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Elementary Education  
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Good afternoon. My name is Daryl Hornick-Becker and I am a Policy and Advocacy Associate at the Citizens' Committee for Children of New York, Inc. CCC is a 75-year-old independent, multi-issue child advocacy organization. CCC does not accept or receive public resources, provide direct services, nor represent a sector or workforce. We document the facts, engage and mobilize New Yorkers, and advocate for solutions to ensure that every New York child is healthy, housed, educated, and safe.

I would like to thank Chair Weinstein, Chair Krueger and all the members of the Assembly Ways and Means and Senate Finance Committees for holding today's hearing on the education related proposals in the Governor's Executive Budget for the State Fiscal Year 2022.

This year has been unlike any other for New York's children and families. Disrupted education, job loss, housing instability, food insecurity, and the immense loss of life from the COVID-19 pandemic, as well as heightened health and behavioral health needs have all negatively impacted children's well-being. Amongst these unprecedented challenges, the obstacles and inequities already prevalent in New York have been exacerbated, revealing profound disparities and long-unaddressed needs that require significant action and investment. Austerity measures at the state and local level will only worsen the effects of the pandemic, particularly on children from Black, Latinx, and immigrant households and prevent a full recovery. Now is the time to protect funding for child and family supports and to invest in our children to ensure they not only recover from this crisis but thrive. To that end, we must not only advocate at the federal level for direct state and municipal aid and support for essential programming, but must also be bold in our pursuit of state tax policy and revenue proposals.

### **Child and Family Well-Being in New York State**

Earlier this year, CCC published a Child and Family Well-being Index for New York State. The analysis examined data for New York State's 62 counties across six domains of child and family well-being—Economic Security, Housing, Health, Education, Youth, and Family & Community.

In the Education domain, only 5 of 62 counties have Math pass rates above 50%—Nassau, New York, Queens, Richmond, Saratoga, and Westchester—and these same five counties, plus Putnam, are the only counties with ELA pass rates above 50%. In three counties—Franklin,

Sullivan, and Seneca—fewer than 30% of students meet Math and ELA standards. Furthermore, counties falling within the highest risk category – reflecting the poorest educational outcomes - include Bronx, Chemung, Franklin, Montgomery, Schenectady, Seneca, Sullivan, and Yates. In these counties, graduation rates and pass rates for Math and English Language Arts (ELA) standardized tests are about half the rates of counties in the lowest risk category.

Sadly, most counties also struggle with early education enrollment. In 33 counties, fewer than 50% of 3 and 4-year-olds are enrolled in public or private early education programs. Most counties (50) have early education enrollment rates lower than the state average of 58.6%, and 23 counties fall behind the national average of 47.9%.<sup>1</sup>

Our recommendations that follow for the state’s FY 2022 budget are aimed at addressing these challenges head on. As we consider the pandemic’s impact on children’s education, with learning loss and profound barriers to remote learning, these data point to the need to protect against cuts to state education aid and actively improve academic outcomes by increasing state commitments to counties through foundation aid, community schools and afterschool programs. Additionally, it is critical that the state increase investments in early childhood education and Pre-Kindergarten, to promote healthy child development and school readiness.

### **Universal Pre-K**

More than ever, the health, educational, and social benefits of high-quality early childhood education are needed for young children in our current moment. In addition to the vital role it plays in child development, early care and education is also crucial right now to economic recovery and supporting working families. According to a U.S. Census Bureau Household Pulse Survey, 1 in 5 NY adults aged 25 to 44 - including 1 in 4 women - report child care responsibilities as the primary reason for being out of work.<sup>2</sup> To keep caregivers in the workforce or to help them return to the workforce, as well as to provide developmental support for children, we must focus on ensuring that preschool is and continues to be high-quality, accessible and universal for New York’s children and families.

It is past time that the Governor live up to his previous commitments and create statewide universal full-day pre-K for all of New York’s 4-year-olds. CCC urges the legislature to invest the full \$770 million to create access to quality full-day pre-K for the 77,000 4-year-olds in districts outside New York City who currently lack access. This would include enhanced rates to meet quality standards, and an additional 20% set aside to support highly qualified and appropriately compensated teachers in both community programs and public schools. Additionally, \$5 million should be invested to establish Regional Technical Assistance Centers to support the roll-out of quality early childhood education, to support districts without

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<sup>1</sup> Citizens’ Committee for Children of New York, Inc. “Child & Family Well-being in New York State: Ranking Risks Across 62 Counties.”. January 2021. <https://s3.amazonaws.com/media.cccnewyork.org/2021/01/CCC-2021-Child-and-Family-Well-Being-in-New-York-State.pdf>.

<sup>2</sup> CCC analysis of U.S. Census Bureau Household Pulse Survey, Public Use Files April 23 - July 21, 2020. Retrieved from: <https://www.census.gov/data/experimental-data-products/household-pulse-survey.html>.

dedicated early childhood coordinators, and to strengthen collaboration and partnerships between public schools and early childhood programs in the community.

### **Special Education**

Before the onset of the COVID-19 pandemic, there was already a significant population of young children who were hoping to go to school in-person but who lacked the opportunity. Across New York State, young children with disabilities were, and still are, going without the classes they need because state funding has not kept up with program costs, inflation, or demand.

Before COVID, more than 60 preschool special education providers across the State closed their doors, with over 30 closing in New York City. The State Education department estimated that in 2020, NYC alone had a need for an additional 1,000 seats in preschool special education classrooms, although it could need as many as 2,000.<sup>3</sup> Unfortunately, the interrupted school year has almost certainly exacerbated this need, as preschool special education providers had to pivot to provide remote special education and services, as opposed to funding and adding new seats.

To address what is sure to be a growing shortage, and to provide vital resources to some of the state's most important educators, we urge the legislature to increase payment rates by 10% for preschool special classes. A rate increase is necessary to make-up for underinvestment over the past several years, and to prevent more programs from closing their doors this year. At the very least, as a step towards an increase of 10%, the state should develop a new tuition rate-setting methodology for preschool special education so that rates better reflect the actual costs of delivering services.

The state should also guarantee parity in annual funding increases between public schools and preschool special education programs. The Board of Regents' recently proposed to change state law to require the state to provide the same percentage increase in funding to preschool special education programs as it gives to public schools each year, as opposed to the 2% growth preschool special education providers have been held to annually.<sup>4</sup> We support this proposal and urge the Legislature to include it in budget negotiations.

The Executive Budget proposal also includes language that would allow a school district, private school, or BOCES to apply for a waiver exempting them from certain special education requirements. The exempted requirements could impact class size, behavior intervention plans, and notification of changes in placement for students with disabilities. We feel such a broad provision could impact the services and rights of students who require special instruction. The Legislature has rejected this proposal each time the Governor has proposed it, and we urge you to do it again.

### **Foundation Aid**

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<sup>3</sup> Advocates for Children of New York, "Waiting for a Seat: The Shortage of Preschool Special Education Class Seats in New York City," January 2020.

[https://www.advocatesforchildren.org/sites/default/files/library/waiting\\_for\\_a\\_seat.pdf?pt=1](https://www.advocatesforchildren.org/sites/default/files/library/waiting_for_a_seat.pdf?pt=1).

<sup>4</sup> The State Education Department of New York. "2021-22 Non-State Aid Budget and Legislative Priorities." December 10, 2020. <https://www.regents.nysed.gov/common/regents/files/1220bra6revised.pdf>.

In his Executive Budget, the Governor proposed a \$2.1 billion increase in school aid, a 7% increase in school funding from last year. Although CCC was pleased to see school funding increase, the state received a much higher amount from the federal government, \$3.85 billion in federal aid intended directly for schools. These funds were intended to cover the increased costs of remote learning, in-person safety protocols, and the added supports students need in a tumultuous school year. However, instead of those funds going directly to districts, schools, and to benefit students themselves, they are being offset by a \$2.1 billion reduction in state aid. This supplantation follows the supplantation of previous state aid by federal funds in the FY 2021 state enacted budget.

The sustained reduction in state aid not only limits the reach of the federal funds allocated to New York for a once-in-lifetime crisis, but it comes on top of years of limited increases in the amount of Foundation Aid owed to New York's students. Since the \$5.5 billion settlement through the Campaign for Fiscal Equity lawsuit in 2007, New York has continually delayed payment or simply refused to pay. Of the total amount owed to schools the State is still \$3.8 billion behind. These years of delays, compounded by the supplantation of state aid with federal dollars, will leave schools without the funds they need at a time when many students are academically suffering.

The lack of Foundation Aid funding also disproportionately affects students of color and drives racial inequity in our schools. Of the money still unpaid from the State, 67% is owed to school districts where more than half the students are Black and Brown,<sup>5</sup> and last year's supplantation had an additional disproportionate impact, as 87% of the state's cuts were to high need districts, where 63% of students were Black or Latinx.<sup>6</sup>

Compounding this disparate impact and exacerbating the racial achievement gap, is the fact that the remote school year has resulted in a significant disparity in live instruction.

According to data from the U.S. Census Bureau's Household Pulse Survey, between September and November of 2020, Black households in the NY Metro Area were almost *three times* as likely as white households to report *zero* days of live contact with a teacher in the past week. Hispanic households were almost twice as likely as white households to report zero days of live contact.<sup>7</sup>

In contrast, 76% of Asian households and 63% of white households reported having live contact with a teacher 4 or more days in the past week, compared to only 61% and 53% of Black and Hispanic households respectively. Similar discrepancies in live contact are observed based on

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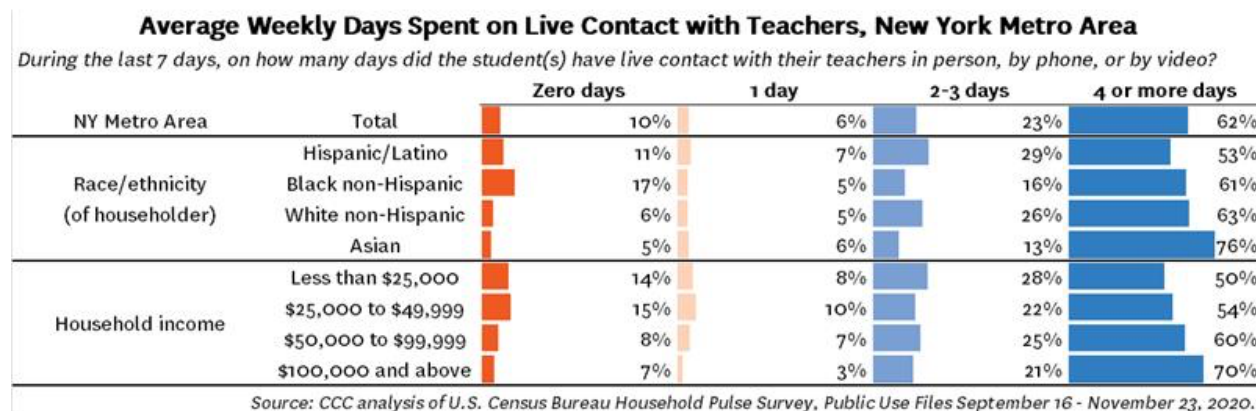
<sup>5</sup> Alliance for Quality Education, "Foundation Aid in Name Only," October 2019.

[http://www.aqeny.org/wpcontent/uploads/2019/10/FoundationAidNameOnly\\_final.pdf](http://www.aqeny.org/wpcontent/uploads/2019/10/FoundationAidNameOnly_final.pdf).

<sup>6</sup> Alliance for Quality Education, "Set up to Fail: How Cuomo's School Cuts Target New York's Black and Brown Students." September 2020. <https://www.aqeny.org/2020/09/02/set-up-to-fail-how-cuomos-school-cuts-target-new-yorks-black-brown-students/>.

<sup>7</sup> The NY Metro area encompasses a population of 19 million around New York-Newark-Jersey City, and live contact included in person, by phone, or by video.

income as well, with just 50% of households earning \$25,000 or less reporting 4 or more days of live contact with teachers.<sup>8</sup>



During this period of partial or full-time remote learning, Black and Brown students in New York are receiving an education with far lower rates of live instruction and live contact, whether in-person or remote, than their white and Asian peers. Although the extent of learning loss will remain unknown for some time, it is clear that the racial achievement gap will widen as a result of COVID.

The only way to begin addressing this gap is to fully fund schools what they are owed, from both years past and from recent federal stimulus packages. CCC urges the legislature to restore the Governor’s cuts from both this year and last year, deliver the full federal funds, and get the state back on the road towards fulfilling its commitment to Foundation Aid.

### Community Schools and Afterschool Programs

Community schools are innovative programs that are well-suited for the challenges of a remote and difficult school year. Community schools offer wrap-around supports for students and families, including upstream prevention services like food pantries and benefit enrollment help, in addition to direct mental health services in the form of counselors, social workers and school-based mental health clinics. These supports have been shown to have positive effects on outcomes like attendance, grade progression, math achievement and reductions in disciplinary incidents.<sup>9</sup> CCC was pleased to see the Executive Budget leave funding for community schools unaffected by the larder reduction in state education funding, and we urge the legislature to increase this funding in the future to expand the number of Community Schools across the state.

Like Community Schools, afterschool programs have always played a pivotal role in combatting learning loss and providing academic enrichment opportunities for children and youth. At the

<sup>8</sup> CCC analysis of U.S. Census Bureau Household Pulse Survey, Public Use Files September 16 - November 23, 2020. Retrieved from: <https://www.census.gov/data/experimental-data-products/household-pulse-survey.html>.

<sup>9</sup> Johnston, William R., John Engberg, Isaac M. Opper, Lisa Sontag-Padilla, and Lea Xenakis, Illustrating the Promise of Community Schools: An Assessment of the Impact of the New York City Community Schools Initiative. City of New York, 2020. [https://www.rand.org/pubs/research\\_reports/RR3245.html](https://www.rand.org/pubs/research_reports/RR3245.html).

height of the COVID-19 pandemic in the Spring and throughout last summer, afterschool programs quickly pivoted to provide remote and socially-distant services to support children and families, including school enrichment programs, academic help, arts and crafts, health and mental health services, and food for those suffering from food insecurity. This is why CCC was disappointed to see Advantage Afterschool Programs cut by \$5 million in the Governor's proposed budget, a reduction that could eliminate programming for approximately 2,500 children. We urge the legislature to restore these funds and give thousands of youth afterschool opportunities to help them continue to grow and develop.

### **Cost-Shifts to NYC**

The Executive Budget also contains several education proposals that would result in significant and permanent cost-shifts from the state to New York City. The NYC Dept. of Education estimates that of the \$3.85 billion in federal stimulus dollars meant for New York schools, the city was to receive over \$2 billion. Instead, due to the offsetting reduction in state aid, the city will receive only \$1.5 billion.

Although that would still represent a significant increase for NYC, it comes with several caveats. First, although the supplantation of one-time stimulus funds results in a net increase for the city, the reduction in state aid sets the stage for further reductions in the future. In next year's budget, absent more stimulus funding, the state would need to significantly increase its share of funding just to return to pre-COVID funding levels. The long-term implications for the city's schools could be devastating.

Second, the federal stimulus money that the city's schools will receive this year come with far more restrictions than state foundation aid, at a time when schools need flexibility to use resources for digital access, outreach, students' mental health, and other supports unique to learning during COVID.

The Executive Budget also includes several proposals that will result in cost-shifts to the city and additional burdens on the city's school system. This includes the elimination of the state's contribution to charter rental assistance, the elimination of the NYC Fiscal Stabilization Fund, and the consolidation of expense-based school aids into a block grant. These aids support special education programs and transportation costs, and eliminating charter rental assistance equates to an unfunded mandate for New York City, which could result in cuts in other areas. We ask the Legislature to reject these proposals, and ensure the State continues to support New York City and its students.

### **Conclusion**

The COVID-19 pandemic has laid bare and exacerbated existing inequities that touch every facet of child, family and community life. Disparity is present in income and employment, housing, health and behavioral health care, the digital divide, and early care and education, and new challenges and profound barriers to well-being have been created. Yet, the Executive Budget for Fiscal Year 2022 does little to address these issues. There is no mistake, federal aid must be aggressively advocated for and state tax policy and revenue options must be boldly pursued. It is

by expanding universal Pre-K, supporting children with disabilities, investing in Foundation Aid and delivering federal funds while avoiding cost-shifts to localities, that New York State can begin to help its students recover from this crisis and set them up for long-term success.