



New York State  
**Catholic Conference**  
The Official Voice of the Catholic Church in the Empire State

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Testimony  
of the  
New York State Council of  
Catholic School Superintendents  
presented by  
James D. Cultrara  
Executive Secretary  
regarding the  
2025 - 2026  
Elementary and Secondary Education Budget  
January 29, 2025

## **Introduction**

The administrators and teachers of New York's 420 Catholic schools continue to prove their dedication to and singular focus on the well-being and rigorous education of the children they serve. Some of you know first-hand, and certainly you know from your constituents that a Catholic school education is one of the most effective education models in this state and nation. Yet, despite our historic and continued success, our schools continue to grapple with significant challenges in meeting the needs of students. This is where lawmakers can and should provide assistance to our schools in serving New York's students. The Executive Budget provides some good news and some not-so-good news for religious and independent schools. This testimony highlights key program areas in which increased funding and programmatic support is critically needed.

**Mandated Services Aid (MSA) / Immunization:** We are grateful to Governor Hochul for not only maintaining the state's obligation to fully reimburse our schools for the costs of state mandates but for proposing a 4.7 percent increase in MSA/CAP this year. The Executive Budget proposal may not be enough, however, to ensure that school reimbursement claims for current-year expenses are fully covered. Despite what was supposed to be full funding last year, schools once again were short-changed on their reimbursement, resulting in an unanticipated shortfall in many school budgets. Schools cannot afford a repeat of this. In addition, although Chapter 347 of the laws of 2018 was enacted to maintain the long-standing formula for calculating claims, the law has yet to be implemented because of a technical amendment requested by SED.

Moreover, the Executive's proposal advances NO funding to reimburse schools for their extensive costs in complying with the state's compulsory immunization requirements. The immunization program not only has become more critical from a public health perspective, but it is also an increasingly complicated and time-consuming responsibility imposed on school principals who can be personally fined for non-compliance. Given the importance of the program, the Department of Health has understandably stepped up its enforcement efforts by auditing schools to ensure compliance, especially in countering the increased issuance of fraudulent immunization records by certain medical practitioners. Although historically only schools located in Buffalo, Rochester, and New York City have been reimbursed, the mandate for such reimbursement applies to all schools statewide. Even though the statewide reimbursement mandate is a decade old, funding has yet to be provided to any school outside those three cities. Based on a study of immunization expenses faced by schools, it is estimated that \$12 to \$15 million is needed to cover these expenses.

We urge you to:

- Allocate the \$245,000,000 to ensure that current and prior-year claims are fully covered;
- Allocate an additional \$15 million not only to restore funding to reimburse immunization program costs of schools located in Buffalo, Rochester, and New York City, but for all schools statewide; and
- Include SED's technical amendment to the MSA statute so that the department can finally implement chapter 347 of the Laws of 2018.

**Academic Intervention Services (AIS):** Recognizing the fact that AIS had been funded at the utterly inadequate level of \$922,000 for two decades, the legislature provided an additional \$500,000 to the program in last year's budget. The Executive, however, eliminates those added funds. We are grateful for the legislature's efforts and implore you to substantially increase funding so that it can have a

meaningful impact on students, especially those experiencing the persistent manifestation of learning loss because of the COVID pandemic. In addition, use of AIS funds is severely limited in scope and school eligibility. We therefore urge you to:

- Increase AIS funding for nonpublic schools to \$32,500,000; and
- Permit AIS funds to be used for direct student intervention; expand use of funds to any of the state-required secular subjects; and expand eligibility to schools that administer any SED-approved assessment that identifies students needing such intervention.

**Health, Safety & Security:** We are very grateful to you and Governor Hochul for expanding the allowable uses under the Non-Public Safety Equipment (NPSE) program to enable our schools to address an increasing array of health, safety, and security challenges such as public health threats; remediation of hazardous conditions; and critical capital needs. And although we especially appreciate the \$25 million in added funds last year, funding remains significantly short of what schools require to meet critical health, safety and security concerns. In addition, the Governor’s \$13.5 million funding and policy proposal on restricting access to **Cell Phones** appears to apply only to public schools. While we appreciate the Governor’s recognition of the independent nature of our schools in the development of school policies, it is critical that public resources are provided equally to all schools. At a minimum, we urge that expenses for securing cell phones be allowed for reimbursement under the NPSE program and we further urge you to continue to increase overall funding to this critically important program.

**STEM /Arts & Music:** The popular and successful STEM funding initiative has bolstered our schools’ ability to offer rigorous STEM programs to better prepare students for competitive careers, and the addition of support for Arts & Music is enabling schools to expand their programs for the benefit of children. While we appreciate the Governor’s recommended increase of \$10 million for STEM, applications for STEM funding exceed \$100 million. We urge an increase in support for the program toward \$100 million to meet demand and provide additional funds as well for Arts & Music.

**Mental Health /Nurses /Teachers:** While numerous initiatives are being advanced to help public schools fill the gaps in the teaching workforce and meet the physical and mental health needs of students, by not including religious and independent schools in these proposals, our staffing challenges are actually increased. Exacerbated by the pandemic and social media influences, more children have mental health needs as well as acute and chronic health problems that require the daily attention and care of professional school nurses and mental health practitioners. Yet the shortage of these professionals leaves school employees in the untenable position of having to manage and respond to their students’ physical and mental health conditions. It is critically important that the state’s religious and independent schools be able to participate in and benefit from school staffing initiatives on an equitable basis. Specifically, we urge you to:

- Increase capacity to ensure that nonpublic schools can participate in the initiative to provide a mental health clinic “for any school that wants one”;
- Include \$30 million to enable our schools to hire nurses and mental health professionals; and
- Include \$10 million to support the state-mandated continuing education requirements for certified teachers and leaders.

**Instructional Materials:** State aid levels for textbooks, software, hardware, and library materials have been largely unchanged since 2007. Moreover, the administration of these programs not only results in unacceptable delays in the receipt of materials but typically precludes our schools from benefiting from the flexibility afforded public schools in being able to intermingle most of these funds. Streamlining the

administration of these programs would provide our schools with a “one-stop-shop” for instructional materials and would also alleviate the administrative responsibilities of school districts. Such an initiative could be extended to other state or federal programs. Specifically, we urge:

- \$12 million in supplemental instructional materials for nonpublic schools based on a plan, developed by SED, to coordinate /streamline the administration of these programs.

**Transportation Services:** Although public school districts are required to transport students to and from religious and independent schools, an increasing number of families are denied transportation for their children due to the 15-mile limit, city-school district boundaries, disparate public-school calendars, and inappropriate and/or significantly inconvenient transportation arrangements. An increasing number of schools have been forced to contract for private transportation services to accommodate the needs of these families. Given the fiscal benefit to the state in keeping students enrolled in our schools, we urge:

- \$7 million for transportation grants to help offset the cost of transportation beyond 15 miles;
- Restoring 90% state reimbursement for nonpublic transportation expenses within 15 miles;
- Requiring transportation on days public schools are closed; and
- Requiring city school districts to provide the same transportation services as non-city districts.

**School Nutrition Programs:** We applaud the legislature and Governor for taking the initiative to provide free meals for all students. As the program is implemented and lawmakers continue to seek to ensure meals are available for all students, we urge you to address significant barriers to participation such as facility constraints and program compliance requirements.

**Universal Prekindergarten:** The UPK program is a successful model where parents may choose from an array of Pre-k programs best suited for their children. Disparate reimbursement levels and programmatic requirements often constrain the participation of non-profit providers – reducing the range of services available to families. As lawmakers expand UPK, we urge increased funding, supportive policy provisions, and program supports to enable the broadest range of UPK providers, including those settings in religious and independent schools.

**Special Education:** Students with special education needs faced the greatest setbacks and bore the biggest brunt from the pandemic. The disruption of the “child find” process, student evaluations, the development of IEPs, and the provision of services will continue to reveal challenges for these students in years to come. One particular but critical concern relates to the June 1 deadline by which parents must request special education services to be delivered at a nonpublic school. For example, by the time parents of public-school students with IEPs learned that their public schools would not be providing in-person instruction for the 2020-21 school year, the June 1 deadline had long passed. Many of these families opted to enroll their children in our schools, which were offering in-person instruction. In far too many instances, however, services were denied by the public school because these parents missed the June 1 deadline. Not only was meeting the June 1 deadline a practical impossibility, but parents and our school leaders were incredulous that a district that issued the IEP and was serving the student could then cease services simply because the student changed schools. After all, by law these students are considered dually enrolled in public school. It is unacceptable that services to our most fragile children hinge on a technicality. Specifically, we urge:

- Elimination of the June 1 deadline for students who already have IEPs and have been enrolled in and served by the district in the prior school year.

**Energy Efficiency Projects:** Advances in energy technologies not only reduce energy usage, thereby helping all utility ratepayers, they also improve the spaces in which we live, work, and learn. While these projects are expensive to initiate, the savings realized in some projects can easily pay for the initial expense in a relatively short period of time. The overwhelming majority of our schools, however, lack the means to initiate such projects, unlike their public-school counterparts who benefit from state building aid and NYSERDA's Clean, Green School Initiative. We urge adoption of a combined energy efficiency grant and loan program to provide seed money to initiate energy efficiency projects in the state's nonpublic schools. Those school communities utilizing the loan portion of the fund would repay their initial grants with the savings they achieve in energy efficiency, thereby allowing the fund to continue to benefit others. Specifically, we urge:

- \$25 million for energy efficiency grants and loans for nonpublic schools based on a plan developed by the commissioner in consultation with the New York State Energy Research Development Corporation.

**Dual Enrollment Policy:** The Executive proposes requiring the Commissioner to adopt a statewide policy for dual enrollment programs under which schools and partnering institutions of higher education provide high school students with the opportunity to earn college credits. We urge you to explicitly require the Commissioner's plan to ensure equal opportunities to earn college credits for students enrolled in religious and independent high schools.

**Emergency Assistance to Nonpublic Schools (EANS):** As the deadlines approach for liquidating the critically needed EANS funds, we urge you to enable the State Education Department to continue to administer the program to not only permit schools to meet the needs of students, but to also avoid the reversion of these funds back to the federal government.

**The Increasing Struggle of Tuition-Paying Families:** By far, the greatest need for families who sacrifice to afford sending their children to religious and independent schools is help in paying tuition. Lawmakers in 37 states (including Puerto Rico and the District of Columbia) have enacted multiple programs to help these families choose a school best suited for their children. The long waiting lists for Catholic school scholarships prove that our schools do not suffer a lack of demand. It is our tuition-paying families who suffer a lack of direct support from decision makers in Albany.

While we support the rights of parents to select the school most appropriate for their children, including regular public schools and charter schools, we must note that, as highlighted by a 2013 study published by Albany Law School's Government Law Center, for every charter school that opened in New York, a Catholic school closed. Common sense (and recent history) actually tells us that the expansion of charter schools has *reduced* the diverse array of schools available to families and increased the burden on taxpayers. Too many parents who work hard to keep their children in a Catholic school suddenly find that option eliminated. Many, against their will, are forced to enroll their children in public schools at a significantly higher cost to taxpayers. Too many Catholic and other religious and independent schools have closed, and more certainly will unless all families, not just some, are put first.

We support charter schools in New York. Parents, however, want and need support for all their educational choices. Specifically, we urge the legislature to:

- Provide commensurate support to tuition-paying families when expanding support for and the number of allowable charter schools; and

- Enact direct scholarships or education investment tax credits to enable families to meet the educational needs of their children regardless of where they attend school, which would also save taxpayers a ton of money.

As lawmakers in two-thirds of the country have done, we urge you to empower all families, especially low-income and working-class families, to select the public, charter, or private school best suited for their children and enable more children to obtain the kind of educational equality and economic opportunity on which New York State prides itself.

### **In Summary**

While we are very grateful to Governor Hochul and the legislature for the multiple programs and funding streams provided to the benefit of students in religious and independent schools, the fact remains that our schools operate on a dramatically uneven playing field. Even though 13% of children in New York State attend a religious or independent school, less than 1% of state education spending is devoted to these children. The bulk of the cost of educating these children is shouldered by their families already overburdened with taxes to support the public education system. Continued and expanded state support of the students in religious and independent schools will benefit virtually every community across the state and will help make New York the truly progressive state it continues to aspire to be.