



**TESTIMONY OF
THE UNITED FEDERATION OF TEACHERS
PRESIDENT MICHAEL MULGREW**

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

REGARDING THE PROPOSED FY21 EXECUTIVE BUDGET

FEBRUARY 11, 2020

Good morning. My name is Michael Mulgrew, and I am the President of the United Federation of Teachers (UFT). I want to thank both the Senate and the Assembly for this opportunity to discuss the proposed Executive Budget and share our perspective on several key initiatives. Joining me today is Cassie Prugh, Assistant to the President and Political Director of the UFT; Andy Pallotta, President of the New York State United Teachers (NYSUT), and NYSUT's Director of Legislation, Alithia Rodriguez-Rolon.

On behalf of my members, I want to recognize Majority Leader Andrea Stewart-Cousins and Speaker Carl Heastie for their strong leadership. I also want to recognize the support, guidance and commitment of their colleagues Education Chairs Shelley Mayer and Michael Benedetto, Finance Chair Liz Kreuger, and Ways & Means Chair Helene Weinstein. We are looking forward to partnering with all of you in the months ahead.

Thanks to the work of this Legislature we have made some critical investments in our public schools and my hope is that through our continued collaboration we can meet the challenges our public schools face this year.

Safeguard Public Education

Washington D.C.'s continued onslaught on basic human rights leaves New York State with little choice but to protect our residents at the state level, and we applaud you for taking up that challenge in 2019. During the most progressive legislative session in decades you

improved voting rights; enacted the Reproductive Health Act to secure a woman's right to choose; and expanded access to an affordable college education for undocumented students by passing the Jose Peralta New York State DREAM Act.

Now the UFT is looking for the same kind of leadership to safeguard our public education. The reality is that at the federal level, the administration continues to champion school-choice policies, like the Education Freedom Scholarship Program, that seek to promote private and charter school options over traditional public schools.

At the State level, we face a \$6.1 billion budget deficit that, if not resolved, will derail our State's and local communities' ability to adequately invest in our public schools.

The proposed state budget outlines a dangerous cost shift of Medicaid expenses from Albany onto our communities. This is on top of other cuts and cost shifts for services that have traditionally been the state's responsibility.

In New York City's case, the Medicaid shift alone could mean an additional \$1.1 billion in costs that city residents and taxpayers would have to bear.

The UFT, NYSUT, DC37, CWA and other labor unions have joined with elected officials such as yourselves to say we are not playing this latest version of the Albany budget game. We stand strong with our citywide and legislative elected officials and our social services allies in saying no caps, no cuts and no more cost shifting.

We don't accept the premise that Albany can balance its budget shortfalls on the backs of our children, sick, elderly and struggling families. Not in New York City nor anywhere else across the state.

There are other remedies to deal with both the deficit and the need to re-engineer Medicaid costs other than shifting those burdens onto local communities. These costs shifts would mean gutting vital services to New York City students and the elderly, as well as to poor, working- and middle-class families.

And at the local level, New York City public schools already struggle to support a growing population of high-need students, whether English language learners (ELLs) or the sobering increase of homeless students.

While these challenges may seem insurmountable, I know that through our collective action we will be able to come up with appropriate solutions; and as a partner, I am here to offer solutions for us to consider.

Fund Schools Based on Need

Let us first consider the needs of the approximately 1.1 million students enrolled in the New York City public school system. The number of students with special needs increased

by 63% between the 2008-2009 and 2018-2019 school year; similarly, the number of ELLs increased by 24% during the same school years. Meanwhile, the number of homeless students has increased by 70% in the last decade; it was estimated that 1 in 10 students in New York City was classified as homeless during the 2018-2019 school year, that's close to 114,000 homeless students.

We are failing to meet the ever-increasing demands of our students. A NYC Department of Education (DOE) report from November 2019 estimated that in 2018-2019 school year 29,000 students with special needs went without receiving 100% of the mandated services they are legally entitled to receive. Classrooms capped at 32 students intended to serve as integrated spaces for ELLs are comprised of 32 ELLs across the different classifications due a specialist shortage, virtually making the intent of being in an integrated classroom null and void. And our inability to properly serve our homeless student population is evident by the lack of access our students have to school social workers, school psychologists, and other mental health professionals who can help address the unique needs of this vulnerable population.

The fact of the matter is that our investment in our public-school students cannot fall behind. During the fall of 2019, the legislature hosted a series of roundtables around the state to discuss potential changes and revisions to the foundation aid formula we should consider. Given that this formula serves as the main source of state-level funding for our New York City public school students, particularly our most vulnerable populations, I wanted to make our message from the UFT loud and clear: there is no need to consider significant changes to the foundation aid formula until we fund it with fidelity.

To that end, we are calling for a statewide \$2.1 billion increase in school aid this year with a commitment from the Legislature and the Executive to fully fund foundation aid over the course of the next three years. This year alone, NYC DOE estimated that NYC public school students were owed \$1.1 billion in funding from the Campaign for Fiscal Equity case. It is time for the State to meet its obligations. While we welcome smaller tweaks to the foundation aid formula, such as adding a weight for homeless students or increasing the weight for students with special needs and English language learners, no significant changes should be considered until the formula is fully funded.

Generate Revenue

I understand that our State's fiscal reality has been painted as grim because we have a budget deficit that needs to be addressed; however, it cannot be done on the backs of our public-school students. As we call for a \$2.1 billion increase in school aid this year, I am also proposing the Legislature include several revenue-generating provisions into this year's budget to meet this obligation.

A poll conducted by Hart Research indicates that there is broad support across the state for revenue generating proposals as oppose to financial cuts to our social services including funding for our public schools. In fact, 92% of people surveyed agreed that we should

increase taxes on the wealthiest New Yorkers. We need to begin this year's budget process acknowledging that we will not allow anymore caps, cuts, or cost shifts.

We should continue and expand the millionaire's tax, which has protected vital community services by generating more than \$4.4 billion annually. The state has 73% more millionaires today than when the idea was adopted in 2009. New York could generate an additional \$2.2 billion by increasing the top rate of this tax for those who make \$5 million to \$100 million a year.

We should also implement a new billionaire wealth tax. New York City is still home to more billionaires than any other city in the country, with 112 billionaires sitting on \$525 billion in personal wealth. A 2% wealth tax could generate upwards of \$10 billion annually in new revenue for the State.¹

Instead of asking the wealthiest to help fund the public services we deserve, the state budget has been kept on a starvation diet since the last recession due to the self-imposed 2% spending cap. We need to lift this artificial cap to help New Yorker who struggle to pay rent, feed their families, and educate their children.

Hold Charter Schools Accountable

While our current federal administration is doing everything in its power to promote the growth of charter schools, evidenced by the President Trump's State of the Union address just last week, in New York the Governor recently presented an Executive Budget that seeks to break the cap on the number of charter schools permitted to open in New York City by reviving 18 so-called "zombie charters" and his budget also provides increases in funding for charter school students that are disproportionately higher than the proposed increases in school aid funding for traditional public-school students.

We must keep the charter school cap in place and avoid bringing back "zombie charters." The truth is that a loophole in our education law allows for a single charter issued by the state to operate three schools. A charter, for example, may be initially granted to serve grades k-5, otherwise known as an elementary school, but in the future may apply for a charter revision to add on subsequent grades up until grade 12. There are some charters that operate pre-k through grade 12, meaning they run an elementary, middle, and high school. The existing loophole already allows for many charters to grow, there is no need to statutorily increase the cap.

Instead our focus needs to be on making sure charter schools agree to a basic level of accountability for how they treat all students and how they use tax dollars. For the 2018-19 school year NYC charters as a group enrolled half the citywide average of ELLs, significantly fewer students with disabilities – particularly those with the most challenging needs – and fewer students from the poorest families. A closer look at student attrition in all K-8th-

¹ Figures obtained from www.makebillionairespay.info

Grade NYC charter schools from the 2010-11 to 2018-19 school years shows that the 25% most academically successful charter schools had a loss of 26% of the students who started in the 2010 cohort. Additionally, state data from 2016 shows that charters as a group suspended students far more frequently than public schools, and that the 25% most academically successful charter schools – with a suspension rate of more than 8% – lead the way.

Even though the data shows that charter schools continue to cream students, the Executive Budget includes proposals that seek to provide NYC charter schools disproportionately higher increases in school funding than traditional public schools.

On charter school tuition, the Executive budget proposes a 5.3% increase in NYC charter school per pupil tuition for the 2020-2021 school year. On top of this increase, the Executive Budget allocates an additional \$24.9 million for NYC charters to be distributed evenly among charter schools at a per pupil rate. With 128,976 students enrolled in NYC charter schools, this allocation breaks down to an additional \$193 per NYC charter school student, virtually increasing NYC charter school tuition by \$1,049 per pupil, or 6.4%. The proposed 5.3% increase in basic charter tuition would mean that since the 2017-2018 school year, NYC charter tuition has increased by 17%; meanwhile state funding for New York City public schools has only increased 13% since 2017-2018. For the 2020-2021 school year, NYC expects to see its charter school expenditures increased by \$93 million—now costing the city over \$2.3 billion.

As the basic charter school tuition in New York City continues to rise, the cost of charter schools operating in private spaces in NYC is also increasing. This year's Executive Budget includes a \$50 million allocation, up from \$31.5 million in last year's Enacted Budget, for NYC charter school facilities aid. These are public taxpayer dollars that ultimately end up in the hands of private landlords. If we combine the \$24.9 million NYC per pupil allocation and this \$50 million allocation for NYC charter school facilities aid, we get a total \$74.9 million state-level allotment earmarked specifically for NYC charter schools. When we add up the total investment in charter school statewide, we see an increase of approximately 14% in state-level funding for the charter sector this year.

Meanwhile, the Executive Budget proposes that NYC public schools receive a total \$224.12 million increase in all formula-based aids and grant programs. An additional investment of this size would increase New York State's total investment in NYC public school students by 1.9%, or \$240 per public school student considering only the population of students enrolled in NYC traditional public schools. As a percentage of the \$224.12 million increase for the NYC public schools, the \$74.9 million for NYC charter schools is approximately 33%, which is funding for a group of schools that educate just 12% of the entire city student population.

State Charter School Allocations						
	Statewide Supplemental Basic Tuition	NYC Charter School Facilities Aid	NYC One-Time Per Pupil Allocation	Total State Expenditure	Amount Change	Percent Change
	Amounts in Millions					
2018-2019	\$ 139.00	\$ 6.10	\$ 22.60	\$ 167.70	---	---
2019-2020	\$ 151.00	\$ 31.50	\$ 24.90	\$ 207.40	\$ 39.70	23.7%
2020-2021	\$ 161.00	\$ 50.00	\$ 24.90	\$ 235.90	\$ 28.50	13.7%

It's time to hold charter schools accountable, and we are supporting a package of legislation to do just that. Among the bills in the package, the Charter School Accountability and Transparency Act sponsored by Senator Brad Hoylman and Assembly Member Michael Benedetto will address the student creaming practices employed by charter schools; S.6043/A.8027 by Senator John Liu and Assembly Member Michael Benedetto will repeal the ever-increasing charter school facilities aid that continues to siphon public dollars into the private real estate industry; and S.5950/A.8029 by Senator Shelley Mayer and Assembly Member Michael Benedetto limits the school grade level expansions for charter schools so that one charter does not virtually allow for three schools to exist.

RESTORE TEACHER CENTERS

The UFT's award-winning Teacher Centers provide professional learning opportunities, resources and support for thousands of educators, many of them during the day at school sites or at other locations close to where teachers work, all across New York City. We are very proud of the work our Teacher Centers are able to perform, and we were disappointed that the Executive Budget failed to include this vital resource. In fact, two budgets ago, the Executive invested an additional \$5 million, but hasn't since. Thank you to the Assembly and the Senate, Teacher Centers statewide maintained their investment of \$14.26 million last year, and we are hoping you continue that support. It's time for the Governor and Senate to join the Assembly in restoring Teacher Center funding to the 2008-09 level of \$40 million.

Educators know they must adapt to the ever-evolving education landscape and keep up with the latest techniques, curriculums and technologies. We live in a rapidly changing world, and if we're not meeting the kids where they are at, we're doing them a monumental disservice.

As our profession has evolved, so, too, have our Teacher Centers. Each day, Teacher Center staff provide educators with one-on-one assistance, as well as relevant, hands-on, research-based professional learning to master new skills. Our members can register for classes, workshops and conferences taking place every day around the five boroughs, and we've made it easier than ever to do so through the UFT mobile app.

Teacher Centers are also a safe place for educators to reflect on their work and experiment with new approaches. This is especially important for newer educators, many of whom

leave the profession if they aren't exposed to support and guidance early in their careers. Teacher Centers mentor those new teachers, as well as help experienced professionals deepen their knowledge and skills; they identify educational leaders across diverse communities and empower them to share their expertise with their colleagues. It takes time and practice to make sure the knowledge and skills are passed down directly to the teachers in the classroom. That's where our Teacher Centers come in. They represent the very best in professional learning opportunities.

Thanks to your investment in Teacher Centers, the UFT has a total of 115 operating sites across all five boroughs. Each is staffed with experts who work with educators at their sites and surrounding schools. Through this network, last school year, the UFT provided over 127,000 hours of professional learning teachers, administrators, paraprofessionals, school staff and parents in New York City.

Those investments are made strategically to meet the specific needs of a particular school community. A typical example is the newest Teacher Center opened in Washington Heights with state legislative funds to help educators meet the needs of English language learners, 28% of the neighborhood's student population. The UFT created a program for educators on how to help students who may have social language skills in English, but need to acquire fluency in academic English if they are to succeed in school.

ENHANCE UNITED COMMUNITY SCHOOLS

The most transformative work taking place inside our schools today is arguably the community schools movement, which essentially reshapes our school buildings into community hubs offering a wide range of programs and services such as health services, food programs, mentoring, tutoring and academic intervention, just to name a few. The recent focus on community schools has led to a seismic shift in the way we think about schools, and it's making a difference.

The UFT's United Community Schools (UCS) began in 2012. Thanks to help from the state and city, we now provide additional health, social and academic services to more than 20,000 students in 32 schools, roughly the size of the Syracuse school district.

Building a community school requires hard work, but research shows it's worth it. At UCS schools attendance is up, incident reports are down and parent engagement is on the rise. Most importantly, UCS schools are able to address their students' needs in a holistic way by matching them with available resources right there in the building. The results are increased academic performance and attendance, decreased long-term absenteeism, a healthier school climate and increased parent satisfaction.

The UFT leverages state and city funding by providing each UCS school with a Community School Director (CSD) whose sole job is to bring in needed services. This \$100,000 investment generates, on average, more than \$600,000 in new resources as the CSD secures partnerships with local non-profits, private sector businesses, hospitals,

universities and communities of faith. Every model is independent and unique, based on the needs of that particular community.

With city and state support, the UFT also opened two full-service vision centers inside existing School-Based Health Centers. With state help, the UFT is breaking down barriers so that these vision centers and other primary care, mental health and dental programs can serve students in surrounding schools as well as their own.

We've learned a great deal in the process, and are now ready to work with more schools across New York State that are willing to give this model a try. That is why in the current 2020 school year we are engaging in a strategic partnership with the City School District of Albany to transform a school in the district into a community school using the UCS model.

We seek \$5 million to support the UFT's United Community Schools. In addition, we ask that the \$50 million in additional funds in the Executive Budget for the statewide community school set-aside be distributed outside the foundation formula, so the Governor, Senate and Assembly can better track the results of this investment. The UFT also supports the additional \$1.2 million for the regional technical assistance centers.

IMPROVE SCHOOL CULTURE

The realities of the outside world don't stop at the classroom door. Today's teachers have to be mindful of our students' daily challenges, stresses and emotions, and be equipped to deal with them. Only by addressing these needs will we build learning environments where children thrive academically and feel supported and valued.

For example, we know that suspending a student can have an adverse effect on his or her social-emotional development and life trajectory. Likewise, research also tells us that a positive approach to school discipline can improve students' academic performance and future.

It's this understanding that prompted the UFT and the NYC Department of Education to reimagine "school discipline." Our shared goal was to move away from the overreliance on suspensions and instead implement restorative justice practices to build safe, nurturing school environments for all children. The Positive Learning Collaborative (PLC) was born from those discussions.

PLC started in the 2012 school year and now supports 25 elementary schools and is expanding to 50 middle schools this winter. Our first cohort of PLC schools serve, on average, higher numbers of English language learners, children with special needs and children in temporary housing than other public schools across the city.

The success of PLC in schools that have participated in the program for at least three years is clear: suspensions in these schools have fallen nearly 54% (compared to a New York City decrease of 31%). Equally important: The violent incidents that can lead to suspension

have fallen 44%. And as the school climate improved in the first cohort, so did the academics: schools in the PLC program for three or more years saw math scores increase 4.1 percentage points compared to a 2.9-point increase for New York City, and reading scores in the same PLC schools for the same period rose 2.7 points compared to a 0.7-point increase for New York City.

PLC achieves these results with a whole-school approach to changing school climate. All staff in a PLC-supported school receive intensive training, and everyone in the building — from the Principal to the School Aides — work together to implement the PLC approach to support positive behavior. The whole-school approach includes strategies to de-escalate incidents; early intervention and support for students with learning and behavioral needs; techniques to help students develop and learn social, emotional and behavioral competence; and supports to create LGBTQ- and gender-inclusive schools that prevent bias-based bullying, as well as support transgender and non-binary students. These steps are groundbreaking, and they make a huge difference in a school's atmosphere and culture.

Making this kind of lasting change takes hard work and resources. Legislation that simply eliminates suspensions or sets caps without providing ongoing, schoolwide training and resources is not the solution, and could make life in schools worse for students and educators as yet another unfunded mandate. A reduction in suspensions should be the natural outgrowth of a sustained investment in changing the culture inside a school. For these reasons, we oppose the Judith Kaye School Solutions not Suspensions Act (S.767-B/A.1981-B) sponsored by Senator Montgomery and Assembly Member Nolan, which mandates outcomes yet provides no strategy or resources to achieve those goals. PLC and other similar programs are in a position to share best practices and successful techniques with schools across the state.

That's why the UFT supports the \$3 million grant program outlined in the Governor's budget for school districts that want to use alternative approaches to student discipline through activities including but not limited to restorative justice techniques, therapeutic crisis intervention, staff training on alternative discipline and trauma informed education. This year, the UFT respectfully requests \$1.5 million in state funding to continue our expansion efforts across schools in New York City.

PROVIDE AFFORDABLE CHILD CARE

Our union has long championed the important work of New York City's 6,000 home-based child care providers, whose high-quality services allow many thousands of New Yorkers the peace of mind that they are leaving their children in a safe and nurturing place while they go to work.

Our child care providers are licensed by New York State and care for children ranging from just a few weeks old to their teenage years, often in their own homes. Many parents choose this type of home-based child care because of the flexibility of non-traditional hours and the opportunity for their children to flourish in a smaller, familiar setting. Most

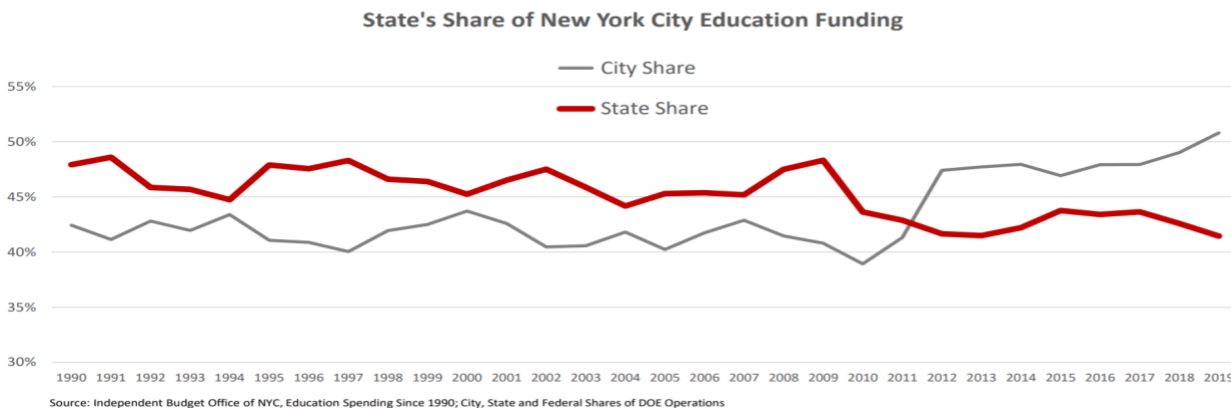
importantly, it's often the only affordable option for many New Yorkers. That's a tangible economic and social benefit to our city and state.

We urge that appropriate funds be dedicated to preserving and, if possible, increasing the number of child care slots and that the state fully fund federal mandates. Our providers also deserve additional compensation for the vital work they do. By investing now in our city's children and families, our state will reap long-term economic and social benefits. That access is key. An insufficient investment in this vital service would otherwise undermine our ability to help every child develop to his or her fullest potential.

CLOSING THOUGHTS

I understand that the budget challenges we face this year are not easy to tackle, but our collective work can help us avoid decisions that may have negative consequence for our students. The Executive Budget's school aid proposal is simply not enough to meet the increasing needs of our most vulnerable students. Since 2011, the state has enacted systematic cuts to New York City public schools, with 2019 at the lowest percentage it has been in 30 years. My hope is that as members of the legislature, you all consider the solutions I have presented today and we stick to our message: no caps, cuts, or cost shifts.

New York City School Funding Timeline



As we work together this year, I can assure you that our UFT members will continue to focus on what's important: educating the next generation of New Yorkers. We are grateful of your support and continued commitment to providing each and every child in our state a robust education.

Thank you.

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