review
20 private schools doesn't work. It hasn't
21 worked in all the decades it's been out
22 there.

23 SENATOR MAYER: Well, it hasn't been
24 enforced. So I would --

1 MR. CULTRARA: It hasn't been
2 enforced, and we contend because it's in
3 effect unworkable. So --

4 SENATOR MAYER: I understand. I
5 understand.

6 MR. CULTRARA: And we believe there
7 are other options that ought to be in place
8 that can be easily adopted to measure the
9 academic success of our schools.

10 SENATOR MAYER: Okay. Rabbi --

11 RABBI SILBER: Yeah, the same thing.
12 We are in constant -- we're in contact, we're
13 in negotiation with SED, speaking to the
14 commissioners, speaking to our staff. And
15 again, we are hopeful we'll come to a
16 solution. But again, we had to retain
17 counsel as well. That option is again an
18 option that both sides choose -- that we
19 hopefully will not come to. But, you know,
20 counsel has been retained for a while
21 already, and we are hopefully working to a
22 negotiated agreement.

23 MR. CULTRARA: Senator, I would have
24 to say that Chancellor Betty Rosa and a

1 number of the Regents have been in regular
2 communication with us and as recently as this
3 morning expressed to me the need to pursue
4 jointly, with you as lawmakers and with them
5 as Regents, a political solution to this.

6 SENATOR MAYER: Thank you.

7 On the increase in security aid for
8 nonpublic schools, where I think you have a
9 good deal of support in the Legislature,
10 historically the -- are you asking for an
11 expansion of an RFP-type grant-funded program
12 where schools have to apply and be rated as
13 eligible, or sort of a per-school automatic
14 entitlement program?

15 RABBI SILBER: Yeah, there are two
16 lines. The Governor put in a capital --
17 \$25 million, which is RFP-based. That was
18 done two years ago and was reissued again
19 that year. That is for capital, RFP-based.

20 The Legislature put in \$15 million
21 which was prorated among all the schools, not
22 RFP-based, which covers various safety and
23 security measures. And that's the area we're
24 looking for the increase in.

1 SENATOR MAYER: In the prorated
2 school --

3 MR. CULTRARA: Yeah, right. But my
4 response to that is the per-pupil allocation
5 needs to be increased for school security in
6 the appropriation that is there. We're
7 asking for a new appropriation for critical
8 capital needs in which it would be a
9 competitive basis.

10 SENATOR MAYER: Thank you very much.

11 CHAIRWOMAN WEINSTEIN: Thank you.

12 Assemblywoman Jaffee, did you have a
13 question?

14 ASSEMBLYWOMAN JAFFEE: Thank you.

15 There are issues, very real issues
16 with a number of the private schools that are
17 very serious. I know that the commissioner,
18 in response to the concerns that we have been
19 discussing, she and I and a number of other
20 leaders -- so she did move forward with some
21 action and some issues in terms of how there
22 needs to be a much, much greater review of
23 the private schools, to be overseen even more
24 by the Education Department, by the

1 commissioner and staff.

2 It is within the law that they're --
3 that every private school that gets
4 funding -- and you all get funding from the
5 state, but you're required to provide a
6 substantially equivalent education as the
7 public schools in the district. There are
8 many schools that do that. There are
9 yeshivas, there are tech schools, they do.

10 Too many do not even teach the
11 children English. They don't teach the
12 children English, they don't give them any
13 academic -- any academic programs at all, and
14 they're getting no education and not
15 preparing for the future.

16 This is not giving these children an
17 opportunity to function in our society, and
18 that's against the law. Because every single
19 one of those schools should be providing
20 education, substantially equivalent education
21 as a public school. Teaching the children
22 English, teaching them math, teaching them
23 history, teaching them to write, teaching
24 them English, teaching them how to function

1 in our society. And they're not doing that.

2 Thousands of children, both in the
3 city and beyond, are not getting the
4 education that prepares them for the future.
5 But these schools are getting funded by the
6 state. And there has been a pushback to even
7 allow anybody to walk in to review what's
8 going on in the schools.

9 Now, I have had many conversations
10 with the commissioner and other leadership in
11 discussing this issue, and the commissioner
12 moved forward to strengthen the law, and we
13 hope that that will now be an opportunity for
14 the state to have a greater review of the
15 schools and what they're doing in terms of
16 assuring that the children, our future -- the
17 state -- they should have every opportunity
18 to be prepared to be able to function in our
19 society in a positive way.

20 And their schools are not providing
21 them that opportunity. And yet the schools
22 are still getting state funding, and they're
23 getting away with it. It's really a problem.

24 RABBI SILBER: Let me just say,

1 Assemblymember, the -- probably the vast
2 majority of the funding, I don't know, it's
3 probably better than 90 percent is actually
4 for mandated services. That's state mandates
5 and other services directed to people --
6 busing and things like that. There is almost
7 no funding for direct education. So let me
8 just -- let that be clear.

9 Secondly, this law has been on the
10 books for actually 121 years now.
11 Substantial equivalency was first enacted in
12 1898. I'm not sure anybody here was here
13 then in 1898. For 120 years it worked well,
14 and it was based on a specific complaint.
15 The superintendent went and investigated the
16 complaint, which is what happened now, and
17 it's being done and people have specific
18 complaints, but let them look at those
19 schools.

20 What's never been done, really, is
21 this one-size-fits-all, for every 2,000
22 private schools across the state to be given
23 exact, rigid guidelines. Parents make a
24 choice. And parents have a choice, as Jim

1 mentioned before. These are -- it's a
2 competitive-based market. Parents pay money
3 and they have a choice and the school -- you
4 know, the parents have a choice to send their
5 children to the school that they feel
6 educates the child the best way they feel
7 possible.

8 A dual curriculum -- and look, you
9 know, every school system has some schools
10 that are better, some schools that are not as
11 good. I will say that on the whole this
12 school system has done an excellent job in
13 preparing these kids for life.

14 CHAIRWOMAN WEINSTEIN: Thank you.
15 We're going to have to --

16 CHAIRWOMAN KRUEGER: Senator John
17 Brooks.

18 SENATOR BROOKS: Thank you.

19 I just want to pick up on this whole
20 discussion. I absolutely agree with you that
21 there should be an additional route in which
22 you can show what you're doing.

23 My experience on the school board -- I
24 was well aware of what was going on in the

1 local -- in this case, the Catholic school,
2 and we actually worked with them quite
3 frequently on different programs. So I think
4 with all of the various problems we have in
5 education right now, the challenges that
6 we're facing, I think to recognize the
7 organizations that we do have in place that
8 can speak for themselves quite well,
9 demonstrate a clear record, I think we should
10 establish a path that they can breeze through
11 this situation and not go back to schools and
12 have them make the decisions.

13 So I think, you know, where we have
14 somebody that's cutting corners and not
15 providing a program, we should identify them.
16 But with the programs that are doing an
17 exceptionally good job -- we have students
18 graduating from these schools, going on to
19 the top universities and what have you across
20 the country. The proof is in the pudding.
21 And I think we need to put up a path in place
22 that you can work off your record to show
23 what you're doing. So I agree with what you
24 said.

1 RABBI SILBER: Thank you.

2 CHAIRWOMAN KRUEGER: Quickly --

3 CHAIRWOMAN WEINSTEIN: Yes.

4 CHAIRWOMAN KRUEGER: Thank you.

5 I agree that there can probably be
6 multiple paths available, that a school is
7 providing the education -- oh, sorry.

8 I agree that there should probably be
9 multiple paths for a school to be able to
10 prove that they are meeting the standards of
11 the state of providing a quality education,
12 as described by Assemblywoman Jaffee. And
13 the fact that a law wasn't correctly
14 interpreted for 120 years, or everybody
15 ignored it, is not a justification for me in
16 2019 about what New York State should be
17 doing.

18 So there are various models that don't
19 include having to have school boards come in
20 and evaluate. I suspect there are large
21 numbers of school boards in the state who
22 also don't think they want to come in and try
23 to evaluate.

24 There needs to be criteria and

1 evaluation. And regardless of whether it's a
2 private school that a parent chooses or the
3 public school system, it's inherent on the
4 State of New York to make sure that all of
5 our children are getting the education they
6 need. And so I hope that SED and you both in
7 your organizations may be able to come to an
8 understanding of some reasonable set of
9 standards that everybody can be confident in
10 of what the schools are providing or not.

11 Because yes, I guess Senator Brooks
12 said there will be bad apples and there will
13 be good schools, and I know both kinds. But
14 we need to get our arms around this.

15 Thank you.

16 MR. CULTRARA: I'm confident we can.

17 I want to just comment on a question
18 Assemblywoman Jaffee asked Julie Marlette
19 earlier about the transportation costs for
20 private-school kids. Prior to 1992, New York
21 State provided aid on a 90 percent basis for
22 all transportation costs.

23 So in 1992 I was staff here in the
24 Legislature, we had a recession, and we

1 reverted that formula to a wealth-based
2 formula.

3 The Catholic Conference has long urged
4 the return to 90 percent transportation
5 reimbursement for, at a minimum, the
6 transportation expenses for nonpublic school
7 students.

8 CHAIRWOMAN WEINSTEIN: Thank you.
9 Thank you both for being here.

10 CHAIRWOMAN KRUEGER: Thank you.

11 CHAIRWOMAN WEINSTEIN: Now we'd like
12 to have BOCES -- I think we've reordered the
13 witness list, that you had an earlier
14 version. So now BOCES of New York State,
15 Daniel White, district superintendent, Kevin
16 MacDonald, district superintendent; and Rural
17 Schools Association of New York State, David
18 Little, executive director.

19 So BOCES gets five minutes and the
20 Rural School Districts get five minutes.

21 DISTRICT SUPT. WHITE: Thank you,
22 Madam Chair. I will not need five minutes,
23 in the interest of time; I will see if my
24 voice holds out.

1 But it's an honor to come before you
2 again this year on behalf of the 37 BOCES in
3 New York State and the over 700 school
4 districts that we serve in the state. I want
5 to thank you for the support of the
6 Legislature in the past for BOCES
7 initiatives.

8 Two things I want to highlight, then
9 I'll step out of the way and let my
10 colleagues go.

11 Number one, Foundation Aid. I think
12 you've heard many comments today about the
13 inadequacy of that, so I won't hit on that.

14 Expense-driven aids and the
15 consolidation of that. One thing I'd like to
16 point out, and I think my colleague from the
17 City of Rochester put it best, that aid was
18 intended to be flexible and it was intended
19 to be reactive and go where the needs are.
20 In other words, progressive. What has been
21 proposed is a regressive formula. In the end
22 it's going to hurt everybody, every school
23 district, and particularly those that are
24 trying to serve many students in need.

1 Two issues I want to speak with you
2 about. Number one, thank you to the
3 Legislature for your support of the BOCES
4 capital issue over the years. The
5 Legislature had proposed a solution to the
6 BOCES capital not being exempt from the tax
7 levy cap. It has passed both houses, as you
8 know, the last two years and has been vetoed
9 the last two years. This remains a
10 significant issue for us at BOCES.

11 You know the myriad of services we
12 provide to school districts. Over 100,000
13 students walk into our facilities directly
14 each day to take Career and Technical
15 Education, and we also serve some of the
16 highest-needs special education students in
17 the state -- needless to say, some of the
18 most vulnerable students in our state.

19 We are at a crossroads being able to
20 address our facilities needs. In our
21 proposal you will see some language about
22 another way maybe to get at this. We do need
23 to address our facilities.

24 I will tell you that it's easier in

1 New York State to build a classroom for AP
2 Calculus, which I'm fully in support of, than
3 it is to renovate an adaptive classroom for
4 students. Not a good look for a progressive
5 state, frankly.

6 So we thank the Legislature and many
7 members sitting up here for their support on
8 that.

9 Lastly, as you know, we have been
10 champions for many, many years for increasing
11 funding for Career and Technical Education
12 for all students in the state, not just those
13 that attend BOCES. We think it is really the
14 pathway to greater education for all of our
15 students in the state, so in our proposal you
16 will see information on that.

17 So with that I'm going to stop, step
18 out of the way, and turn it over to my
19 colleague. Thank you.

20 MR. LITTLE: Thank you, folks. I
21 appreciate the opportunity, I'm honored to be
22 up here with these folks.

23 The information that you have in the
24 written testimony tells you what needs to be

1 done and what needs to be rejected within the
2 Executive Budget. I won't dwell on that,
3 I'll use my time to tell you why you ought to
4 do it or not do it.

5 Rural school districts in New York
6 State encompass 400,000 children. There are
7 320 member school districts in my association
8 alone, and we don't have all of them. It's
9 almost half of the school districts in the
10 State of New York.

11 Rural New York has 10 years' worth of
12 declining sales tax revenue out of its rural
13 areas, and nothing has changed. A million
14 people have left rural New York in the last
15 10 years, and nothing has changed about that.
16 The Governor recently attributed that
17 population loss to folks retiring and wanting
18 to move to a warmer climate. It evidenced a
19 dramatic ignorance of what's happening in
20 rural New York and the severity of the
21 problems that we face.

22 Couple that with the fact that we
23 recently had the reporting requirement
24 legislation that Senator Mayer referred to.

1 He, quite honestly, approved the legislation
2 that came out of suburban areas and urban
3 areas and vetoed the rural ones.

4 There is a dramatic and growing
5 feeling among rural New York that their state
6 government is ignoring them and that it
7 doesn't care. The recent Farm Bill passed by
8 Congress had provisions to try and help rural
9 New York. There's a USDA program in effect
10 in Cornell University that we're affiliated
11 with recently was included in a \$10 million
12 grant to try and help rural New York schools
13 because we have such a high population of
14 rural students within our state.

15 When the federal government at this
16 particular time in its history -- when it
17 operates -- is actually doing more for its
18 rural schools than our state government,
19 we're in trouble, folks.

20 I want to just make sure that we
21 understand as we're going forward that our
22 state, that for its entire history has been a
23 beacon of opportunity for the economies of
24 oppressed and underrepresented people, we're

1 now facing the reverse of that. We have a
2 "Grapes of Wrath"-like exodus from our state
3 of people seeking economic opportunity as
4 they try and survive what's happened in the
5 rural areas.

6 The rural teacher -- the National
7 Rural Teacher of the Year had a great phrase
8 that I've been using ever since. He said
9 that "Rural folks throughout America are
10 doing the hard work of staying."

11 The just staying in their communities
12 is hard work. They don't have health care.
13 Particularly in New York, we increasingly
14 don't have jobs. We're just starting to turn
15 around the population and the sales tax
16 revenue, the economic development -- and as
17 far as I can tell, the best that we're doing
18 for the economy of rural New York is to try
19 and put a casino in every county.

20 We've got to do more than redistribute
21 the pocket money that New Yorkers have. If
22 we're going to try and develop an economy in
23 New York State that allowed the rural economy
24 of New York State a generation ago to bail

1 out New York City in its economic bankruptcy,
2 we need the reverse to happen now, folks.

3 And the consequence of not doing that
4 is to lose the State of New York as we know
5 it. If we allow our children to continue
6 this exodus out, to not come home as they do
7 in other states, to come home because they've
8 received an education -- we don't have
9 anything to offer them back to come home to.

10 We've got to try and develop our
11 programs and we've got to get a handle on
12 this Foundation Aid formula that doesn't
13 recognize the depths of our poverty, that
14 doesn't understand transience and the impact
15 of opioid abuse. Do you know that the most
16 recent census information, the U.S. Census
17 information, actually shows a statistical
18 category that moves the needle for our
19 population based on opioid deaths? And we're
20 not doing anything.

21 I wish that I could tell you that this
22 was going to be easy or politically
23 palatable, but the fact of the matter is that
24 every year this state papers over its

1 problems with enough money to try and keep
2 people quiet. And until we stop doing that,
3 and until we address the real problems we've
4 got, the risk that we take is to lose our
5 state.

6 And so I would ask you simply to go
7 through the ideas that we have in here. It's
8 commonsense things.

9 Community schools -- it's urban-based
10 but wonderful for rural communities.

11 Transportation aid -- you can't ask
12 people to bring their kids to preschool half
13 an hour away, go back to work, come and get
14 them halfway through the day, get back to
15 work -- it doesn't work. Until we pay for
16 transportation in rural areas, we're not
17 going to have the preschool that everybody
18 acknowledges is the most effective way to try
19 and overcome the effects of poverty.

20 We don't have the types of things --
21 the type of partners that other areas have,
22 but I will tell you this. If we had an
23 opportunity to publicize the kind of issues
24 that are happening in our world communities,

1 if they were happening in our urban and our
2 suburban areas, the media would decry a
3 crisis and everyone would be all over it.

4 The fact of the matter is that our
5 folks believe that because there is no
6 statewide elected official that is north or
7 west of Westchester, because there is no
8 state leader within the legislative houses or
9 the chairs of the education committees, they
10 believe that they are not being represented
11 well, that their issues are not being
12 attended to.

13 I think that you have the capacity and
14 have shown the capacity in the past to prove
15 them wrong, and I hope that you'll do it this
16 year. Thank you.

17 CHAIRWOMAN KRUEGER: Any
18 Assemblymembers first?

19 Senator Shelley Mayer.

20 SENATOR MAYER: Thank you very much.

21 With respect to BOCES, you know, one
22 of the issues is, as we continue to support
23 BOCES, to ensure that BOCES is an effective
24 partner with the local jobs-based

1 community and that we are training students
2 for jobs that exist in your community. This
3 applies in the rural districts as well.

4 And I just wondered if -- do you have
5 a particular proposal with respect to that?
6 Or is that something you feel is incorporated
7 within the BOCES model?

8 DISTRICT SUPT. WHITE: That's a great
9 question. And you should hold us to
10 accountability for that -- working with our
11 local workforce development.

12 We have information that we can share
13 with you, Senator, in regards to direct
14 correlations between the priorities of
15 Economic Development Councils and BOCES
16 Career and Technical Education programs, and
17 also who are the partners that we work with.

18 Any Career and Technical Education
19 program by regulation in New York State has
20 to have an industry partner. They review our
21 curriculum, all of those things -- so that
22 keeps us on our toes. But we do have
23 outcomes that we can share with you.

24 SENATOR MAYER: That would be helpful.

1 That would be helpful.

2 DISTRICT SUPT. WHITE: Thank you.

3 CHAIRWOMAN KRUEGER: Senator --

4 SENATOR MAYER: Well, no --

5 CHAIRWOMAN KRUEGER: I'm sorry. So
6 sorry, Shelley.

7 DISTRICT SUPT. MACDONALD: In the
8 Genesee Valley BOCES region we absolutely
9 work with our economic development partners.
10 We've developed a number of programs over the
11 last few years -- diesel mechanics, precision
12 machining, we're in the process of developing
13 a mechatronics program along with our P-TECH
14 high school -- that are all aligned with
15 local economic development activities. And I
16 know all BOCES across the state are doing
17 similar types of activities.

18 SENATOR MAYER: Thank you. And David,
19 I just -- as a new chair of the Senate
20 Education Committee with a very strong
21 commitment to rural education, I won't say I
22 take offense, but I'd say you're a little
23 ahead of the game by already selling us all
24 out here as not being committed to rural

1 schools. I think that you will find that
2 there is a substantial commitment to the
3 rural school community on a bipartisan basis,
4 in both houses of the Legislature.

5 And I would ask whether you have
6 proposals in districts with declining
7 enrollment to find ways for them to partner
8 with other districts or find ways to achieve
9 efficiencies in rural districts with
10 declining enrollment, which we know is a
11 challenge for many of these districts.

12 MR. LITTLE: First of all, my response
13 would be I wasn't accusing you, I'm just
14 alerting you to the perception.

15 SENATOR MAYER: Understood.

16 MR. LITTLE: You know, it's out there.
17 I know better, but I also think that they
18 need to learn the things that can be done,
19 and they need to see some action in some
20 longstanding, seemingly intractable problems
21 that they face.

22 I think you'll learn as we move
23 along -- the Cornell research that's been
24 done will show that upstate New York shares

1 services more than any other place on the
2 planet. We're one of the very few places
3 that incentivizes the sharing of services
4 through a BOCES system that's fairly
5 comprehensive. We also have informal
6 agreements as well as -- you know, the
7 handshake agreements as well as the formal
8 agreements between school districts and their
9 municipal partners, and it's done to a very
10 high degree.

11 The only problem that we have in all
12 of this is this general perception that the
13 idea to solve the problems of declining
14 enrollment and rural education is simply to
15 merge everybody. And quite honestly, I would
16 tell you that it's a lot easier to merge
17 places where they have 120 school districts
18 on a 67-mile-long island than it would be to
19 merge places where you might go 67 miles in
20 one direction and hit the next school
21 district.

22 SENATOR MAYER: Well, let's agree to
23 continue the conversation. Thank you.

24 CHAIRWOMAN WEINSTEIN: Thank you.

1 Assemblywoman Jaffee.

2 ASSEMBLYWOMAN JAFFEE: I just want to
3 thank you. BOCES is an extraordinary
4 program. We have a wonderful BOCES program
5 in Rockland County, and even when I was
6 teaching I recommended a number of my
7 students -- I taught junior high school -- as
8 they were moving to high school to
9 participate in the BOCES program.

10 And what's so extraordinary is that so
11 many -- believe it or not, so many of my
12 students that moved on to the BOCES program
13 actually moved on to very interesting
14 careers, that this gave them an opportunity.
15 Sometimes when they went to Rockland
16 Community College they had also worked with
17 the BOCES program as well. And it was very
18 positive and continued to be very positive,
19 both socially and academically, because it
20 inspired them to stay focused on their
21 academics as well.

22 So I'm always very impressed -- I
23 visit them a couple of times a year, always,
24 because it's very important to me to continue

1 to understand the programs that they are
2 providing so that I can share it with
3 families and youth. And so I want to thank
4 you.

5 And regarding the rural -- I never
6 understood -- never realized that there was
7 that kind of issue in rural areas in our
8 state. So I think I'll work with my
9 colleagues and see if we can follow up and be
10 responsive and helpful.

11 MR. LITTLE: Thank you. As always, we
12 pledge to be a resource to you in doing that.

13 ASSEMBLYWOMAN JAFFEE: Thank you.

14 MR. LITTLE: Thank you.

15 SENATOR KRUEGER: Senator Robert
16 Jackson.

17 SENATOR JACKSON: I just want to thank
18 you, particularly -- I've heard what you had
19 to say. As someone from New York City, I
20 care about the children everywhere. And I
21 plan on visiting several rural school
22 districts in order to take back my
23 communication and contact with the rural
24 communities in the State Legislature, both

1 the Assembly and the Senate. And so I will
2 be reaching out to you.

3 Thank you.

4 MR. LITTLE: We'd like to help you in
5 whatever way we can.

6 SENATOR JACKSON: Thank you.

7 SENATOR KRUEGER: Thank you.

8 Senator Jim Seward.

9 SENATOR SEWARD: Thank you, Madam
10 Chair, and to our panel.

11 I just want to say to you, David, I'm
12 glad you brought out some of the issues that
13 you did in terms of the perception out in the
14 rural communities. Because we have seen an
15 exodus of people which impacts our
16 communities, enrollment in schools, and
17 that's just the start of the ripple effect
18 that's negative in the rural communities.
19 And that, I believe, is the elephant in the
20 room as we discuss this year's state budget.
21 We've got to come to terms with what we can
22 do to reverse that trend.

23 And I like your item on improving
24 state support for rural economic development,

1 because that ultimately, in my mind, is the
2 answer to keeping more people in the rural
3 areas and attracting new people in, if
4 there's economic activity for them to
5 participate in.

6 And so I know in some of my school
7 board discussions I've had throughout my
8 district I've noticed that they have been
9 talking about economic development.
10 Something new, you know, in terms of those
11 meetings.

12 And I also want to say, as more than a
13 footnote, but another important aspect is the
14 BOCES program is vitally important to our
15 economic future because of the skills and the
16 training that you provide students as well as
17 this model of collaboration that the BOCES
18 represents. It's important all over the
19 state, but particularly in the rural areas.

20 So I just commend all of you. And we
21 hope that as we put this budget together, my
22 colleagues will be cognizant of that decline
23 in population, and we need to reverse that
24 trend.

1 MR. LITTLE: The budget is always
2 better for your work, so thank you, all of
3 you.

4 SENATOR SEWARD: Thank you.

5 DISTRICT SUPT. WHITE: Thank you.

6 DISTRICT SUPT. MACDONALD: Thank you.

7 CHAIRWOMAN KRUEGER: I just have one
8 more -- I'm not asking you to respond
9 tonight.

10 So assuming that the situation for
11 rural New York and the schools is not so
12 different than many other states that have
13 either a similar mix of rural/suburban/urban
14 or are actually just more rural than
15 New York, how are they addressing this? Do
16 we have other states to look at that we could
17 use as models to understand how you better
18 support rural schools?

19 I'm not a big believer in using
20 property taxes as our base for education
21 funding, to start. And I often say it's
22 because we're not an agrarian society
23 anymore. And yet you and others have pointed
24 out that it's the rural communities that

1 really end up with zero ability to self-fund
2 through the property tax system.

3 So I'm very -- not tonight, but I'd be
4 very interested in learning more about how
5 other states with similar demographics or
6 more rural demographics have figured out how
7 to do it better.

8 MR. LITTLE: There are similarities,
9 but I would also say that we are one of the
10 most severe states experiencing that
11 phenomenon. Arizona might be worse simply
12 because they pay their teachers so little.

13 But we have the same problem, as you
14 and I discussed this last year. I think one
15 of the things that we can join together in is
16 recognizing that in our urban areas and in
17 rural areas we have identical problems.
18 Absolutely identical problems for different
19 reasons, but the problems are identical and
20 in many ways can be solved in the same ways.

21 And I think the fact that we have
22 interest from people outside of rural
23 areas -- by necessity now, just by who's
24 representing those areas on a statewide

1 basis. Well, we have an opportunity and an
2 obligation to educate people about how those
3 things can be done effectively in rural
4 areas.

5 There are things that we could talk
6 about -- a four-day school week like Missouri
7 and Wyoming and Montana are doing, to try and
8 attract teachers out of suburban areas into
9 rural areas. We could talk about incentives.
10 The Governor unfortunately, in his teacher
11 incentive program, has within the Executive
12 Budget a program to incentivize teachers to
13 go into high-needs districts, but only in
14 urban areas, ignoring the fact that we have
15 the exact same problem in many of our rural
16 areas.

17 I think what gets lost in all of this
18 is that if I were a state leader looking at
19 the totality of the state, and I looked at
20 urban areas and I knew that there were
21 schools that hadn't graduated half of their
22 kids in a generation, that would be my focus.
23 Because if I look over at rural schools and I
24 see that they've got a 90 percent graduation

1 rate, I would think there is no crisis.

2 What they fail to recognize is that --

3 I hate to use the phrase -- senior year is

4 all too often state-sponsored dating.

5 Because they've had -- kids have had their

6 exams, they don't have internship or business

7 opportunities to go on for, they don't have

8 AP or international baccalaureate programs,

9 they don't have the dual enrollment programs

10 with colleges, and they have nothing to do

11 after school because their curriculum is bare

12 bones because that's what can be afforded.

13 And so they don't have the opportunity

14 to go to colleges and universities or into

15 the workforce in a competitive manner with

16 their suburban and urban cousins.

17 It's a tough situation. I've used the

18 story before that in Chautauqua County I've

19 given the presentation for their Honors Night

20 for many years, and everyone -- their

21 salutatorians and their valedictorians come

22 and they talk about what they're going to

23 do next. And over and over again, the example

24 is: Where are you going to college?

1 Jamestown Community College. Jamestown
2 Community College. Jamestown Community
3 College.

4 And it's a wonderful school. But to
5 have our valedictorians and salutatorians
6 from a county all going to community college
7 is an anomaly in any other state. And I
8 think it's indicative of our problem and
9 something that we need to address.

10 SENATOR KRUEGER: Thank you. Thank
11 you for your testimony tonight.

12 CHAIRWOMAN WEINSTEIN: Thank you.

13 MR. LITTLE: Thanks for your time.

14 CHAIRWOMAN WEINSTEIN: Thank you all
15 for being here.

16 Next we have New York City Charter
17 School Center, with four people, even though
18 it's just the one testimony: James Merriman,
19 CEO; Anna Hall, CEO, Northeast Charter
20 Schools Network; Alicia Johnson, COO, KIPP
21 Charter Network; Michael Catlyn, vice-chair,
22 Brooklyn Charter School.

23 MR. MERRIMAN: Michael could not make
24 it, he had a family emergency.

1 CHAIRWOMAN WEINSTEIN: Okay, that's
2 fine, because it's just the -- I know that
3 people were notified. It's just the five
4 minutes, however you want to split it.

5 So proceed.

6 MR. MERRIMAN: Thank you. Good
7 evening, and thank you really for so many of
8 you being here. It's somewhat unusual late
9 in the evening.

10 I'm the CEO of the New York City
11 Charter School Center, which provides support
12 and technical assistance for the 236 charter
13 schools that are operating in New York City,
14 educating about 123,000 kids in New York
15 City, all of them who are of course residents
16 of New York City, and their families live
17 there. Most of them are low-income. And the
18 vast majority of them are Hispanic or
19 African-American.

20 The charter schools are a mix.
21 They're Montessori programs, they provide
22 programs for autistic children, they're
23 college prep. They provide -- we have a
24 school that works with foster-care kids. But

1 this being a budget hearing, I'm going to
2 focus on budgetary issues because time is
3 limited, I recognize.

4 So there were questions today about
5 the 24.9 million in the Executive proposed
6 budget as grant aid for charters. And
7 understandably, I think there was skepticism
8 of why that aid should be there. It seems
9 like it's special pleading for charters. It
10 really isn't, and I can explain why the
11 number is what it is.

12 Most charter funding is determined by
13 state statute, which was redone in 2017. And
14 the formula basically is a formula that used
15 a base and then year after year calculates
16 the increase in that base based on district
17 expenditure increase. So district
18 expenditure increase -- district expenditure
19 increases, charter revenue increases by that
20 same amount.

21 That increase this year would
22 effectively be 2.5 percent for the '19-'20
23 school year, which I think you'd agree is not
24 a large increase. The 24.9 million on a

1 per-pupil basis would push that increase to
2 3.5 percent. And it's no coincidence that
3 that is exactly the amount of state aid
4 increase that the Governor's Executive
5 proposed budget provides for New York City.

6 But I want to be clear that equality
7 in increase doesn't equal equality in actual
8 funding. The Independent Budget Office of
9 New York City, whose job it is to do these
10 kind of studies, has done the best and latest
11 study comparing charter funding to district
12 funding. And basically for collocated
13 schools, which obviously get a huge in-kind
14 contribution of space for free, they're
15 funded less by 715 a student. For those
16 schools that are not collocated and not
17 getting rental assistance, that disparity
18 grows to 4,800 plus.

19 Given that, repurposing 24.9 million
20 through the General Fund for New York really
21 would simply increase the disparity that
22 already exists in per-pupil funding between
23 charter schools and district schools. In
24 human terms, it would take from charter

1 school Peters to pay all district school
2 Pauls.

3 But as I listened today, I couldn't
4 help but hear that the language that's being
5 used sometimes is the money goes to charter
6 schools. And I understand what that's
7 saying, and technically it's true. But
8 really the money goes to educate New York
9 City school residents and students in those
10 schools. It doesn't go to schools. It goes
11 into classrooms, into teachers and so forth.
12 And our cost structure is very much the
13 district's cost structure. When UFT does a
14 great job of negotiating raises for its
15 members -- kudos to them -- we have to pay
16 our teachers more, according to that salary
17 structure, or no one will come teach in a
18 charter school.

19 My point that I hope I can get across
20 is that these are parents who are choosing a
21 public school that works for them. They're
22 New York City parents. They're New York City
23 residents. They live right next-door to
24 people who send their kids to district

1 schools. And they're simply trying to find
2 the best fit for their student. And their
3 kids, just like your kids, like my kids, they
4 get one shot at it. They don't get to redo
5 kindergarten if the school isn't working.
6 And that's what this is about. That's why we
7 have charter schools. And really it's about
8 parents choosing a public school for their
9 children.

10 Thank you.

11 CHAIRWOMAN WEINSTEIN: Hold on one
12 second. Okay. I thought you were just one
13 group. With five minutes.

14 MS. JOHNSON: Oh, I'd love to speak
15 for a few minutes if I could. Three minutes,
16 I promise.

17 CHAIRWOMAN WEINSTEIN: Okay, the two
18 of you can share three minutes.

19 MS. JOHNSON: Oh, boy, you're really
20 putting the challenge on me now.

21 CHAIRWOMAN WEINSTEIN: I thought it
22 was only listed as five minutes for the
23 charter -- I think we just had one
24 application that came in, so.

1 MS. JOHNSON: Okay.

2 CHAIRWOMAN WEINSTEIN: We want to make
3 sure we get to the last person on the list
4 also. Okay?

5 MS. JOHNSON: Understood. Understood.
6 I'll scan through quickly.

7 Good evening. My name is Alicia
8 Johnson, and I am the president and chief
9 operating officer of KIPP New York City. I'm
10 honored to be here today to share with you a
11 little bit about an organization that I care
12 deeply about and am immensely proud of. KIPP
13 NYC started 24 years ago in the South Bronx
14 with one fifth-grade class, and we're now 13
15 schools educating 5300 students in grades K
16 through 12. And today I want to share three
17 things with you that you might not know about
18 KIPP.

19 First, thanks to our KIPP Through
20 College and Career program, 96 percent of our
21 high school graduates have matriculated to
22 college, with 70 percent of them persisting
23 in college. After high school, this program
24 works with our graduates for up to six years

1 to support them in college, vocational
2 training, careers, whatever it is. Forty-six
3 percent of our eighth-grade graduates have
4 earned their bachelor's degrees to date, and
5 another 13 percent have earned their
6 associate's degree.

7 And our success with this program led
8 us to form a partnership with the New York
9 City Department of Education to share best
10 practices around college counseling. In what
11 is now Phase 2 of this pilot, we're working
12 with 10 high schools in Brooklyn to provide
13 professional development around our College
14 Match approach. We hope to expand this pilot
15 to as many schools as we can reach.

16 My second point, KIPP NYC understands
17 and respects that we are accountable to the
18 people of the State of New York. At the
19 start of each year we submit reports to SED
20 covering financial statements, academic
21 results, enrollment and a bunch of other
22 metrics. These are all available online.

23 We are also subject to charter
24 renewals by the state and the New York City

1 Department of Education, including multi-day
2 site visits where officials observe classes,
3 meet with focus groups, and interview our
4 board. We appreciate being part of a public
5 system where charter schools are held to high
6 standards.

7 Finally, at KIPP we believe that our
8 schools must effectively educate students
9 with a variety of backgrounds and needs. The
10 four-year high school graduation rate of our
11 students with IEPs is 92 percent.
12 Seventy-six percent of these students with
13 IEPs are matriculating to college. Overall,
14 20 percent of our students --

15 CHAIRWOMAN WEINSTEIN: Excuse me.
16 Excuse me. We're going to need to stop. We
17 received only one request to testify, so
18 that's how it was recorded.

19 Does anybody have questions?

20 SENATOR MAYER: I might have missed
21 it, but I didn't --

22 CHAIRWOMAN WEINSTEIN: Senator Mayer.

23 SENATOR MAYER: I got the two of you.
24 You didn't get to introduce yourself. I just

1 want to know is it --

2 MS. HALL: I appreciate that. My name
3 is Anna Hall. I'm the CEO of the Northeast
4 Charter Schools Network.

5 So just one tiny quick fact. In
6 addition to the amazing schools that my
7 colleagues here from New York City described,
8 a little known fact and often overlooked,
9 unfortunately, is that there are also 56
10 charter schools outside out of New York City
11 that serve almost 30,000 students in some of
12 the most difficult, challenging urban
13 environments that work in partnership with
14 the Big 5 school districts outside of New
15 York City to serve students and families who
16 are desperate for choices in those
17 communities.

18 SENATOR MAYER: Thank you. And just
19 to be clear, Ms. Johnson, did you submit
20 written testimony? Only because we --

21 MS. JOHNSON: I have not, but I'm
22 happy to.

23 SENATOR MAYER: I think that would be
24 useful. Thank you.

1 CHAIRWOMAN WEINSTEIN: Thank you.
2 Just as a -- so thank you all for being here.
3 Just as a reminder, testimony can be
4 submitted up to seven days after the close of
5 the hearing. It will be made part of the
6 official record and will be posted on the
7 websites while shared with the members.

8 Thank you.

9 Next we have the School Administrators
10 Association of New York State, Cynthia
11 Gallagher, director, government relations.

12 MS. GALLAGHER: Good evening. What an
13 interesting day.

14 And distinguished chairs and members
15 of the Legislature, thank you very much. And
16 thank you for your energy and commitment.
17 Because for us, whether it's 1 o'clock or 7
18 o'clock, it is still an honor to be bring
19 testimony before this joint hearing.

20 So my name is Cindy Gallagher. I
21 represent the School Administrators
22 Association of New York State. We represent
23 over 7,000 members, and included in that
24 membership are principals, assistant

1 principals, directors, coordinators, deans,
2 deans of students, curriculum, and
3 instruction, directors of transportation.

4 A lot of titles. No two positions are
5 the same. And that's a simplification, I
6 understand. But truly there is nothing
7 simple about their jobs. And their jobs are
8 made even more complex on a daily basis by
9 the ever-changing nature of their communities
10 as well as the increasing needs of students.
11 You have heard that consistently as a
12 drumbeat throughout today.

13 So what do our school-building-level
14 administrators need from the state budget?
15 They need resources and they need
16 flexibility.

17 In terms of resources, as part of the
18 Education Conference Board, SAANYS is in
19 lockstep measure with our colleagues today.
20 I don't need to reiterate the idea that a
21 \$338 million increase to Foundation Aid is
22 not even a good starting point. Our
23 districts need, our buildings need the
24 increased Foundation Aid, building and

1 expense-based aids to meet the increasing
2 needs of our students.

3 On a daily basis -- I know, Senator
4 Mayer, you had mentioned vaping. On a daily
5 basis our administrators are calling not only
6 with the increased mental health needs that
7 you've heard today, but an increased concern
8 about vaping and e-cigarettes. And
9 additionally what we're hearing more and more
10 also is an anticipated -- we'll have to wait
11 and see, but in terms of the passage of the
12 legalization of adult use marijuana, what
13 would be the spillover in our schools. So
14 certainly we're seeing increased student
15 needs.

16 Another area of need in terms of
17 additional resources which you have not heard
18 today is in terms of professional learning
19 for our administrators. Last year there was
20 about \$14 million in the budget for some type
21 of training for our teachers, and this year
22 in the proposed budget there's a \$20 million
23 appropriation for some sort of training for
24 teachers. We applaud that. They are our

1 partners.

2 But in essence, who really is
3 organizing that professional learning for
4 teachers in the school building? The
5 principals. Who's sometimes doing that
6 professional learning? The principals. And
7 the assistant principals. But there is very
8 little time in their day for professional
9 learning. There has been no money for that
10 for the last two years, and I think years
11 past. So what we would ask is at least
12 \$500,000 for professional learning that is
13 tailored to meet their needs.

14 Lastly, in terms of additional
15 resources, I would ask us to consider early
16 childhood as a uniform system of early
17 childhood education.

18 For the first time, school districts
19 are going to be held accountable under ESSA
20 for chronic absenteeism. That's attendance.
21 And that performance indicator, that new
22 accountability measure, starts at first
23 grade. And yet in New York State we do not
24 have a uniform early childhood system.

1 Mandated attendance doesn't start until age
2 6, which is approximately first grade for
3 most students. We don't have mandated
4 full-day. And you've certainly heard today
5 about the lack of pre-K around our state,
6 especially in rest of state and upstate.

7 So it's really difficult to
8 understand, without a uniform system of early
9 childhood, how at Grade 1 we're going to
10 really improve attendance patterns when we
11 know that attendance patterns start early.

12 In terms of flexibility, I want to
13 just mention two things. One, quickly, on
14 APPR I would urge you as we think about that
15 more, or if it's discussed, that we think
16 about the principal evaluation being
17 something very different from a teacher
18 evaluation as well as the flexibility that
19 school districts need to roll out those.
20 Under ESSA, the teacher evaluation, principal
21 evaluation is not mandated. So we have an
22 opportunity here to really relook at that
23 system.

24 And lastly, you've heard about the

1 building level reporting, you've had many
2 questions on it. We completely concur,
3 especially from a building administrator's
4 point of view. You can only imagine what
5 it's like at a principal level now to be
6 thinking that your resources are going to be
7 redistributed and you have very little say in
8 some districts.

9 The other piece about that, as I got
10 to thinking about it, is that massive policy
11 that's proposed is only based on the data of
12 76 districts. Next year it rolls out to 300,
13 and then the next year to all districts. But
14 we're making a broad state policy on the data
15 for one year of 76 school districts.

16 So we concur with our esteemed
17 colleagues in terms of the fiscal picture,
18 and thank you for your consideration. And we
19 stand ready to be partners throughout this
20 whole legislative session. So thank you.

21 CHAIRWOMAN WEINSTEIN: Assemblywoman
22 {sic} Mayer.

23 SENATOR MAYER: Thank you.

24 Thank you for going so quickly through

1 it. One question I have is with respect to
2 administrators generally with respect to
3 licensing. Do they have a continuing
4 education requirement on an annual or
5 biannual basis? And if not --

6 MS. GALLAGHER: Yes, we do.

7 SENATOR MAYER: You do have such a
8 requirement.

9 MS. GALLAGHER: Correct.

10 SENATOR MAYER: So you're asking for
11 the Legislature to add money, which seems
12 like a very reasonable thing -- if we have
13 money -- to ensure that there is additional
14 opportunities for learning. Has that ever
15 been included in past budgets, do you --

16 MS. GALLAGHER: Not to my knowledge.

17 SENATOR MAYER: The other thing is on
18 your point on funding for school districts in
19 receivership status.

20 So I recall that several years ago
21 when we first enacted the receivership
22 statute, we did set aside funds for schools
23 at that time were they to be placed in
24 receivership. I understand that currently,

1 if a school is now placed in receivership, we
2 have not designated additional funds.

3 MS. GALLAGHER: That's correct.

4 SENATOR MAYER: Do you have
5 administrators in schools that are now being
6 deemed receivership schools? And how does it
7 impact their experience? In the sense that
8 they obviously need the funding to attempt to
9 turn around the school, but how does it
10 affect the administrator's job?

11 MS. GALLAGHER: As you can imagine --
12 and thank you for that question --
13 drastically. Because being a receivership
14 school is certainly a complex initiative.
15 And the kind of intense interventions that
16 are needed to turn that kind of school
17 around -- and you've heard that throughout
18 the day. And where does that usually fall?
19 With many of the new reporting requirements,
20 with many of the new regulations, with many
21 of the new curriculum standards, with the
22 professional development -- all around that
23 kind of receivership, whether it's an
24 independent receivership or whether it's a

1 superintendency receivership, it really does
2 come down to the building level.

3 SENATOR MAYER: Building level, is
4 that what you said?

5 MS. GALLAGHER: Right.

6 SENATOR MAYER: Yes, okay. I
7 appreciate your referencing the vaping and if
8 there is a legalization of adult use of
9 marijuana, recreational use. I've heard from
10 superintendents and principals repeatedly of
11 the concern. I look forward to working with
12 you on those issues if we need to address
13 them, which I think we will.

14 MS. GALLAGHER: We would be very happy
15 to.

16 SENATOR MAYER: Okay. Thank you.

17 CHAIRWOMAN WEINSTEIN: Thank you.

18 Thank you, Senator Mayer. I mistakenly
19 brought you back to our house.

20 Assemblywoman Jaffee.

21 ASSEMBLYWOMAN JAFFEE: Well, thank
22 you. I agree -- you mentioned here about the
23 pre-K. We do need to expand pre-K. I've
24 also been working on the childcare, created a

1 childcare task force so that there could be a
2 conversation regarding the need for childcare
3 programs and how important that is. That
4 provides stability and certain opportunities
5 for children to be in environments where they
6 are having social skills and are exposed to
7 some academics and reading, and their parents
8 could be working.

9 That then is something that we need to
10 continue to expand and support, because then
11 they're more prepared when they get to pre-K
12 and kindergarten and they're more stable as
13 well. And it actually saves money in the
14 long run, because that way they are much more
15 prepared for education and they have less
16 failure as well.

17 And I agree with you that we need to
18 expand pre-K, because that also gives them an
19 opportunity to be in an environment that
20 expands their knowledge and social skills as
21 well. And in the long run it really saves
22 money, because once they're prepared, they're
23 much more functional, they have less learning
24 disabilities, sometimes, less issues that

1 push them back, and more social skills.

2 So it is something that I do support
3 and we've been working on to support and
4 expand the pre-K programs as well as
5 childcare.

6 MS. GALLAGHER: We have appreciated
7 all of your work on quality -- whether it be
8 pre-K or early childhood education, and I
9 completely agree. The only place to start
10 early intervention and early programming is
11 early. So thank you.

12 CHAIRWOMAN WEINSTEIN: Senator Liu had
13 a question.

14 SENATOR LIU: Thank you, Madam Chair.

15 I just had a quick follow-up to
16 Senator Mayer's question about your
17 testimony, which talked about the unintended
18 consequences of the legalization of adult use
19 of marijuana, the consequences on students
20 and children, in that they could be
21 substantial, though not fully known at this
22 time.

23 So has your association -- I mean,
24 what kinds of -- what's the basis for that

1 kind of -- is there -- have you considered,
2 have you done studies, have you looked at
3 what other states have experienced? What is
4 the basis for this concern?

5 MS. GALLAGHER: Well, at that point in
6 time -- you're right, I would love to have
7 the funding to do the kind of research, but
8 we are a relatively small association.

9 But we have had numbers of
10 conversations with our -- we have a
11 government relations committee that is very
12 actively involved in supporting efforts and
13 initiatives that would be certainly
14 representative of our constituency. The
15 discussion is just beginning. I think it is
16 just beginning to think that now this is --
17 making it a legalized system puts a different
18 pressure on it, if that's the way things roll
19 out for this session or within this year.

20 I think what you're going to see is
21 you have teenage parents, you have young
22 adults who are parenting. You mentioned
23 early childhood, Assemblywoman Jaffee. I
24 think we have to be very cognizant of the

1 needs that this may create and the spillover
2 into our schools.

3 SENATOR LIU: But what is it
4 exactly -- I mean, it sounds like, and
5 correct me if I'm wrong, it sounds like
6 you're suggesting that legalization will lead
7 to an increased use.

8 MS. GALLAGHER: I'm not trying to make
9 any implications. As I said, I think we are
10 beginning to think about what the spillover
11 could be for education and educators. And as
12 we think of that, I think our educators and
13 our principals are raising all of those
14 questions and beginning to think about what
15 would this mean, what kind of programs will
16 we need to think about, what kind of
17 funding -- maybe we need to start talking
18 about intervention programs on the use and
19 abuse of drugs, whatever it be, whether it be
20 the e-cigarettes or whether it be marijuana
21 or the legalization of marijuana.

22 SENATOR LIU: Okay. I mean, it has
23 not been substantiated that use of marijuana
24 leads to use of other drugs.

1 MS. GALLAGHER: We have not undertaken
2 that study, no.

3 SENATOR LIU: And there is also plenty
4 of illegal use of marijuana going on right
5 now, which I assume your members have had to
6 contend with already, and it has imposed a
7 cost burden on the respective schools.

8 MS. GALLAGHER: You're right, this is
9 not a new issue for sure for all of us.

10 SENATOR LIU: Thank you.

11 MS. GALLAGHER: You're welcome.

12 CHAIRWOMAN WEINSTEIN: Thank you for
13 being here today with us.

14 MS. GALLAGHER: Thank you.

15 CHAIRWOMAN WEINSTEIN: Next we have --
16 I just want to remind people we have 12
17 witnesses. We will stay here till the last
18 person speaks, and we probably will be
19 breaking the record for the longest hearing.

20 That being said, next we have the
21 association -- that was more so my colleagues
22 would understand.

23 Next we have the Association of Public
24 Broadcasting Stations of New York,

1 Christopher Goeken, executive director.

2 MR. GOEKEN: Great. You already have
3 my testimony, so I'm not going to read it,
4 but I will just say a couple of quick things.

5 One is that your public broadcasters
6 in New York State are -- there's nine
7 stations throughout New York State. Most of
8 you are in the Channel 13 area, WNET in New
9 York City, but some of you are from other
10 areas. And each of those stations is
11 controlled by a local not-for-profit board of
12 directors. They're each run by the local
13 community, controlled by the local community,
14 so they reflect their local community.

15 Most of you are probably familiar with
16 the things we have on the air -- Sesame
17 Street, Curious George, Nature, PBS NewsHour.
18 But what I want to highlight out of my
19 testimony today, and I know I've spoken with
20 several of you about this already, is a tool
21 that we have for teachers to use that PBS
22 content in the classroom.

23 We've spent a lot of money getting
24 schools wired for broadband. The Smart

1 Schools Bond Act, some other folks have been
2 talking about today, is bringing Chromebooks
3 and smartboards into the classroom across the
4 state. But what we were hearing from
5 teachers even 10 years ago was that they
6 needed content. It's great that we have this
7 technology, but what are the teachers going
8 to put up there? And please don't tell them
9 YouTube, because you go on there, it's the
10 wild, wild West. You don't know what you're
11 going to get.

12 So we created this tool so that
13 teachers could bring in all that PBS content
14 that they know, that they trust, and bring it
15 into their classroom very, very easily. And
16 right now it's very, very robust. We have
17 29,000 videos on there that teachers can use
18 in the classroom. We have 8800 lesson plans
19 that we've created to go along with those
20 video clips, so that it's plug-and-play for
21 teachers. They can put in almost any topic
22 and then show the kids a video that's
23 relevant. And there's discussions and
24 homework assignments, all in the lesson plan

1 ready to go for them.

2 What we have been hearing from
3 teachers, though, are two things. One is
4 that they want more content in social studies
5 and science, which we're working on,
6 particularly for the younger grades. And
7 two, all of our content now is aligned with
8 the current state learning standards, and
9 federal standards as well.

10 There's new learning standards in New
11 York State, Next Generation Learning
12 Standards. All of that content we've created
13 now has to be resorted, realigned, and we've
14 got to create new content if there isn't a
15 video or a lesson plan for these new
16 standards coming on. We want to make sure
17 that teachers can continue to go online,
18 point and click and get multiple lesson plans
19 and multiple tools that they can use in the
20 classroom with that digital content.

21 We're asking the Legislature to
22 increase over the Executive Budget -- the
23 Executive Budget put in 14 million for public
24 broadcasting in general. We're asking for an

1 additional 1.5 just to focus on that PBS
2 LearningMedia, increasing the amount of
3 content in those areas I spoke about, and
4 also training more teachers and doing
5 outreach so that more and more teachers can
6 use this. Right now about 43 percent of the
7 teachers in public schools are using PBS
8 LearningMedia, but of course we want that
9 number to go up and up and up.

10 So that's all I'm going to say. I
11 want to thank everybody. And if there's any
12 questions, I'm happy to answer them.

13 CHAIRWOMAN WEINSTEIN: Assemblyman
14 Benedatto -- Benedetto.

15 MR. GOEKEN: Long day.

16 CHAIRWOMAN WEINSTEIN: It's been a
17 long day. Sorry. Sorry, Mike.

18 ASSEMBLYMAN BENEDETTO: No, that's
19 okay. Thank you. Hopefully my mic is on.
20 I'll get it closer.

21 Forty-three percent, you say, of the
22 teachers are now using. Do you have
23 breakdowns on that? Are they New York City
24 statistics?

1 MR. GOEKEN: It varies by borough in
2 New York City. Last I checked, Manhattan was
3 about 50 percent -- all because of Senator
4 Krueger. She's out there talking about PBS
5 LearningMedia. But the other boroughs are
6 about in that same range as well, where it's
7 probably between 37 percent and 45 percent.
8 And I can get those numbers to you.

9 ASSEMBLYMAN BENEDETTO: That's okay.

10 And how long have you been doing this?

11 MR. GOEKEN: So PBS LearningMedia has
12 been around itself, branded like that, for
13 about five years. We have provided digital
14 content like that going on about a decade.
15 But we really doubled down on it really about
16 five, six years ago to create out that
17 content.

18 I should add that it's not just the
19 nine New York stations that are creating this
20 content, it's stations across the country.
21 So whenever something is broadcast, whether
22 it's Ken Burns or Nature or Frontline, we
23 have folks everywhere pulling that content
24 and making those clips available in lesson

1 plans.

2 ASSEMBLYMAN BENEDETTO: That's really
3 great. I wish you guys were doing this when
4 I was in the classroom. Just because you
5 guys do it, and you guys just -- you do it
6 right. And that's wonderful. And continue
7 to do it.

8 MR. GOEKEN: Thank you.

9 ASSEMBLYMAN BENEDETTO: Just a little
10 plug here. One of the best things I've ever
11 seen on PBS, okay, about 35 years ago you ran
12 The Constitution: A Delicate Balance. You
13 have never reshowed it again. Get it back on
14 there, because it's --

15 (Laughter.)

16 ASSEMBLYMAN BENEDETTO: -- it's that
17 good. Okay?

18 MR. GOEKEN: Let me send a text,
19 I'll -- I will look into that, actually. One
20 of the things we want to do in PBS
21 LearningMedia is civics, New York State
22 civics in particular, and more New York State
23 history. There is a whole bunch of New York
24 State history on there already.

1 But I'll look into that.

2 ASSEMBLYMAN BENEDETTO: And the only
3 place I was ever able to find it, by the way,
4 is on YouTube. So don't knock YouTube.

5 (Laughter.)

6 CHAIRWOMAN WEINSTEIN: Senator
7 Montgomery.

8 SENATOR MONTGOMERY: Yes, following up
9 on Assemblyman Benedetto's comments, I
10 also -- I want to say to you one of the best
11 things that I have seen, among many other
12 things, but certainly one of the best
13 historical documentation is what Henry Louis
14 Gates does on The African-Americans: Many
15 Rivers to Cross.

16 And I guess my question is, will that
17 series be able to be translated into one of
18 the learning programs that you are talking
19 about? Because I do not know of any other
20 place where the history of African-American
21 people in this land, beginning from their
22 transfer from Africa up until Barack Obama
23 becoming president -- it's nowhere to be
24 found. And especially in a way that young

1 people can absolutely relate to it.

2 So I would ask if it that is possible
3 and if you intend to possibly do that.

4 MR. GOEKEN: I don't know the answer
5 to that offhand. I would be surprised if we
6 passed on that opportunity. But I will check
7 and get an answer back to your office.

8 SENATOR MONTGOMERY: Great, thank you.

9 MR. GOEKEN: Of course. Thank you.

10 SENATOR MONTGOMERY: Congratulations
11 on that. I love it. And thanks for all that
12 you do to educate us and young people
13 especially.

14 MR. GOEKEN: Thank you.

15 CHAIRWOMAN WEINSTEIN: Thank you for
16 being here.

17 MR. GOEKEN: Thank you.

18 CHAIRWOMAN WEINSTEIN: Next we have a
19 panel, it's five minutes each: Center for
20 Children's Initiatives, Betty Holcomb, policy
21 director; Advocates for Children of New York,
22 Randi Levine, policy director.

23 MS. LEVINE: Betty left.

24 CHAIRWOMAN WEINSTEIN: I was going to

1 say, you look like one person. Betty left.
2 Well, we have her testimony and it was -- I
3 think we received it in advance, so thank
4 you.

5 MS. LEVINE: Good evening. Thank you
6 for the opportunity to speak with you. My
7 name is Randi Levine, and I'm the policy
8 director at Advocates for Children of
9 New York.

10 For more than 45 years, Advocates for
11 Children has worked to ensure a high-quality
12 education for New York students who face
13 barriers to academic success, focusing on
14 students from low-income backgrounds. Every
15 year we help thousands of New York parents
16 and students navigate the education system.
17 We focus on the students who are most likely
18 to experience failure in school because of
19 poverty, race, disability, homelessness,
20 immigration status, involvement in the child
21 welfare or juvenile or criminal justice
22 systems or language barriers.

23 Our written testimony has a number of
24 budget recommendations. I'll just touch on a

1 few right now.

2 First, you've heard a lot today
3 already about the need for strategic
4 investments in school climate -- social
5 workers and other mental health
6 professionals; restorative practices;
7 training for teachers and school staff so
8 that they know how to respond appropriately
9 to student behavior. We are encouraged that
10 Governor Cuomo included in his proposed
11 budget \$3 million for training teachers and
12 school staff on alternatives to suspensions,
13 including restorative practices and positive
14 behavioral supports.

15 The proposed amount in the budget,
16 however, is woefully inadequate to meet the
17 needs across the state. We're part of a
18 campaign recommending that the budget include
19 at least \$50 million to schools with the
20 assistance and training needed for positive,
21 age-appropriate approaches to discipline that
22 keep students in school and on a positive
23 track.

24 Second, we were glad to hear

1 Senator Krueger and Assemblymember Jaffee
2 talk about the importance of getting children
3 with developmental delays and disabilities
4 services as early in life as possible, and
5 we're happy to have a second conversation
6 about early intervention. But we are very
7 concerned about the growing number of
8 preschoolers with disabilities in New York
9 City who are waiting for the preschool
10 special education class seats to which they
11 are entitled.

12 The most recent "regional need" memo
13 posted by the State Education Department
14 shows that New York City needs preschool
15 special class seats for more than 700
16 children. We've received calls from these
17 parents, parents of children with
18 disabilities who have been sitting at home
19 for months because of the shortage of
20 preschool special education classes, in
21 violation of their legal rights. These
22 children are missing a critical window of
23 opportunity.

24 Contributing to the shortage is the

1 closure of 4410 community-based special
2 education programs, preschool programs, run
3 by community-based organizations. Over the
4 past few years, around 60 programs have
5 closed around the state, largely due to a
6 reimbursement rate that hasn't kept pace and
7 is not sufficient to allow programs to
8 recruit and retain the special education
9 teachers they need in order to lead their
10 classes.

11 While we are staunch supporters of 3-K
12 and pre-K and support the state's efforts to
13 expand universal pre-K, the state must also
14 ensure that there is a preschool special
15 class seat for every child whose
16 individualized education program mandates
17 one.

18 To stem the tide of program closures,
19 we recommend that the state increase the
20 reimbursement rate for preschool special
21 education programs by at least 5 percent this
22 year. Last year SED recommended a 4 percent,
23 but the Division of Budget approved only a
24 2 percent increase. In addition, there needs

1 to be a substantial increase in funding for
2 the Excessive Teacher Turnover Prevention
3 fund in order to help these programs keep the
4 teachers they need.

5 Speaking of pre-K, we appreciate that
6 the Executive Budget sustains the increases
7 in prekindergarten funding and includes an
8 additional increase of \$15 million. However,
9 this funding falls short of the amount we
10 need to reach universal access in New York
11 State. And so we're recommending an
12 additional \$150 million in pre-kindergarten
13 programs.

14 And then an issue we haven't talked
15 about yet today is the special education
16 waiver proposal in the Executive Budget. We
17 oppose the Executive Budget proposal to allow
18 school districts to seek broad waivers from
19 important special education protections. A
20 waiver provision this broad would erode
21 students' rights and have an adverse effect
22 on students with disabilities, especially
23 those from low-income backgrounds.

24 We're pleased that the Legislature has

1 rejected this proposal in the past for at
2 least the past five years, and encourage you
3 to do so again.

4 As you'll see in our written
5 recommendations, we also support increased
6 funding for multilingual learners, support
7 increased funding for Foundation Aid --
8 \$1.66 billion -- support the extension of
9 mayoral control of New York City schools, and
10 oppose the consolidation and capping of 11
11 expense-based aid categories.

12 Thank you for the opportunity to
13 testify, and I'm happy to answer any
14 questions that you may have.

15 CHAIRWOMAN WEINSTEIN: Thank you.

16 SENATOR KRUEGER: Senator Shelley
17 Mayer.

18 SENATOR MAYER: Thank you very much.
19 And thank you for your advocacy for these
20 younger children with special needs. It's a
21 very important part of this conversation.
22 You have a lot of allies and friends in the
23 Legislature. This a moment I think to
24 maximize it. So credit to you for that.

1 On the reimbursement rate proposal
2 that you have, which is 5 percent over, and
3 the Governor had 2 percent last year --
4 adopted was 2 percent. What is the dollar
5 cost of your recommendation, do you know?

6 MS. LEVINE: It's a calculation that's
7 very difficult to figure out. And so we hope
8 that we can work with the State Education
9 Department to get that figure to you, based
10 on the latest numbers.

11 SENATOR MAYER: You don't have a
12 ballpark, so to speak.

13 MS. LEVINE: One of my colleagues
14 testifying later today may have more of an
15 estimate. I don't want to misspeak, I want
16 to make sure that I'm giving you an accurate
17 number that we feel confident in.

18 (Inaudible comment from audience;
19 laughter.)

20 SENATOR MAYER: And with respect to
21 the lack of seats for young children who are
22 entitled to them, what is the status of your
23 conversations with the New York City
24 Department of Education?

1 MS. LEVINE: We have been having very
2 intensive conversations with the New York
3 City Department of Education and City Hall.
4 We know that they are -- they have opened
5 additional preschool special classes this
6 year in the middle of the year for the first
7 time ever, and we're glad that they're doing
8 that.

9 There are still many children waiting.
10 And we are waiting to see the city's
11 preliminary budget, which is being released
12 tomorrow afternoon. So we think that there
13 is a role for the city and a role for the
14 state to play.

15 SENATOR MAYER: Thank you.

16 CHAIRWOMAN WEINSTEIN: Senator
17 Montgomery.

18 SENATOR MONTGOMERY: Just really
19 quickly. You indicated that you're
20 advocating for more social workers and
21 guidance counselors. And I certainly agree
22 the more ancillary staff, the more
23 professional staff is important.

24 But I hope that you will make sure

1 that you're emphasizing culturally competent
2 people, because it doesn't help if you have
3 people who come into the school, they do not
4 understand the culture of the young people in
5 that school, and especially young people who
6 need more support and more understanding.

7 So I hope you'll add that to the
8 requirements, the characteristics of the
9 people that you're proposing to come into the
10 school. And they don't really always have to
11 be social workers, by the way.

12 MS. LEVINE: There's no question that
13 cultural responsiveness is a critical
14 component of making this work effective.

15 SENATOR MONTGOMERY: Thank you. Thank
16 you.

17 CHAIRWOMAN WEINSTEIN: Thank you.

18 SENATOR KRUEGER: Thank you.

19 CHAIRWOMAN WEINSTEIN: So next we have
20 the New York Library Association, Mike Neppl,
21 director of government relations.

22 MR. NEPPL: Good evening, everyone.

23 You have my testimony; I'll be
24 extremely brief.

1 CHAIRWOMAN WEINSTEIN: Thank you.

2 MR. NEPPL: So libraries are founded
3 on the principle of open, equitable access to
4 information for all New Yorkers. And when
5 access to information is anything less than
6 full, open and equitable, when access to that
7 information comes with preconditions,
8 New Yorkers cannot be full participants in
9 their own lives, their own story or their own
10 communities.

11 And I want to be clear about the
12 implications here. This chronic failure to
13 fully, let alone fairly fund library aid and
14 invest in library services and infrastructure
15 means that millions of New Yorkers are being
16 digitally disenfranchised from their own
17 futures. Without immediate aggressive
18 investment, New York risks presiding over the
19 creation of a permanent digital and
20 information underclass.

21 The Governor's Executive Budget cuts
22 library aid by \$5 million. It is proposed at
23 \$91.6 million. This is within the context of
24 \$26 billion in foundation funding last year

1 for schools. This formula hasn't been
2 updated in 30 years. It is Year 2000-level
3 funding.

4 The Governor cut public library
5 construction aid by \$20 million, or
6 60 percent. More than half of public
7 libraries in New York State are 60 years old
8 or older; another third are older than
9 30 years old.

10 SED details a five-to-one return on
11 every dollar invested in the public library
12 construction aid program. There's a
13 \$1.7 billion need statewide.

14 I heard a gentleman earlier talking
15 about what are we going to do in rural
16 communities, as rural schools are having a
17 very difficult time, rural communities are
18 having a difficult time, and there needs to
19 be economic investment. In my opinion, the
20 best way to do that, invest in the public
21 library construction aid program. This will
22 provide immediate economic development
23 opportunities to every community with a
24 library in New York State.

1 We must fairly fund library funding.
2 We must. \$91.6 million is not nearly enough.
3 It's a figure that we saw 20 years ago, and
4 we know libraries are much different now.

5 We'll talk a lot about funding
6 throughout the session, so I'm going to pivot
7 very quickly to the census. There was a lot
8 of discussion earlier today about how New
9 York State is preparing for the census, and I
10 am here to tell you that we are not.

11 I was here last year during this
12 budget hearing and raised the concerns of the
13 library community about whether New York
14 State is fully committed to a complete count
15 or not. As we know, this will be the first
16 online census. We also know that 25 percent
17 of households in New York State with incomes
18 under \$50,000 a year rely on the local public
19 library as their primary point of internet
20 access.

21 Unsurprisingly, these communities
22 overlap with the hard-to-count communities
23 that we need to target to ensure a complete
24 count. One hundred percent of hard-to-count

1 census tracts in New York City are within one
2 mile of a public library.

3 We are advocating for \$40 million for
4 outreach through community-based
5 organizations. The State of California has
6 allocated \$100 million for census activities.
7 New York State formed a 2020 Complete Counts
8 Commission. It was never fully constituted
9 before its report was due.

10 We continue to have grave concerns
11 that New York State is heading towards a
12 catastrophic undercount, which will have
13 ramifications for the next decade.

14 And I just would like to also address
15 Senator Jackson's comments earlier about
16 school librarians. There is no requirement
17 in law for school librarians to be in
18 elementary schools. And there's only an SED
19 requirement for them to be placed in high
20 schools. The result is 25 percent of high
21 schools in New York State do not have a
22 school librarian; 36 percent of elementary
23 schools do not. We must remedy this.

24 CHAIRWOMAN WEINSTEIN: Thank you.

1 Assemblyman Benedetto has a question.

2 ASSEMBLYMAN BENEDETTO: Forty million
3 dollars for outreach for the census. What
4 would you do with it?

5 MR. NEPPL: That's a great question.
6 There's a lot of concern, obviously, about
7 resources being available for individuals who
8 don't have English fluency. Those materials
9 need to be created. We must have adequate
10 staffing in every library. We're certainly
11 going to have to upgrade our IT
12 infrastructure.

13 It will require training of existing
14 staff to make sure that they are sensitive to
15 the concerns of different communities. After
16 all, the census is asking them to turn over
17 certain identifiable information that we know
18 has been used by the federal government, and
19 the Trump administration is threatening to
20 use census data in criminal actions. So we
21 must ensure that people feel comfortable
22 completing the census, and libraries are the
23 best place to do that.

24 We also saw that the census in

1 Australia was recently hacked. So there's a
2 lot of concern within the library community
3 that as the Census Bureau has designated us
4 as a preferred place for people to go, that
5 we will be targets for similar actions. So
6 cybersecurity measures are a priority.

7 ASSEMBLYMAN BENEDETTO: Thank you.

8 CHAIRWOMAN WEINSTEIN: Thank you.

9 Thank you for being here.

10 MR. NEPPL: Thank you.

11 CHAIRWOMAN WEINSTEIN: Next we have
12 the New York School Nutrition Association,
13 Mark Bordeau, president elect, to be followed
14 by the New York State Parent Teacher
15 Association -- I would ask them to move
16 down -- followed by the New York Association
17 for Public Transportation.

18 MR. BORDEAU: Good evening. Thank you
19 for allowing me to testify today.

20 My name is Mark Bordeau, and I'm
21 president elect of the New York School
22 Nutrition Association. Our association
23 represents over 4200 school nutrition
24 professionals throughout New York State who

1 will tell you that the most rewarding part of
2 their job is feeding kids each and every day.

3 You should have a copy of my written
4 testimony in front of you, and contained
5 within it are three recommendations that
6 we've been focusing on this year. I just
7 want to briefly touch on the importance of
8 these requests, because they all tie in with
9 the current initiatives that I believe were
10 discussed earlier today.

11 First, and our highest priority today,
12 is to eliminate the student's contribution
13 for the reduced-price-meal category. This
14 quarter represents what some students are
15 required to pay for their meals. These are
16 the students whose families don't qualify for
17 free meals but are still living in poverty,
18 and many are living paycheck to paycheck.
19 This quarter may not seem like a lot on the
20 surface, but when you have several
21 school-aged children and you want to feed
22 them breakfast and lunch at school, this
23 quarter adds up to an amount that these
24 families are struggling to pay.

1 Eliminating the student's portion of
2 the reduced-price-meal category would also
3 complement the prohibition against meal
4 shaming that was included in the No Child
5 Goes Hungry initiative that was put into law
6 last year. There's no greater shaming for a
7 child that is asked to pay a quarter for
8 their lunch when the student behind them may
9 be paying \$3 for the same lunch. Once we ask
10 that student for a quarter, the other
11 students automatically know that child comes
12 from a low-income household.

13 Including the 2.3 million in the
14 budget would not only put an end to this
15 embarrassment, but this would also benefit
16 those families in need. No one should have
17 to choose between paying their electric bill
18 or ensuring that their child has money to eat
19 during school. Again, we ask that you please
20 help support this and do what seven other
21 states have already done -- eliminate the
22 student's contribution for the reduced-price
23 meals.

24 The next recommendation we have is to

1 continue support for the \$10 million
2 appropriation for the New York State Farm to
3 School Lunch Incentive. We are so excited
4 that this program was introduced last year.
5 And I can tell you that there are many
6 districts eager to participate. As the
7 senior food service director for Broome Tioga
8 BOCES, we are already able to offer a true
9 New York Thursday lunch menu.

10 To help districts participate in this
11 program, our final recommendation is to
12 include a \$3 million appropriation for Farm
13 to School grants. In the last round of
14 grants, which were just awarded in December,
15 there were \$3.4 million in program requests.
16 As there was only \$1.5 million in available
17 funding, more than half the proposals had to
18 be denied.

19 This is a good problem. This shows a
20 high level of interest in the Farm to School
21 movement. Keep in mind that these grants are
22 available for developing infrastructure for
23 successful programs. Proposals include
24 purchasing equipment and hiring farm to

1 School coordinators, which is a key aspect to
2 help a successful and sustainable program.
3 Imagine the jump in district participation if
4 all the proposals had been able to be funded.

5 So as I mentioned earlier, these three
6 recommendations all tie together, and I urge
7 you to help us successfully implement them in
8 our schools. And thank you very much for
9 your time tonight, and I'd be glad to answer
10 any questions.

11 CHAIRWOMAN WEINSTEIN: Senator Seward.

12 SENATOR SEWARD: Yes, I wanted to ask
13 you about the shaming provisions that were
14 included last year in the budget and ask you
15 how -- in your estimation, how is that going?

16 MR. BORDEAU: In our districts for the
17 last couple of years, we've already
18 implemented a shaming policy. So in our
19 districts it's going very well. I can tell
20 you that once we started to put those shaming
21 policies up on the Web and promote it more,
22 that we did see more families starting to
23 charge meals than we've ever seen before.

24 But otherwise, it's going very

1 successfully. All of our districts believe
2 very strongly in feeding every child, so we
3 have done it for years with no shaming.

4 SENATOR SEWARD: I think it's
5 important to put in provisions such as that
6 in terms of the child.

7 What about the -- how are the
8 collections in terms of charged meals and,
9 you know, in terms of what's your ability to
10 approach the parents? In many cases they
11 have the ability to pay.

12 MR. BORDEAU: Right. What our
13 districts do -- and I can only speak for the
14 districts I represent in Broome and Tioga
15 County -- is -- we do several things.

16 One is we start out small with lower
17 amounts, and we reach out to the parents from
18 my office. If the amount gets up to a higher
19 amount, the building principal reaches out to
20 the parent, and then the superintendent will
21 reach out as well.

22 We also have automatic calling systems
23 that will call the families when they get to
24 a certain dollar amount to remind them to pay

1 and give them an option to pay online.

2 SENATOR SEWARD: One final question
3 along this line. The cafeterias and the
4 nutrition programs in the school, you're
5 supposed to be self-sustaining, correct?

6 MR. BORDEAU: Correct.

7 SENATOR SEWARD: And if you have
8 accounts that haven't been paid at the end of
9 the year, does the school district -- are
10 they obligated to reimburse you for those
11 uncollected --

12 MR. BORDEAU: That's correct, yes.

13 SENATOR SEWARD: I've heard that is a
14 problem for some school districts.

15 MR. BORDEAU: For some school
16 districts I've heard the same thing, that's
17 correct.

18 SENATOR SEWARD: Thank you.

19 MR. BORDEAU: Thank you.

20 CHAIRWOMAN WEINSTEIN: I believe
21 that's it for questions. Thank you for
22 staying here with us this evening.

23 MR. BORDEAU: Thank you. Have a great
24 night.

1 CHAIRWOMAN WEINSTEIN: So next we have
2 the New York State Parent Teacher
3 Association. I think there are three people
4 coming here -- you can figure out how you
5 want to deal with the five minutes -- Kyle
6 Belokopitsky, executive director, executive
7 director; Roberto Rijos, Yonkers PTA
8 president; and Adrienne Gliha-Bell,
9 Warrensburg PTA and New York State PTA rural
10 school specialist.

11 So you understand, five minutes for
12 the group?

13 MS. BELOKOPITSKY: Yes.

14 CHAIRWOMAN WEINSTEIN: Okay.

15 MS. BELOKOPITSKY: And good evening.
16 Thank you. I'm the executive director of the
17 New York State PTA, Kyle Belokopitsky, and
18 I'm proud to represent the families of our
19 2.6 million schoolchildren.

20 Thank you for still being here.

21 I'd like to introduce you to Adrienne
22 Gliha-Bell, she is our rural school
23 specialist, and Roberto Rijos, president of
24 the Yonkers PTA. We will not read our

1 testimony.

2 The state constitutional obligation to
3 fund a high-quality education for every
4 New York student remains unfulfilled. State
5 aid as allocated in the budget proposal is
6 woefully insufficient, as you've heard, and
7 we call for an increase of \$1.31 billion to
8 Foundation Aid, an overall increase of
9 \$2.2 billion, and a commitment to fully phase
10 in the Foundation Aid over the next three
11 years.

12 Sadly, the overwhelming majority of
13 funds that are due, \$4 billion, more than
14 70 percent of those funds, or \$2.78 billion,
15 are owed to high-needs schools and students.

16 Despite these challenges, our schools
17 continue to do more for our children.

18 Adrienne?

19 MS. GLIHA-BELL: Our rural schools
20 face unique struggles. We have increasing
21 costs with declining enrollments, huge
22 district boundaries, and high levels of
23 poverty. My BOCES covers five counties,
24 31 school districts, and 35,000 students.

1 Over 60 percent of those have a thousand
2 students or less. Fifty percent of the
3 students receive free and reduced-price
4 lunches.

5 We appreciate your increased support
6 for community school programs, after-school
7 care, pre-K, early childhood, early college
8 high schools, Advanced Placement and CTE
9 programs. Unfortunately, the budget does not
10 amend the current aid formula for BOCES. The
11 BOCES formula has not been increased since
12 1990. Yet BOCES provides true multiple
13 pathways to graduation. These students would
14 otherwise not be able to attend these
15 programs and have the services, because small
16 rural schools could not afford to provide
17 these programs independently.

18 Without BOCES, our graduation rates
19 would be significantly lower. Ninety percent
20 of BOCES and CTE students graduate with a
21 Regents diploma. And many of these students
22 would only go to school and stay in school
23 because of BOCES. Many of them also attend
24 early college classes in programming and

1 engineering at local colleges such as SUNY
2 Adirondack. And we also support the BOCES
3 capital aid.

4 Robert?

5 MR. RIJOS: Urban areas have similar
6 challenges. In Yonkers, like many urban
7 settings, 79 percent of our children are
8 economically disadvantaged. Because of the
9 size and the needs of our urban districts,
10 the lack of a significant Foundation Aid
11 increase will be devastating.

12 We also fully support the 1.5 million
13 to support the school-based mental health
14 programs and new mental health curriculum
15 mandates, but we need help to adequately
16 support our children with mental health. We
17 ask that this funding be increased to at
18 least 5 million in the coming year.

19 As an example, Yonkers, with 26,000
20 students, has one social worker for every
21 1,898 students, one guidance counselor for
22 every 805 students, one psychologist for
23 every 885 students.

24 Urban districts try our best to

1 invest, but years of underfunding make things
2 challenging. We have one art teacher for
3 every 565 students, one music teacher for
4 every 805 students, and one librarian for
5 every 2400 students.

6 Urban districts, like others, continue
7 to do more with less.

8 MS. BELOKOPITSKY: So there are many
9 similarities between urban and rural
10 districts, and I know we advocate for all
11 children.

12 And we also fully support the stop-arm
13 camera legislation and increased fines for
14 passing a school bus: 50,000 vehicles pass a
15 school bus in New York State every day.

16 We call for an increased support for
17 recovery high schools to at least \$5 million
18 in this coming year -- such an important
19 program for our schools.

20 And two health and welfare issues,
21 very briefly.

22 We strongly oppose the establishment
23 of a legalized recreational marijuana program
24 in New York. It really creates, according to

1 the American Medical Association, a public
2 health threat. It sends mixed messages to
3 young people that using recreational
4 marijuana is acceptable. We fully understand
5 that the medical marijuana program has many
6 benefits and needs amendments, and we fully
7 agree that the disproportionate arrests and
8 jailing of certain racial and ethnic minority
9 groups is absolutely abhorrent.

10 Legalizing marijuana is not going to
11 solve either one of those systematic
12 problems, so we call for other amendments in
13 our testimony.

14 Lastly, we support the Tobacco 21
15 proposals. And as you discussed vaping
16 earlier, one in five of our high school
17 students use e-cigarettes. And 600,000
18 middle school students and 3 million U.S.
19 high school students smoke cigarettes.

20 And I will leave you with this last
21 thought from a little boy named Joshua, and
22 this posted up on my Facebook feed this
23 morning. And this is why we do this work.
24 He says: "I woke myself up because we ain't

1 got an alarm clock. I dug in the dirty
2 clothes basket because ain't nobody washed my
3 uniform. I brushed my hair and teeth in the
4 dark because the lights ain't on. I even got
5 my baby sister ready, because my mama wasn't
6 home. I got both of us to school on time to
7 eat a good breakfast. Then when I got to the
8 class, the teacher fussed because I ain't got
9 a pencil."

10 This is our mission. We are the dream
11 makers for our children. We have to remember
12 that every single child, no matter their zip
13 code, no matter their ethnicity, no matter
14 their ability, their gender identity, their
15 race, it is our job to give them the highest
16 education that we can possibly give them, and
17 every opportunity. Together, if we invest in
18 our children, we can make this happen for
19 each and every single one of them.

20 Thank you for time, and we're happy to
21 answer questions.

22 CHAIRWOMAN WEINSTEIN: Thank you.

23 Mike Benedetto.

24 ASSEMBLYMAN BENEDETTO: I just want to

1 thank you for your testimony. You certainly
2 have reinforced much of what we heard today,
3 that our system is woefully underfunded. And
4 all we can tell you is that we have heard
5 your pleas, and we will do our best to try to
6 achieve all of our hopes.

7 MS. BELOKOPITSKY: We appreciate that.

8 CHAIRWOMAN WEINSTEIN: Senator Mayer.

9 SENATOR MAYER: Yes. Well, I would be
10 remiss if the president of my PTA, who waited
11 as a volunteer the entire day to make sure
12 the voice was heard here of the students of
13 the Yonkers public schools, how much we
14 appreciate that. And I particularly
15 appreciate that you actually gave the numbers
16 of the disproportionate lack of attention to
17 our students that we face in schools.

18 And I want to thank you as well for
19 bringing the challenges of the rural school
20 community. I've long felt, and I'm so glad
21 you're here, that the PTA must be part of
22 this conversation. Parents must be the
23 advocates that drive this conversation. So I
24 appreciate the passion, Kyle, that you

1 showed.

2 I hope we can count on you when it's 3
3 o'clock in the morning and we are resolving
4 these issues -- seriously.

5 MS. BELOKOPITSKY: Absolutely. You
6 know we'll be at the stairs.

7 SENATOR MAYER: We need you at the
8 stairs.

9 MS. BELOKOPITSKY: We'll be at the
10 stairs.

11 SENATOR MAYER: Please do not leave us
12 when the going gets tough.

13 MS. BELOKOPITSKY: Any time of the
14 night. We are your partners as we support
15 all of our children and families together.

16 SENATOR MAYER: Thank you.

17 CHAIRWOMAN KRUEGER: Thank you.

18 CHAIRWOMAN WEINSTEIN: Thank you so
19 much for being here tonight with us.

20 MS. BELOKOPITSKY: Thank you.

21 CHAIRWOMAN WEINSTEIN: Next we have
22 the New York Association for Pupil
23 Transportation, David Christopher, to be
24 followed by the Interagency Council, to be

1 followed by the Cerebral Palsy Association of
2 New York.

3 The School Bus Contractors left. Is
4 the Association for Pupil Transportation
5 here? So I guess perhaps they left and
6 didn't tell us.

7 Interagency Council, Christopher
8 Treiber.

9 MR. TREIBER: Hi. Good evening. So I
10 first would just like to point out that one
11 of my colleague organizations also submitted
12 testimony, the New York State Alliance for
13 Children with Special Needs, and they share
14 very similar concerns that we do.

15 I'm the associate executive director
16 for the Interagency Council of Developmental
17 Disabilities Agencies, and I'm representing
18 the organization called COPA, which is a
19 coalition of provider associations of more
20 than five member associations that represent
21 basically significant numbers of preschool
22 programs.

23 Our member agencies operate more than
24 100 preschool special ed and 853 school-age

1 programs around the state. We operate
2 schools in about a hundred different sites,
3 and we serve about 15,000 children a day.
4 All of the children who attend our schools
5 are public school children. They're children
6 of your constituents. The majority of
7 children in our schools are diagnosed with
8 autism spectrum disorder, cerebral palsy, or
9 developmental disabilities.

10 And all the children who are placed in
11 our schools were placed there basically by
12 the Committee on Preschool Special Ed or the
13 Committee on Special Ed after they reviewed
14 the cases and determined there's no public
15 school seat available. So we are the only
16 alternative for them.

17 And for the most part, our schools
18 serve most of the most vulnerable children in
19 the state, and yet our schools have not
20 really been adequately funded to meet that
21 need.

22 In the Education Overview of the
23 Governor's Executive Budget, he has a
24 declaration that says "As budgets are

1 statements of values and priorities, it is
2 clear New York's highest priority is the
3 education of its children." We see no
4 evidence to basically back that statement up
5 for children with developmental disabilities
6 in this state, and I'm going to basically
7 point out some of those issues for you.

8 Since 2012, state aid to school
9 districts has increased by 42 percent. And I
10 know that's not enough. However, for our
11 programs, the 853 programs, they've received
12 just a 22 percent increase in that time. And
13 for preschool special education programs, in
14 that same time frame, in 2012, 8 percent
15 tuition increase.

16 So when Randi Levine before from
17 Advocates talked about 61 programs closing,
18 that's why, because the programs are severely
19 underfunded.

20 So we're requesting at least that our
21 853 and 4410 programs receive maximum tuition
22 increases that are comparable to school
23 districts. That hasn't always happened.

24 I just want to point out to you a few

1 numbers. You have my testimony. We did a
2 survey of our member agencies to try to find
3 out what the turnover rate and vacancy rates
4 are in our schools.

5 In terms of turnover rate, meaning how
6 many teachers have left within one year --
7 last year -- the turnover rate for school-age
8 teachers in our programs, 31 percent. One
9 out of three teachers have left. For our
10 preschool programs, 26 percent.

11 Even more alarming is the increase in
12 the vacancy rates. Our vacancy rates now for
13 teachers, meaning certified special ed
14 teacher positions in our schools that are
15 empty, that don't have teachers,
16 28 percent -- an increase of 65 percent from
17 a year and a half. So the consequences of
18 this underfunding are really hitting home for
19 the kids.

20 And the salary disparity which some
21 people have talked about, school districts
22 pay their certified special education
23 teachers 40 percent more than what our
24 teachers can get paid -- that's for 10

1 months, versus our schools for 12 months.

2 And so our schools really are now
3 unable to recruit and retain certified
4 teachers, and it's impacting children. If
5 you look at the vacancy rate alone, one out
6 of every three children in our schools may in
7 fact be taught by uncertified non-teachers at
8 this point. And it's really becoming a
9 viability issue for our schools.

10 So we are requesting that the
11 Legislature help increase the money for the
12 recruitment and retention in our schools,
13 because it's really a significant challenge.
14 Our schools no longer have the ability to
15 attract and retain certified teachers. We
16 have children with the highest levels of need
17 in the state being taught by either
18 inexperienced brand-new teachers or
19 uncertified teachers, and really something
20 has to be done in regard to that. Some
21 programs have no option now, and they have
22 uncertified teachers teaching in their
23 classrooms.

24 The ultimate question here really for

1 our education directors at this point is how
2 much longer they can keep and sustain these
3 programs. The fiscal losses are too much.
4 They can't get certified teachers anymore.

5 So in conclusion, if New York State
6 believes that education of its children is
7 its highest priority, it has a moral
8 responsibility to act to prevent this crisis
9 from continuing. The choices that are made
10 regarding funding for the 4410 and 853
11 programs in this year's budget will have a
12 profound impact on preschool and school-age
13 special education children in New York State
14 and the families who depend on these
15 services.

16 New York State must stand by its
17 pledge that each and every child, regardless
18 of ability, receives a quality education.
19 The points made in this testimony call the
20 commitment of this pledge into question.

21 Thank you for the opportunity to
22 testify today. I appreciate that you all
23 remained here. And I'm happy to answer any
24 questions.

1 CHAIRWOMAN WEINSTEIN: Assemblyman

2 Benedetto.

3 ASSEMBLYMAN BENEDETTO: Your testimony
4 is well-taken. It is all true and all too
5 sad. And what you didn't mention too, but
6 I'm sure you know, that when you're teaching
7 special ed kids especially -- all kids -- you
8 want a continuity of teaching. You want your
9 teacher in a predictability that this teacher
10 is going to come in one day and the same
11 teacher is going to be there the next day, so
12 the teaching style will be the same. And
13 this goes in spades when you're talking about
14 special education and kids on the spectrum.

15 So we've got this problem here, and
16 we've got to deal with it.

17 MR. TREIBER: There's no question.
18 What happens in New York, which is even more
19 sad, is the New York City Department of
20 Education will call a teacher today, and then
21 by tomorrow they expect them to report to
22 another site. And so children who are on the
23 spectrum have no idea where the teacher went,
24 and there's no way for them to even say

1 good-bye. And it's really heartbreaking for
2 a lot of our kids, because they had a teacher
3 one day and then they come in the next day
4 and the teacher is not there anymore.

5 ASSEMBLYMAN BENEDETTO: And what
6 happens to the school, they're missing a
7 teacher.

8 MR. TREIBER: Exactly.

9 ASSEMBLYMAN BENEDETTO: Thank you.

10 ASSEMBLYWOMAN JAFFEE: Just one --

11 CHAIRWOMAN WEINSTEIN: Assemblywoman
12 Jaffee.

13 ASSEMBLYWOMAN JAFFEE: Are there
14 enough young people going into the field of
15 teaching special education? Is that also
16 part of this issue?

17 MR. TREIBER: I think it's a
18 challenge.

19 I still firmly believe, though, that
20 if our schools had the ability in terms of
21 being able to pay more money, they would be a
22 very viable option. Because they offer very
23 small sites. They also offer teachers,
24 especially new teachers, an opportunity to

1 work with kids who the public schools
2 probably wouldn't let them work with right
3 away.

4 So for years our schools were a
5 training ground for teachers for public
6 schools, especially like in New York City
7 District 75, outside New York City BOCES
8 programs. I think what's happening now is
9 because those opportunities aren't available,
10 it's eventually going to hit the public
11 school system because there won't be these
12 experienced teachers coming, they've taken
13 them all from our schools. So who's left are
14 brand-new and inexperienced teachers.

15 ASSEMBLYWOMAN JAFFEE: Well, we need
16 to do something about that. Maybe I'll do
17 some work in our schools just to encourage
18 it. Or maybe I'll go back to teaching
19 special ed.

20 (Laughter.)

21 MR. TREIBER: Thank you so much.

22 ASSEMBLYWOMAN JAFFEE: No, but it is a
23 problem.

24 MR. TREIBER: Absolutely.

1 ASSEMBLYWOMAN JAFFEE: So I will see
2 if we can follow up. I'll get some people
3 together and do that.

4 MR. TREIBER: That would be wonderful.

5 ASSEMBLYWOMAN JAFFEE: We have to
6 encourage our youth to go into that field,
7 but we also have to encourage those who are
8 already educators in special education.
9 We've got to find out what the story is. So
10 I'm going to do some discussion.

11 MR. TREIBER: Yes, absolutely. I
12 mean, I think one of the avenues is you have
13 to look at the pipeline of who's there. We
14 have a lot of teacher assistants who many of
15 them may be interested if the opportunity was
16 available. If there was a way for them to
17 become teachers, that could be a new pool as
18 a resource.

19 ASSEMBLYWOMAN JAFFEE: Right. Thank
20 you.

21 CHAIRWOMAN WEINSTEIN: Thank you for
22 being here.

23 CHAIRWOMAN KRUEGER: Thank you.

24 CHAIRWOMAN WEINSTEIN: Cerebral Palsy

1 Association of New York, Barbara Crosier.

2 She left? Okay.

3 New York State League of Women Voters,
4 Marian Bott, education specialist.

5 Citizens Budget Commission left. They
6 had childcare responsibilities.

7 MS. BOTT: Hello, those of you who are
8 left.

9 CHAIRWOMAN WEINSTEIN: Thank you for
10 staying.

11 CHAIRWOMAN KRUEGER: Good evening.

12 MS. BOTT: Good evening. Thank you
13 all for staying. This is such a late hour.
14 I'm sort of used to it because I've been
15 doing this since 1999, staying late and
16 testifying. But it's nice to see so many
17 faces.

18 Obviously you have seen our testimony,
19 and you're not going to like the wonkiness of
20 some of what I have to say. But it needs to
21 be said.

22 And I'm sure you all know that the
23 League of Women Voters participated in a
24 very, very long haul over the last 15,

1 20 years to get some of these voting reforms
2 that have just passed. And so now we are
3 going to try to reembark on some of the
4 long-term structural changes that need to be
5 made in our education funding formula.

6 I think you mostly all know that the
7 league took a position when the STAR program
8 came out and we said, no, there's a better
9 way of doing this. We understand about
10 property tax relief and why it's so important
11 to not only our members but everyone in the
12 state. But now that we have a SALT tax
13 limitation of \$10,000 in our state, it's even
14 more important that we get property tax
15 relief right.

16 So we will reiterate this wonky
17 suggestion that all of you who were in the
18 Legislature five, 10, 15 years ago when you
19 were considering alternatives to STAR, you
20 look at something called the property tax
21 circuit breaker. We would implore you to
22 utilize the committee research that has been
23 done in the past about the property tax
24 circuit breaker and see whether you can take

1 a look at a fairer way of allocating to
2 families who are taxpayers on an individual
3 basis as opposed to these blanket allocations
4 of STAR, which have not been progressively
5 allocated in many cases. So that is point
6 one.

7 Point two is that there are some wonky
8 changes that could be made -- if you are
9 aggressive and bold in your new configuration
10 this year, you probably could get some
11 support for changing the State Sharing Ratio.
12 And if those of you who are still here don't
13 know what I'm talking about, that's okay, but
14 your staffs do know what I'm talking about.
15 The State Sharing Ratio is one of the main
16 drivers in the funding formula. And if you
17 are unhappy about what your school aid runs
18 say, look at your State Sharing Ratio.

19 There are districts, and I've outlined
20 three of them in my testimony -- there are
21 many more. The ones I've outlined are
22 Hempstead, Schenectady and Utica. They're
23 very-high-needs districts, and they are
24 curtailed in their aid because their State

1 Sharing Ratio has a ceiling.

2 Now, some may argue, well, every
3 district has to pay something. Well,
4 districts do pay something. But these are
5 districts that are having their aid curtailed
6 because of state sharing.

7 Last but not least, we heard a lot of
8 testimony today about poverty measures. And
9 I did communicate with State Ed and got a
10 chance to read the September 30, 2016,
11 Chapter 54 poverty measures report that they
12 put together. And all I can say about that
13 is that they tried really hard at that time
14 to come up with a better poverty measure than
15 the free and reduced-price lunch data. Those
16 data were troublesome because kids were not
17 filling out the forms, the parents weren't
18 filling out the forms, and this is continuing
19 to be a problem.

20 There's an interim measure that you
21 could take, and that is right now the way
22 funding is allocated, until we have a new
23 census -- and let's hope we have a good
24 one -- until we have the 2020 census and do a

1 good job, as we hope we will, of counting
2 better -- we're still relying on 2000 Census
3 information. Census data from 2000 is
4 blended with FRPL data -- 0.65 for FRPL and
5 0.65 for census. The two measures are
6 completely different. FRPL is a higher level
7 of income, 185 percent of poverty, whereas
8 census poverty nationwide for a family of
9 four is \$25,100.

10 I think we should give more weighting
11 to the lower poverty measure. I'm not going
12 to say that the league has a particular
13 formula, but 0.65 for one and 0.65 for the
14 other was put in a long time ago when we had
15 current census data, and that's no longer the
16 case.

17 So I know that's my five minutes, but
18 thank you for hearing me.

19 CHAIRWOMAN WEINSTEIN: Senator Jackson
20 has a question.

21 SENATOR JACKSON: First, Marian, let
22 me thank you, on behalf of the children and
23 people of New York, for your advocacy on
24 behalf of the League of Women Voters.

1 MS. BOTT: I didn't wear my t-shirt
2 tonight, Robert.

3 SENATOR JACKSON: Yeah, I know.
4 Marian and I in 2003 walked 150 miles from
5 New York for Albany in the Campaign for
6 Fiscal Equity. And she has been very --
7 extremely active overall in advocating for
8 the people of New York State.

9 So I do personally want to thank you
10 for your advocacy and support that you always
11 give, for the years and years that you have
12 worked on behalf of the League of Women
13 Voters and the children and people of
14 New York State.

15 MS. BOTT: And it's great to finally
16 see you here.

17 SENATOR JACKSON: Thank you.

18 SENATOR KRUEGER: Senator Shelley
19 Mayer.

20 SENATOR MAYER: Marian, I just want to
21 add that it's very, very helpful to have what
22 you call the -- however you refer to it, your
23 level of wonkiness, wonkiness is much
24 appreciated. We are in a wonky field, and we

1 do appreciate that you're willing to get down
2 in the weeds of the legislation and how these
3 things are counted, because that is what is
4 frankly damaging some of our districts and
5 not accurately reflecting the needs of our
6 students.

7 So your expertise and your insights
8 will be very helpful. And I would only
9 encourage that league chapters throughout the
10 state become as knowledgeable and informed
11 and activist as you have and not reserve it
12 just for those that are in Albany.

13 MS. BOTT: Now that we have election
14 reform under our belt, maybe we'll have a
15 little more airtime for educating ourselves
16 on education.

17 SENATOR MAYER: Thank you.

18 SENATOR KRUEGER: Thank you.

19 Senator John Liu.

20 SENATOR LIU: Madam Chair, I move that
21 we reorder our hearing witnesses by level of
22 wonkiness.

23 (Laughter.)

24 SENATOR LIU: With the higher order of

1 wonkiness going first.

2 SENATOR KRUEGER: Hold one sec. okay.

3 I'm sorry, Marian, yes, also thank you for
4 your continued commitment to educating us
5 all.

6 So one question. So you were here,
7 you heard everyone. So specifically all the
8 people talking about the problems with the
9 rural schools and the small school districts.
10 Would increasing the cap in the State Sharing
11 Ratio help address their problem?

12 MS. BOTT: Some of them, yes.
13 Absolutely. If they have the characteristics
14 of low wealth, low property, when they get
15 down to 0.3 of combined wealth ratio,
16 absolutely.

17 SENATOR KRUEGER: And you know I agree
18 with you --

19 MS. BOTT: Poverty is poverty. It
20 doesn't matter where it is.

21 And so with my suggestion about the
22 reweighting, by the way. Although FRPL would
23 marginally continue to advantage a
24 very-low-cost area because 185 percent of

1 poverty goes a lot farther in a rural area.

2 SENATOR KRUEGER: Right. Thank you.

3 And yes, I have that old tax circuit
4 breaker bill of mine that might be worth
5 revisiting again. So thank you. Thank you
6 for staying all day.

7 MS. BOTT: You're welcome.

8 CHAIRWOMAN WEINSTEIN: Thank you for
9 being here.

10 Next, Asher Lovy, director of
11 community organizing, ZAAKAH.

12 (Discussion off the record.)

13 MR. LOVY: I'd like to thank everybody
14 here who stuck around. I've been to hearings
15 in previous years, and they weren't so well
16 attended at the end. So I very, very much
17 appreciate everybody up here still listening.

18 CHAIRWOMAN WEINSTEIN: Thank you.

19 MR. LOVY: My name is Asher Lovy, and
20 I'm the director of community organizing for
21 ZAAKAH, an organization dedicated to
22 advocating for survivors of child sexual
23 abuse in the Orthodox Jewish community. And
24 I myself am a survivor of child sexual abuse.

1 When the Legislature passed the Child
2 Victims Act last week granting sexual abuse
3 survivors justice they'd been denied for
4 13 years, that was fantastic. It was an
5 amazing and empowering moment.

6 But our work is not done yet. The
7 Child Victims Act only provides remedy for
8 sexual abuse already committed, but doesn't
9 cover the much-needed preventative measures
10 we as a state must start considering. When
11 one in four girls and one in six boys are
12 sexually abused by the age of 18, according
13 to the CDC, we must start being more
14 proactive about preventing sexual abuse
15 rather than just reactive when it comes to
16 child sexual abuse prevention.

17 If it can be said that it takes a
18 village to raise a child, and that it takes a
19 village to abuse one, it takes a state united
20 to correct the problem. This proposal, the
21 testimony that I submitted, would help create
22 a statewide community of people united in
23 their commitment to preventing child sexual
24 abuse from happening in the first place and

1 correctly handling and reporting incidents of
2 abuse when and if they happen.

3 Right now we have no mandate in
4 New York State that children receive any kind
5 of abuse prevention education. The last
6 mandate for any kind of child safety
7 education was passed in 1994, which added
8 Section 803a to Title I, Article 17 of the
9 Education Law, which mandated
10 abduction-preventing education in public
11 schools. And what that entailed was
12 something along the lines of "stranger
13 danger," which is no longer considered
14 accurate or helpful.

15 In 1994 I was three years old. I was
16 abused for as long as I can remember until
17 the age of 23, some of it involving sexual
18 abuse until I was around 12. It wasn't until
19 approximately 20 years old that I even had
20 the vocabulary to describe what had happened
21 to me. No one had ever told me that I had a
22 right to body autonomy or that I had a right
23 to assert it against anyone who made me feel
24 unsafe. Had I received that education, it's

1 quite possible that I'd have realized what
2 was happening to me earlier, and I might have
3 disclosed sooner.

4 But it's even worse. Children in
5 New York State are lacking even basic
6 education about their bodies, and not just in
7 insular religious communities.

8 A psychologist I've worked with for
9 years on abuse prevention education once told
10 me a story about a girl who came home one day
11 crying, telling her mother that the bus
12 driver had touched her cookie. Her mother,
13 thinking that the bus driver had taken her
14 snack, gave her another cookie the next day.
15 And this kept on happening until one day the
16 child refused to get on the bus, throwing a
17 tantrum and refusing to get on the bus and
18 crying and kicking and screaming.

19 The mother took her child to a
20 psychologist, to the psychologist I'm friends
21 with, to ask him to evaluate her daughter and
22 find out what the problem was. And it turned
23 out that what was happening was the bus
24 driver had been touching her vagina and had

1 been assaulting her every day that she got on
2 the bus.

3 And what's unusual about this case,
4 and what's particularly tragic about this
5 example is that, on average, it takes victims
6 of child sexual abuse well into their forties
7 to disclose to anybody, let alone law
8 enforcement. And this girl, who was under 10
9 years old at the time, was trying desperately
10 to disclose, and she did not have the
11 vocabulary to describe her own body parts and
12 what was -- and how they were being violated.

13 That's why we must mandate
14 age-appropriate child sexual abuse
15 prevention, education in all schools, public
16 and nonpublic, for grades K through 8. This
17 education must include education about safe
18 and unsafe touch, safe and unsafe strangers,
19 body autonomy and the right to assert it in
20 any situation in which the child feels unsafe
21 or uncomfortable -- and that includes
22 family -- and an interactive module which
23 allows children to choose five trusted adults
24 that they know they can turn to if they feel

1 unsafe or if they've in any way been abused.

2 Furthermore, as part of this
3 curriculum, there must be parallel materials
4 provided for parents so that they can
5 understand how their children are being
6 educated so that they can continue the
7 conversation about abuse prevention in the
8 home. They must also be provided materials
9 that can help them identify red flags
10 indicating that their child may have been
11 abused, how to handle a disclosure from their
12 child, and a list of procedures and resources
13 for handling a report to law enforcement.

14 Finally, we must mandate training for
15 all teachers so they understand proper
16 procedures for interacting with students, how
17 to identify red flags indicating possible
18 abuse, how to handle a disclosure from a
19 child, and proper procedures for reporting
20 abuse to the authorities.

21 While this may be seen as an unfunded
22 mandate, we have precedent for much of this
23 from other states which have mandated abuse
24 prevention education in public schools.

1 Illinois, for example, which was one of the
2 first states in the country to do this,
3 partnered with several nonprofits to provide
4 curricular materials and even instructors to
5 facilitate compliance with this mandate.

6 There are similar nonprofits available
7 in New York which would be happy to make the
8 resources and materials available to public
9 and private schools in New York State.

10 Furthermore, while there may be a need
11 for some grant funding to assist schools in
12 compliance with this mandate, any money we
13 spend on this program would be recouped in
14 spades. Sexual abuse devastates its victims,
15 many of whom suffer from severe depression,
16 eating disorders, self-harm, suicidal
17 ideation, and PTSD.

18 I acknowledge the time. I ask for one
19 more minute, please.

20 CHAIRWOMAN WEINSTEIN: Sure.

21 MR. LOVY: Many of these victims,
22 because they are so debilitated by the
23 affects of the abuse they suffered, are
24 unable to enter the full-time workforce, and

1 as such rely on public assistance for their
2 basic needs and medical and mental health
3 treatment.

4 Over a lifetime, it costs an estimated
5 \$300,000 to \$1 million to treat the effects
6 of child sexual abuse. That doesn't mean
7 that victims necessarily get the resources
8 that they need, but that's what it costs.
9 And many victims have no choice but to claim
10 those costs from programs like Medicaid.

11 Therefore, any money we put into abuse
12 prevention will be recouped in spades, and
13 the costs are, in the first place, expected
14 to be minimal. And what this would mean is
15 that fewer children would be sexually abused
16 in New York. That would mean that more
17 children would be able to enter the full-time
18 workforce after they graduate from high
19 school or college, there would be fewer
20 people suffering from depression and PTSD and
21 all those other disorders, and fewer children
22 who would later, as adults, have to claim
23 help from Medicaid.

24 By implementing these policies, we can

1 usher in a new era of child safety and
2 protection in New York State where everyone,
3 children, parents and teachers, is educated
4 about and committed to the prevention of
5 sexual abuse, drastically reducing the rate
6 of child sexual abuse in the state, and we
7 can serve as a model for states across the
8 country of what a commitment to child safety
9 and protection education looks like.

10 Thank you. I'm happy to take any
11 questions.

12 CHAIRWOMAN WEINSTEIN: Thank you.

13 Our Education chair, Mike Benedetto.

14 ASSEMBLYMAN BENEDETTO: Mr. Lovy, I
15 want to thank you very much for waiting
16 around here. I know you've been around here
17 all day long waiting to give us testimony.
18 But it's compelling testimony.

19 MR. LOVY: Thank you.

20 ASSEMBLYMAN BENEDETTO: And I feel for
21 you, for all victims.

22 I promise you I will make sure the
23 people across the street in the State
24 Education Department hear your testimony and

1 take a serious look at what we can do with
2 this, either for them to promulgate some
3 curriculum or for us to legislate.

4 Thank you very much.

5 MR. LOVY: Thank you so much. And
6 I've done plenty of research on this. I'm
7 more than happy to make myself available as
8 you need.

9 ASSEMBLYMAN BENEDETTO: Thank you.

10 CHAIRWOMAN WEINSTEIN: Thank you.

11 SENATOR KRUEGER: Thank you.

12 Senator John Liu.

13 SENATOR LIU: Yes, I echo
14 Assemblymember Benedetto's comments. Thank
15 you for your testimony. It was very powerful
16 and compelling.

17 I do have a question. I mean, I take
18 your point very seriously that we just passed
19 the Child Victims Act that looks in the past,
20 but it doesn't seem like we put any
21 safeguards going into the future.

22 And in your testimony you said there
23 is no safeguard. And my question to you is,
24 you know, it's easy to say -- it's easy to

1 substantiate that someone does not know of
2 any safeguards, but to say there are no
3 safeguards -- I mean, how can you be sure
4 that there are no regulations, no curricula
5 that are available out there somewhere in the
6 State of New York?

7 MR. LOVY: So the issue isn't whether
8 they're available, they're -- I should
9 clarify that statement. I was referring
10 specifically to educational mandates about
11 abuse prevention. As far as I know, the last
12 one was in 1994.

13 As far as available resources, there
14 are certainly available resources. And there
15 are definitely schools, both public and
16 nonpublic, that make those resources
17 available to children. But I can tell you
18 from my personal experience running ZAAKAH
19 and from interacting with organizations that
20 provide that kind of abuse prevention
21 education, there is a very significant lack
22 of that education in schools because there is
23 no mandate.

24 And particularly in the community that

1 I advocate for, the Orthodox Jewish
2 community, I know that there is a lack of
3 even basic information about children's
4 bodies.

5 I partnered with an organization to
6 develop a curriculum specifically designed
7 for the Orthodox Jewish community to take
8 into account those cultural sensitivities.
9 And what ended up happening was when those
10 organizations would try to approach a school
11 and pitch their curriculum, the school would
12 selectively edit out the parts that were most
13 relevant that the children had to know,
14 because they felt either that they were
15 inappropriate because they used explicit
16 terms for children's body parts or because
17 they advocated direct reporting to the
18 authorities.

19 This is a problem of particular
20 concern in my community where rabbinical
21 organizations like Agudath Israel, like other
22 very large Orthodox and rabbinic umbrella
23 organizations have mandates that if you're in
24 the community, you have to ask a rabbi for

1 permission before going to police.

2 But I know that this is not limited to
3 my community or to -- like I said, it's not
4 limited to insular religious communities.
5 Until we have a mandate, we aren't going to
6 have a uniform system for educating children
7 about this. And we aren't going to have a
8 community built in New York that's wholly
9 dedicated, from the children to the teachers,
10 to protecting them and ensuring that any
11 abuse is reported properly.

12 SENATOR LIU: Thank you, Asher. Thank
13 you very much.

14 SENATOR KRUEGER: Senator Jackson.

15 SENATOR JACKSON: I wanted to thank
16 you for coming in and giving testimony about
17 yourself and what's occurred to you and your
18 advocacy on behalf of everybody to be aware
19 and what to do and put in place law, rules
20 and regulations to protect people.

21 So you should be proud of what you're
22 doing, because I am proud of you and what
23 you're doing on behalf of everyone, not only
24 in the Orthodox Jewish community but all

1 communities. It doesn't matter what your
2 religion or race or income, it doesn't
3 matter. I thank you.

4 MR. LOVY: Thank you so much.

5 SENATOR JACKSON: Thank you again.

6 SENATOR KRUEGER: Hi. I also want to
7 thank you for your testimony.

8 Yet just because it took us 13 years
9 to get one bill done doesn't mean that we're
10 not going to keep focusing. And I would
11 argue that exactly what you're proposing is
12 needed ties directly into the importance of
13 our having age-appropriate sex education for
14 everyone as well in our schools. Because
15 you're exactly right, that if children don't
16 even know or understand the terminology of
17 what's happening and that they have the right
18 to say no and that there's supposed to be
19 bodily autonomy, then not only can they be
20 far more easily victimized but they can also
21 walk themselves into all kinds of dangers
22 that we can help educate them to hopefully
23 avoid.

24 So thank you for your commitment and

1 dedication to this.

2 MR. LOVY: Thank you so much.

3 CHAIRWOMAN WEINSTEIN: Thank you. And
4 I share my colleagues' concerns and comments
5 and appreciation for your being here tonight.

6 MR. LOVY: And yeah, I'm happy to make
7 myself available to anyone on the committee.

8 CHAIRWOMAN KRUEGER: Thank you.

9 CHAIRWOMAN WEINSTEIN: Thank you.

10 Our next speaker, and I think the
11 last, unless somebody snuck in or returned,
12 from YAFFED, Naftuli Moster, executive
13 director.

14 MR. MOSTER: Good evening, committee
15 members. And thank you for giving me the
16 opportunity to offer testimony tonight.

17 I'm the founder and executive director
18 of YAFFED, Young Advocates for Fair
19 Education, an organization that's working to
20 improve secular education in ultra-Orthodox
21 and Hasidic yeshivas.

22 I'm about to share with you the most
23 stunning piece of data you've heard all day.
24 The percentage of Hasidic male adolescents in

1 New York graduating with a high school
2 diploma is almost zero. In fact,
3 approximately 90 percent of Hasidic boys ages
4 13 and up receive no secular education at
5 all. And that includes basic English,
6 reading and writing and arithmetic, let alone
7 any science or social studies.

8 Until the age of 13, Hasidic boys are
9 lucky if they receive a measly 90 minutes of
10 secular instruction. And even then, it only
11 includes basic English and arithmetic. This
12 is in blatant violation of New York State law
13 requiring nonpublic schools to provide an
14 education that is at least substantially
15 equivalent to that of public schools.

16 Most graduates of these yeshivas
17 aren't prepared even for minimum-wage jobs,
18 nor are they prepared to pursue higher
19 education. In fact, most Hasidic yeshiva
20 graduates have never heard the words
21 "semester," "credit" or "GPA."

22 The majority of Hasidic families are
23 forced to rely on government assistance.
24 New Square and Kiryas Joel, two entirely

1 Hasidic villages, are the poorest in the
2 entire country.

3 I have to respond to some of the
4 testimony by the representative from
5 Agudath Israel. No one has argued that all
6 schools who have the word "yeshiva" in them
7 deprive their students of an education. And
8 Rabbi Silber's use of high-performing modern
9 Orthodox schools to cover for the mostly
10 Hasidic boys schools where this severe form
11 of educational neglect is taking place is
12 unacceptable, and for once he needs to be
13 called out for it. And I thank some of you
14 who have.

15 To the contrary, we point to those
16 schools, to those yeshivas that manage to
17 provide both a solid religious education and
18 a secular education as proof that you can
19 achieve both. You don't need to teach Judaic
20 studies at the expense of or the exclusion of
21 secular studies.

22 In its revised guidelines, the state
23 is requiring yeshivas to teach 3.5 hours of
24 secular studies and allows them to teach as

1 much religious studies as they want beyond
2 that. Yet Agudath Israel has openly stated
3 that this is too much to ask of them.

4 We believe the state did not go far
5 enough and that there are several loopholes
6 left that would allow the bad apples to
7 continue getting away with denying children
8 an education. For instance, the length of
9 time NYSED has given for schools to come into
10 compliance is far too long. It also doesn't
11 allow empower local districts to do
12 unannounced inspections, which we think is
13 absolutely necessary, because many yeshiva
14 graduates have said that the yeshivas cheat
15 when they are given advance notice of an
16 upcoming inspection.

17 We implore the State Legislature to
18 empower the State Education Department and
19 local districts to once and for all address
20 this educational neglect. As Senator Krueger
21 correctly stated, the fact that substantial
22 equivalency hasn't been enforced for many
23 decades is no excuse to continue doing so.
24 It only adds to the urgency of fixing this

1 problem once and for all.

2 Thank you all.

3 CHAIRWOMAN WEINSTEIN: Senator Shelley
4 Mayer.

5 SENATOR MAYER: Thank you very much
6 for being here. Thank you for our own
7 meeting about the real experience of an
8 education that had absolutely no secular
9 component and left so many students,
10 particularly males in those particular
11 yeshivas, with zero education and zero
12 possibility for jobs.

13 I think it's important, as we look
14 forward -- you are looking for legislative
15 solutions to, I believe -- correct me if I'm
16 wrong -- to authorize the commissioner, to
17 really empower her to act on her policy
18 recommendations. Am I right about that?

19 MR. MOSTER: Well, we think the Felder
20 amendment is unconstitutional. And by the
21 way, Agudath Israel took credit for putting
22 Senator Simcha Felder up to it, which sought
23 to undermine the forthcoming guidelines which
24 have since come out.

1 We think that should be repealed.
2 It's unconstitutional. And it presents
3 certain obstacles to NYSED in terms of the
4 interpretation. Now NYSED has to take into
5 consideration religious studies as part of
6 their overall evaluation. And it also adds
7 an extra layer of the review that they need
8 to do specifically for yeshivas -- as even
9 the Catholic school representative
10 acknowledged, they're not given that
11 opportunity.

12 So we do think that that would be step
13 number one. But step number two would be to,
14 as you said, strengthen the law even from the
15 way it used to be, because it was relatively
16 vague. It just said it has to be
17 substantially equivalent to nonpublic
18 schools.

19 That being said, the previous law, or
20 the way it was before the Felder amendment,
21 coupled with the new NYSED guidelines, are
22 very strong. And we could definitely live
23 with that. But it always helps to continue
24 empowering the state. As I mentioned, there

1 are a few problems with the new guidelines
2 that in our opinion don't go far enough.

3 For instance, the timeline, the fact
4 that some districts can take up to three
5 years even to inspect all the schools for the
6 first time, and from then they only inspect
7 them once every five years. The inspections
8 are announced. We know for a fact that
9 yeshivas put up a show -- some yeshivas put
10 up a show on the days that the inspectors
11 come. So there are some loopholes.

12 But at the very least, we do hope the
13 Legislature would empower the State Education
14 Department and the commissioner, the Board of
15 Regents, to keep going in this direction of
16 enforcing substantial equivalency.

17 SENATOR MAYER: Would you oppose the
18 commissioner and SED having the direct power
19 to go into the schools, as opposed to the
20 local school board?

21 MR. MOSTER: If they are funded to do
22 so, then it may not be a problem. Off the
23 top of my head, at the moment they absolutely
24 do not have the capacity to oversee all 1800

1 nonpublic schools.

2 SENATOR MAYER: Okay. Thank you.

3 CHAIRWOMAN WEINSTEIN: Assemblywoman
4 Jaffee.

5 ASSEMBLYWOMAN JAFFEE: Naftuli, thank
6 you for joining us today and sharing the
7 information.

8 I wanted also to have the sense -- and
9 I've asked this question before -- of you
10 reaching out to other youth and young adults
11 in the community and getting a response in
12 terms of seeing if there could be a revision
13 in terms of the way the schools are
14 functioning.

15 And the second is that you've had a
16 conversation with the commissioner. And how
17 did that evolve?

18 MR. MOSTER: As far as youth in the
19 community, many yeshiva graduates as well as
20 parents of current children are very
21 interested in seeing the yeshiva education
22 improving. The fact that we're not hearing
23 their voices is only because, unlike what
24 Rabbi Silber said, there is no choice,

1 really.

2 In those communities people are born
3 and raised in communities and sects of
4 communities where this is all they know. And
5 a lot depends on complying, on toeing the
6 line. That includes jobs, it includes -- and
7 in some cases there's been violence against
8 people who have chosen to deviate. As you
9 may know, I've been threatened violence
10 plenty because of the work I do.

11 So it's not an easy thing to speak up.
12 But privately, they do. As Senator Mayer
13 knows, I brought one, a parent, to her to
14 hear directly. This is not -- those are not
15 the people who can come up here in Albany,
16 because in this community you've got to do it
17 through your representatives.

18 As far as speaking with the
19 commissioner, I've met with Christina
20 Coughlin from SORIS, the State Office for
21 Religious and Independent schools. I'm
22 impressed with their determination to be
23 serious about these guidelines. But even
24 they acknowledge certain limitations in terms

1 of their capacity to see it through.

2 And they themselves realize that once
3 they determine that a school is not compliant
4 with the state standards, they may have to
5 give them too much time to come into
6 compliance. You know, that could take more
7 than a year. That's a problem, because all
8 throughout this time they can continue
9 getting government funding without even
10 essentially being a school. If they're not
11 providing even 90 minutes of secular
12 education, can you even call that a school?
13 So I find that problematic.

14 But the state said that there are
15 going to be benchmarks throughout this
16 timeline. So if they don't meet the initial
17 benchmarks, then already they could be
18 determined noncompliant. So that's a step in
19 the right direction, if you will.

20 SENATOR KRUEGER: Senator Robert
21 Jackson.

22 SENATOR JACKSON: Naftuli, let me
23 thank you for advocating like you've been.
24 I've seen you and heard you in New York City.

1 And considering the fact that the City of New
2 York had three years and didn't do much at
3 all -- and if I wasn't in here, I would say
4 something else to really express myself as to
5 they did nothing, in my opinion.

6 But you're keeping at it. And you
7 have a lot of support out there within the
8 Orthodox Jewish community that may not speak
9 out, but also from legislators also. I for
10 one support the fact that if in fact yeshivas
11 are not following the law and rules and
12 regulations, then they should not take the
13 funds if they're not going to live up to it.

14 And if in fact the Department of
15 Education, New York City and/or state, find
16 out that they're falsifying documentation,
17 the funding should be stopped immediately, in
18 my opinion, because they're lying and
19 cheating. And that doesn't matter whether
20 it's an Orthodox community or a Catholic
21 school or any other school. If they're
22 falsifying documentation and not telling the
23 truth, then there needs to be consequences.

24 MR. MOSTER: Agreed. That's actually

1 another loophole we're concerned that --
2 let's say if the state determines that a
3 school has been noncompliant and essentially
4 begins cutting funding and instructs them to
5 transfer their students elsewhere, we're
6 concerned that the school is going to shut
7 down and reopen in the same building -- same
8 staff, same people. And we would like for
9 the commissioner to make it clear that no, if
10 you've been involved in a school that hasn't
11 been compliant despite several attempts, that
12 people who are involved in running the school
13 can't just open up another school under a
14 different name.

15 SENATOR JACKSON: Thank you.

16 MR. MOSTER: Thank you, Senator.

17 SENATOR KRUEGER: Hi. Thank you
18 again. I'm sorry the hour is so late.

19 So you referenced that this is not a
20 problem for all yeshivas, but you also
21 referenced the Agudath Israel testimony. And
22 I was shocked by a statistic when I read
23 their testimony, so I just want to offer it
24 to you to help me understand.

1 They say that based on data of passing
2 of Regents exams that Jewish schools
3 outperformed across every category of Jewish
4 schools tested, quote, in ultra-Orthodox
5 schools, 80 percent passed the Regents. In
6 Hasidic schools, 80.7 percent passed the
7 Regents.

8 That doesn't seem to jibe with your
9 data.

10 MR. MOSTER: No, they did some magic
11 to get this number out of a bag. It doesn't
12 exist. It doesn't exist. In fact, in nearly
13 all Hasidic boys schools, there are no
14 Regents. They don't exist. They don't even
15 learn English. They don't learn math. They
16 literally spend 12 to 14 hours a day studying
17 Judaic studies. That is the Torah, the
18 Talmud, halakha, and all of it is in Yiddish.
19 On average, I mean, most Hasidic men
20 graduating -- leaving yeshiva, we can't say
21 graduating -- but coming out of yeshiva
22 literally cannot communicate effectively in
23 the English language.

24 From a sample of five specific Hasidic

1 schools, mostly girls schools, from there you
2 could say, oh, yeah, they're performing
3 better.

4 And it should be noted that within the
5 Hasidic system, the girls tend to get a
6 better education because they can't grow up
7 to be rabbis. Right? The boys, on the other
8 hand, that's all they're being groomed to do.
9 So this is why the girls do get a better
10 education. In fact, they're not even allowed
11 to study Talmud in Orthodox Judaism, which is
12 what boys spend literally the entire day -- I
13 should mention Agudath Israel isn't denying
14 this. They're not saying that Hasidic boys
15 high schools teach any secular studies. Ask
16 them point-blank. They haven't said any
17 differently.

18 They're just -- the latest thing
19 they're trying to do is to spin that Judaic
20 studies contain secular studies. It doesn't.
21 So, you know, whichever way you put it,
22 there's no secular studies content in the
23 Judaic studies. So -- but I honestly don't
24 know where they've got them, those grades

1 from.

2 SENATOR KRUEGER: Well, my colleague
3 just suggested that I wasn't reading the
4 sentences right and that perhaps it was of
5 only those schools that did Regents.

6 So if you're describing that the vast
7 majority don't take Regents exams, therefore
8 they wouldn't be in an analysis of Regents
9 findings.

10 MR. MOSTER: Right. Yes. Correct.
11 And that's -- there's another issue,
12 shortcoming of the law. It doesn't require
13 nonpublic schools to offer the Regents, it
14 doesn't require annual testing. They get
15 funding, so some of them administer it.

16 Even when it comes to teachers, it
17 only requires competent teachers, not
18 certified teachers. So oftentimes yeshiva
19 graduates who themselves didn't get a proper
20 education then teach the next generation of
21 yeshiva students. And there's a big joke
22 that oftentimes they have to ask their wives,
23 you know, what a word means or how to say
24 certain things, or a math equation, because

1 the next day they have to teach it to their
2 students.

3 SENATOR KRUEGER: My time is up.
4 Thank you very much.

5 MR. MOSTER: Thank you.

6 CHAIRWOMAN WEINSTEIN: Thank you for
7 being here to the bitter end with us.

8 MR. MOSTER: My pleasure.

9 CHAIRWOMAN WEINSTEIN: Thank you.

10 CHAIRWOMAN KRUEGER: Thank you.

11 MR. MOSTER: Thank you.

12 CHAIRWOMAN WEINSTEIN: This concludes
13 the Education hearing. It's 9:15. Just over
14 12 hours from now, at 9:30 in the morning, we
15 will be having the Mental Health hearing,
16 perhaps an appropriate end to this week.

17 (Laughter.)

18 (Whereupon, the budget hearing concluded
19 at 9:13 p.m.)

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