

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

JOINT LEGISLATIVE HEARING
In the Matter of the
2025-2026 EXECUTIVE BUDGET ON
ELEMENTARY AND SECONDARY EDUCATION

Hearing Room B
Legislative Office Building
Albany, New York

January 29, 2025
9:35 a.m.

PRESIDING:

Senator Liz Krueger
Chair, Senate Finance Committee
Assemblyman Michael Benedetto
Chair, Assembly Education Committee

PRESENT:

Senator Thomas F. O'Mara
Senate Finance Committee (RM)
Assemblyman Edward P. Ra
Assembly Ways & Means Committee (RM)
Senator Shelley B. Mayer
Chair, Senate Education Committee
William B. Magnarelli
Acting Chair, Assembly Education Committee
Assemblyman Robert C. Carroll
Chair, Assembly Committee on Libraries
and Education Technology
Senator Siela A. Bynoe
Chair, Senate Committee on Libraries

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3 PRESENT: (Continued)

4 Senator John Liu
Chair, Senate Committee on New York City
5 Education

6 Assemblyman Patrick J. Chludzinski

7 Senator Robert Jackson

8 Assemblyman Steven Otis

9 Senator James Tedisco

10 Assemblywoman Jo Anne Simon

11 Assemblywoman Mary Beth Walsh

12 Senator Daniel G. Stec

13 Assemblywoman Chantel Jackson

14 Assemblywoman Marcela Mitaynes

15 Senator Roxanne J. Persaud

16 Assemblyman Doug Smith

17 Senator Cordell Cleare

18 Assemblyman William Conrad

19 Assemblyman Sam Pirozzolo

20 Senator Dean Murray

21 Assemblyman Manny De Los Santos

22 Senator Jabari Brisport

23 Assemblywoman Marianne Buttenschon

24 Assemblyman Al Taylor

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3 PRESENT: (Continued)

4 Assemblywoman Emérita Torres

5 Senator George M. Borrello

6 Assemblyman Brian Maher

7 Assemblywoman Stacey Pheffer Amato

8 Senator Bill Weber

9 Assemblyman Erik M. Dilan

10 Assemblywoman Catalina Cruz

11 Senator Lea Webb

12 Assemblywoman Larinda C. Hooks

13 Senator Leroy Comrie

14 Assemblywoman Nily Rozic

15 Assemblywoman Jodi Giglio

16 Senator Alexis Weik

17 Assemblywoman Andrea K. Bailey

18 Senator Luis R. Sepúlveda

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1 CHAIRMAN PRETLOW: Good morning,
2 everyone. Good morning. I'm Gary Pretlow,
3 chair of the Assembly Ways and Means
4 Committee, and I'm sitting with my colleague
5 Liz Krueger, Senator Liz Krueger, chair of
6 the Finance Committee in the New York State
7 Senate.

8 Today we begin the third in a series
9 of hearings conducted by the joint fiscal
10 committees of the Legislature regarding the
11 Governor's proposed budget for fiscal year
12 '25-'26. These hearings are conducted
13 pursuant to the New York State Constitution
14 and Legislative Law.

15 Today the Assembly Ways and Means
16 Committee and the Senate Finance Committee
17 will hear testimony concerning the Governor's
18 budget proposal for elementary and secondary
19 education.

20 I just want to introduce the members
21 of the Ways and Means Committee and the
22 Education and Library committees that are
23 here today. We have Assemblymember
24 Buttenschon, Assemblymember De Los Santos,

1 Assemblymember Taylor, Assemblymember Torres,
2 Assemblymember Dilan, Assemblymember Cruz,
3 and Assemblymember Otis.

4 Senator, if you would introduce your
5 members.

6 CHAIRWOMAN KRUEGER: Thank you.

7 Good morning, everyone. I'm joined
8 today by Senator Shelley Mayer, chair of
9 Education; Senator John Liu, chair of
10 New York City Education; our new Senator
11 Bynoe, Senator Persaud, Senator Jackson,
12 Senator Webb and Senator Brisport.

13 CHAIRMAN PRETLOW: Ranking Member Ed
14 Ra will introduce his members from his
15 conference.

16 ASSEMBLYMAN RA: Sure.

17 We are joined by Assemblyman
18 Chludzinski, our ranker on Libraries.
19 Assemblyman Doug Smith, our ranker on
20 Education, will be joining us in a moment.
21 And we also have members of the Education
22 Committee Pirozzolo and Maher.

23 CHAIRWOMAN KRUEGER: And I missed
24 Senator Cleare, I apologize.

1 And now Tom O'Mara, ranker on the
2 Senate Finance Committee, will introduce the
3 Senate Republicans.

4 SENATOR O'MARA: Thank you.

5 Good morning, everyone. Joining from
6 the minority side of the aisle in the Senate
7 is our ranking member on Education,
8 Senator Jim Tedisco; our ranking member on
9 Libraries, Senator Dean Murray; and we're
10 joined by members Bill Weber and
11 George Borrello.

12 Thank you.

13 CHAIRMAN PRETLOW: I need a second.

14 (Discussion off the record.)

15 CHAIRWOMAN KRUEGER: Hold on. Just a
16 little paperwork.

17 CHAIRMAN PRETLOW: A little paperwork.
18 And while the Senator is looking for the
19 rules of the road here, which someone didn't
20 give me earlier, I missed Assemblypersons
21 Jackson and Pheffer Amato.

22 For everyone speaking, these are the
23 rules of the road. Governmental employees
24 get 10 minutes to speak, and the questioners

1 will be -- the relevant chairs question for
2 10 minutes. That would be Assemblymember
3 Benedetto, myself, Carroll, Mayer, Liu, Bynoe
4 and Krueger.

5 The rankers on each of the committees
6 get five minutes to ask questions. After
7 that, the chairs get a second round, if they
8 so choose, of three minutes. Rankers get a
9 total of five minutes and no second round.
10 All other members of the committees get
11 three minutes for questions and no second
12 round.

13 I believe that's complete.

14 And we will call our first witness,
15 Ms. Betty Rosa, from the New York State
16 Education Department. Welcome.

17 CHAIRWOMAN KRUEGER: You have to hold
18 the button until it turns green.

19 NYSED COMMISSIONER ROSA: There it is.
20 Okay. Waiting for the green light.

21 Good morning, Chairs Pretlow, Krueger,
22 Mayer, Liu and Benedetto, and good morning to
23 all the members of the Senate and Assembly
24 here today.

1 I'm pleased to be joined by my staff,
2 Senior Deputy Commissioner for Education
3 Dr. Jeffrey Matteson; Chief Financial Officer
4 Christina Coughlin; Deputy Commissioner of
5 the Office of Special Education and Access --
6 new combination -- Ceylane Meyers-Ruff. And
7 we're also joined by Deputy Commissioner for
8 P-12 Instructional Support Angelique
9 Johnson-Dingle and Deputy Commissioner for
10 P-12 Operational Support Jason Harmon.

11 Before I begin, I'd like to recognize
12 Chancellor Lester Young and the members of
13 the New York State Board of Regents who I'm
14 sure are watching today's hearing with great
15 interest.

16 The overarching goal of education and
17 the Board of Regents is to advance
18 educational equity, access and opportunity
19 for all students in this amazing state. Our
20 budget requests a bill to deliver on this
21 urgent mission. I'd like to briefly describe
22 how the department's priorities drive
23 educational equity and provide local leaders
24 with the stability and predictability they

1 need to run their schools and their districts
2 to support our students and our communities.

3 So let's begin by talking about
4 Foundation Aid, the state's largest and most
5 impactful investment in our schools. It's no
6 secret that the metrics which drive the state
7 aid funding formula are in desperate need of
8 updating. The department has been engaged in
9 efforts to improve the formula so as to
10 provide greater educational opportunities for
11 all students.

12 Last year's enacted budget invested
13 2 million for the Rockefeller Institute to
14 conduct a comprehensive study of Foundation
15 Aid. The Foundation Aid changes included in
16 the Executive Budget represent only a portion
17 of what we consider to be the roadmap that
18 will lead to a new formula. Additional work
19 needs to be done. It is critical that we, in
20 our department, are part of these
21 conversations.

22 The Executive Budget includes a number
23 of important initiatives, including
24 investment in advanced coursework, Early

1 College High School programs, and free
2 community college for certain high-demand
3 fields. We absolutely applaud these efforts.

4 At the same time, however, the
5 proposal needs to include several programs
6 and initiatives the department recommended
7 and that we believe are vital to the state's
8 continued growth and success. It's a simple
9 proposition, but it bears repeating: If we
10 want our children to graduate from school
11 prepared for the future, we must support them
12 along the entire educational continuum. For
13 us, the educational continuum means not only
14 college, career and civic readiness; in
15 practice, this means providing them with
16 access to programs, courses, facilities and
17 high-quality staff that will set them up for
18 success in their lives.

19 In the budgetary context it means
20 doing things like lifting the cap on
21 career-and-tech educator salaries so that
22 every student interested in CTE has a chance
23 to participate in these programs. We
24 recognize that individuals with CTE skills

1 and knowledge are vital to New York's
2 economy. Their importance to our state's
3 future and growth are indisputable.

4 But to put it simply, the state must
5 do more to support this incredible resource
6 and make CTE courses accessible to all
7 interested students.

8 Here are other ways that we can
9 support our schools and students in this
10 year's budget. Let's start with the youngest
11 New Yorkers. While we applaud the
12 Executive's effort to expand childcare access
13 and affordability, I think we can all agree
14 that it is well past time to make universal
15 pre-K truly universal, once and for all.

16 A federal court ruling also required
17 that we provide special education and related
18 services to students with disabilities until
19 they turn 22 years old unless they have
20 already earned a diploma.

21 I do have to give a shout out for
22 those districts that are doing this work
23 despite the fact that we have not done this
24 as a state. I also have to give a shout out

1 to New York City, who recently made that
2 commitment.

3 Currently, however, the state law
4 provides funding only through the school year
5 in which these students turn 21. It is
6 imperative that we provide these students
7 with the necessary funding to support their
8 educational journey.

9 Additionally, we must make every
10 effort to ensure continuous recruitment of
11 high-quality educators in all of our schools
12 so that every single school -- every single
13 child has a high-quality educator in front of
14 them.

15 I urge you to provide additional
16 funding for Teach.org, a centralized hub
17 where prospective teachers can explore the
18 profession. In its short period of time, we
19 have learned at the department that Teach.org
20 has become an exceptionally popular site for
21 those future teachers to explore, and we must
22 continue to use this vital resource.

23 The Executive Budget needs to provide
24 appropriate levels of funding to maintain and

1 enhance building facilities and
2 infrastructure, including our State Schools
3 for the Deaf and Blind as well as our three
4 Tribal Nations.

5 We also need funding to repair our
6 historic State Education Building, as we have
7 recently gone through an incredible situation
8 with leaks where we've had to move people and
9 mobilize an entire group of individuals.

10 While we appreciate the 20 million
11 that's included in the Executive Budget to do
12 these repairs, a reasonable estimate of the
13 work is closer to 40 million.

14 And we need funding as well to support
15 the next phase of the department's IT
16 transformation. We urge you to help us to
17 look at creating efficiencies around the
18 issue of transforming our data system. The
19 New York State Museum and the Office of
20 Cultural Ed are making significant strides to
21 advance critical projects. We want the
22 Museum to not only be a place where our
23 children -- and I will submit an exhibit --
24 where our children thrive, because it is an

1 educational institution that supports the
2 community, where children have an opportunity
3 to have a wing where they can have Saturday
4 classes and do all kinds of activities that
5 is very connected to education.

6 This financial instability in our
7 building and the Museum has led to a
8 persistent multi-million-dollar deficit,
9 projected to exceed 7 million by March 2026.
10 I have been here four years asking for this
11 response to a museum that has been in many
12 ways neglected financially.

13 Finally, you can help advance the
14 educational equity by funding the graduation
15 measures, which is an initiative we have been
16 going throughout the state and discussing
17 because of the multiple pathways and multiple
18 ways to support our students. We consider
19 this some of the most important work that the
20 department and our Regents have undertaken,
21 and we are so proud of that work.

22 And now I am happy to return a
23 million -- a minute and 24 seconds back to
24 you for your further questions. Thank you.

1 (Laughter.)

2 NYSED COMMISSIONER ROSA: I was going
3 to return a million dollars, but I don't have
4 it.

5 (Laughter.)

6 CHAIRMAN PRETLOW: Thank you for your
7 testimony.

8 Assemblymember Magnarelli, are you --
9 I see you're sitting in for --

10 ASSEMBLYMAN MAGNARELLI: I'm sitting
11 in for Mr. Benedetto.

12 CHAIRMAN PRETLOW: Yeah.

13 ASSEMBLYMAN MAGNARELLI: I tried to
14 get this going. Yes, I'm sitting in for
15 Mr. Benedetto, as chair of Education. You
16 got me, I'm next in line. I get to stay here
17 all day; it's great.

18 First of all, thank you very much for
19 being here. I appreciate everybody who
20 testifies in front of our committees, and I
21 thank you for that.

22 My questions. The Executive wants to
23 implement a ban on smartphones in schools as
24 a priority for New York. I'm starting right

1 into my questions. Is that okay?

2 CHAIRMAN PRETLOW: Yes, that's what
3 you're --

4 ASSEMBLYMAN MAGNARELLI: Okay, that's
5 what I'm going to do. I didn't know if you
6 wanted a statement or something. I could
7 make a statement.

8 So we're talking about smartphones.
9 What's your thoughts on that? Does the
10 Executive proposal allow districts enough
11 flexibility? Is that the way we're going?
12 Or is there going to be some parameters that
13 are given from the state level?

14 NYSED COMMISSIONER ROSA: So let me
15 start -- thank you for your question. Let me
16 start by saying that we are actually looking
17 at this from the perspective of -- instead of
18 a banned distraction, it is -- in many
19 classes I think the teachers have articulated
20 that having the opportunity to teach, for
21 students to learn, unless the instruments are
22 being used as tools for the instructional
23 purpose, that in fact there are possibilities
24 of ways that we can work on having those

1 distractions not be part of the learning
2 process.

3 I must say that I have been visiting
4 throughout the state, from Utica all the way
5 to Indian River and New York City and other
6 schools. The beauty of this is that many --
7 and two and a half years ago, I was actually
8 in Middletown, where the students articulated
9 taking ownership and doing this and being
10 part of this conversation.

11 So I am very proud of the fact that
12 superintendents, principals, teachers,
13 communities have really undertaken this work
14 to do this at a local level, very specific to
15 the communities, buy-in from students -- and
16 I'm going to give a shout out to Geneva, Bo
17 Wright, who did this amazing work around the
18 issue of having the students develop a plan,
19 present it to the board, adopted by the
20 community, and that is an example of how we
21 involve students in these kinds of
22 situations.

23 So we are clearly committed to making
24 sure that we also include as part of this

1 endeavor the issue of media literacy, because
2 we want our students to understand issues of
3 malinformation, disinformation, and anything
4 else that's connected to literacy. So we are
5 in the process of working on this guide to
6 partner with that, but also include mental
7 health services.

8 So with that, I just want to say that
9 our department is committed to a
10 comprehensive way to what could be perceived
11 as a simple solution. And we want our
12 students, our teachers, our principals, the
13 superintendents, to be very much a part of
14 the solution.

15 Thank you.

16 ASSEMBLYMAN MAGNARELLI: Okay. I was
17 married to a teacher for over 35 years. She
18 passed away a number of years ago. But she
19 told me once that we were losing the schools
20 and teaching in the classroom the day that we
21 allowed people to chew gum. Okay?

22 So the idea that now you can wear
23 hats, you can bring in coats, you can use
24 cellphones -- I mean, I think the focus of

1 what's supposed to go on in the classroom has
2 long been lost.

3 So I commend you for finally coming
4 around and saying, Hey, you know, you've got
5 to learn, you've got to put those things
6 away. So whatever you can do, I'm with you.

7 Another proposal, to increase the
8 threshold of community eligibility provisions
9 looming at the federal level. How could the
10 state deliver universal school meals with
11 potentially a substantially less amount for
12 of funding for school meals coming in the
13 future?

14 What do you see as strategies to
15 protect against decreases in federal funding?
16 You know, I'm going to just say this. You
17 know, my feeling is it's coming, so we're
18 going to put this in effect this year, from
19 what I see.

20 NYSED COMMISSIONER ROSA: Yes.

21 ASSEMBLYMAN MAGNARELLI: How do we pay
22 for it going forward? That's my question to
23 you.

24 NYSED COMMISSIONER ROSA: Sure. So

1 I'm going to ask -- we have been in deep
2 conversation about this, because we know that
3 there is a commitment of about 130 million to
4 kind of add to in order to make it universal.
5 And so we do -- you know, we do believe that
6 maintaining those funds -- although recently
7 I think we're concerned with, you know,
8 the -- what's going to happen if that cap is
9 raised.

10 So I'm going to ask Christina.

11 NYSED CFO COUGHLIN: Thank you. This
12 is obviously a very complicated question for
13 the state because it's a revenue issue, as
14 you note. And we defer to the Legislature on
15 the revenue questions, but we commend the
16 intent of the community eligibility work
17 that's been done in New York thus far. It's
18 really served the needs of our poorest
19 students. And going forward, it's hard to
20 predict what will happen and the federal
21 concerns are --

22 ASSEMBLYMAN MAGNARELLI: I guess what
23 my question is, is this. We are trying to
24 take care of the poorest students now.

1 NYSED COMMISSIONER ROSA: Correct.

2 ASSEMBLYMAN MAGNARELLI: What we're
3 adding to it is everybody. Which is -- by
4 the way, I think it's a great idea. I like
5 it. If we had the money, that's fine.

6 But if we're going to be \$100 million
7 short next year, is that where we're going to
8 put the money?

9 NYSED COMMISSIONER ROSA: I think what
10 you're saying is exactly that it's a
11 hundred -- right now, now, it's 130 million
12 that we're --

13 ASSEMBLYMAN MAGNARELLI: Right. There
14 you go.

15 NYSED COMMISSIONER ROSA: And so the
16 question is can we sustain that.

17 ASSEMBLYMAN MAGNARELLI: Correct.
18 That's my question.

19 NYSED COMMISSIONER ROSA: And that is
20 a question that I really truly believe that
21 obviously the Governor has put this
22 investment -- and that would be a perfect
23 question for DOB and the Governor.

24 ASSEMBLYMAN MAGNARELLI: So next year

1 when we come back and we have to cut
2 \$130 million out of the budget because we
3 don't have it from the federal government,
4 we'll be understanding.

5 NYSED COMMISSIONER ROSA: We'll be
6 what?

7 ASSEMBLYMAN MAGNARELLI: You will be
8 understanding of that fact.

9 NYSED COMMISSIONER ROSA: I don't know
10 that we would say we would be understanding.
11 We would be -- we would be in a situation --

12 ASSEMBLYMAN MAGNARELLI: I'll be
13 disappointed too.

14 NYSED COMMISSIONER ROSA: Okay.

15 ASSEMBLYMAN MAGNARELLI: Okay, how
16 much -- I've got more time. All right. Is
17 the \$13.5 million in the budget enough to
18 cover the cost of every school district,
19 charter school and BOCES in the state's
20 implementation of the Executive's proposed
21 smart-device prohibition? Is that enough
22 money for the smartphone deal?

23 NYSED COMMISSIONER ROSA: We estimated
24 that's about \$10 a student. So that will be

1 the estimate -- guesstimate per student. So
2 depending how dollars are used -- I mean, you
3 know, you were talking about chewing gum.
4 Some schools will use -- you remember the old
5 plastic shoe, you know?

6 ASSEMBLYMAN MAGNARELLI: Right. Yeah.

7 NYSED COMMISSIONER ROSA: They'll drop
8 those in at the back of the class. That --

9 ASSEMBLYMAN MAGNARELLI: So we've got
10 to wait and see what happens.

11 NYSED COMMISSIONER ROSA: Well, it's
12 not -- some schools have already made some
13 investments, I do have to say, already,
14 because some schools have been doing this for
15 a while. So there have been some investments
16 already.

17 Some students have it in their lockers
18 and do not see their phones till the end of
19 the day. Some students -- we were in some
20 schools where there was some free zones so
21 that they're able to use it during their
22 lunch hours or different -- so the cost is
23 \$10 a student.

24 ASSEMBLYMAN MAGNARELLI: Okay. One

1 more question. Can you share insight on how
2 the Executive's proposal to require
3 partnership agreements between school
4 districts and higher education institutions
5 regarding dual enrollment programs would be
6 carried out?

7 And I understand that there's
8 information that you're requiring. It's kind
9 of mandating that the school districts get
10 this information. So it's another report.
11 What are you getting out of that? And I can
12 understand what the students are getting, but
13 do we need all of this, is my basic question.

14 I don't understand why this is even
15 needed.

16 SR. DEP. COMMISSIONER MATTESON: Thank
17 you for that question, because it's a real
18 opportunity to go a little deeper in the
19 college and high school piece.

20 One of the issues we have right now is
21 even though we're like top five state in the
22 country with students getting access to at
23 least one dual enrollment course, we don't
24 have a sense of what those courses are doing

1 on behalf of students. Okay? And so they're
2 getting access just because they happen to
3 take a certain course --

4 (Overtalk.)

5 ASSEMBLYMAN MAGNARELLI: Can I ask a
6 question here?

7 SR. DEP. COMMISSIONER MATTESON: Yup.

8 ASSEMBLYMAN MAGNARELLI: Has anybody
9 complained?

10 SR. DEP. COMMISSIONER MATTESON: Well,
11 what we have complained about is when we've
12 done an analysis and --

13 ASSEMBLYMAN MAGNARELLI: Not you. Has
14 anybody complained to you about the programs?

15 SR. DEP. COMMISSIONER MATTESON: About
16 those programs?

17 ASSEMBLYMAN MAGNARELLI: Yeah.

18 SR. DEP. COMMISSIONER MATTESON: Yes,
19 because there's --

20 ASSEMBLYMAN MAGNARELLI: I mean, has a
21 student come and said, I didn't get what I
22 thought I was going to get?

23 SR. DEP. COMMISSIONER MATTESON: Yes.
24 Because they're not transferable. We're

1 trying to create a system where what the
2 students take is transferable credit.
3 because right now they happen to get a credit
4 but it's not transferable to --

5 ASSEMBLYMAN MAGNARELLI: I know. I
6 Understand that. I'll come back.

7 CHAIRMAN PRETLOW: Thank you very
8 much.
9 Senator?

10 CHAIRWOMAN KRUEGER: Thank you.
11 Chair Shelley Mayer for 10 minutes.

12 SENATOR MAYER: Thank you, Chairs.
13 And thank you very much, all of you,
14 for your work.

15 The first question is about New York
16 City Public Schools. Under the November
17 database, prior to the Governor's proposal,
18 the expectation is they would receive about
19 350 million more than the Governor's run
20 after her proposed budget.

21 Do you at SED have any additional
22 proposed changes to mitigate the impact on
23 New York City, particularly given that
24 they've had a growth in enrollment as well as

1 special ENL needs over the course of the last
2 year?

3 NYSED COMMISSIONER ROSA: Yeah. Let
4 me start by saying yes. But at the same
5 time, you have to look at the wealth. You
6 know, as you know, it went from -- I think it
7 was from 33 percent, right, to 23. So that's
8 going to be a factor that's going to have a
9 negative impact.

10 But then it's -- you know, obviously
11 because you have additional students where
12 you know in the past they did not, that's
13 going to be a plus.

14 So I think looking at the -- what we
15 call the modeling, you know, in terms of the
16 formula, we're going to see the
17 anticipated -- I think they anticipated
18 smaller than what we predicted.

19 NYSED CFO COUGHLIN: The Regents'
20 state aid proposal took a look at that, what
21 happened when you --

22 SENATOR MAYER: Can you get closer to
23 the mic? I'm sorry.

24 NYSED CFO COUGHLIN: Oh, I'm sorry.

1 Pardon me.

2 SENATOR MAYER: Yeah, thank you.

3 NYSED CFO COUGHLIN: That's driven, as
4 the commissioner noted, by the update in the
5 poverty counts that are --

6 SENATOR MAYER: Yes, I understand
7 that.

8 NYSED CFO COUGHLIN: That update was
9 something that the Regents had been
10 recommending for several years. So we were
11 pleased to see that.

12 But when the Regents prepared their
13 state aid proposal, they also recommended a
14 change to the Regional Cost Index, because
15 that Regional Cost Index that was set decades
16 ago doesn't reflect the differences in costs
17 now.

18 So the Regents' proposal did in fact
19 provide an opportunity that would mitigate
20 that.

21 SENATOR MAYER: Yes. So -- so
22 follow up on the Regional Cost Index issue,
23 which the Rockefeller report recommended that
24 there be some changes but the Governor's

1 proposal does not include a discussion of
2 changes to the Regional Cost Index.

3 Under your recommendations or the
4 Regents' recommendations, the change in the
5 Regional Cost Index would benefit both
6 New York City and many other communities,
7 including the Hudson Valley, is that right?

8 NYSED COMMISSIONER ROSA: That is
9 correct.

10 SENATOR MAYER: On the universal
11 school meals, questions were asked
12 previously. There are currently about 20
13 districts that simply do not participate in
14 the program, so they are not in this free
15 universal program that the Governor has
16 proposed.

17 Does the department have any plan to
18 either compel or encourage these districts to
19 participate? Because even though they don't
20 participate, it doesn't mean they don't have
21 students who would really benefit.

22 NYSED COMMISSIONER ROSA: So I'm going
23 to start by saying one of the things that
24 obviously, because we are so committed to

1 this universal -- because we know that, to
2 your point -- you know, this has been a very
3 complex situation in terms of the -- how the
4 funding, right -- with having more than one
5 funding stream where districts make decisions
6 about these issues, as you know. There's
7 been some improvement. I think once upon a
8 time it was seven and now we're down to, you
9 know, I think -- what do we have, two at this
10 point that we're looking at it.

11 We constantly encourage districts to
12 work with us, with our -- both our department
13 in terms of fiscal to make sure that they do
14 take advantage of these programs.

15 SR. DEP. COMMISSIONER MATTESON: We
16 would have to -- when this is done, which is
17 another change to the Child Nutrition
18 Program, we would have to communicate and
19 give guidance to the districts. It would go
20 out to all the districts, so we'd alert
21 everyone what their eligibility is.

22 And since it's universal for our
23 state, certainly those districts may see the
24 benefit of joining now that it's universal,

1 fully universal. But, you know, we can't
2 force them to join. They have choices, if
3 they prefer to pay for things locally or have
4 their parents -- but I think raising
5 awareness -- to your point, this is an
6 opportunity if this moves forward.

7 SENATOR MAYER: Thank you.

8 Two issues which school districts are
9 very concerned about, which is -- were
10 covered in part in the Rockefeller report but
11 are not in the Governor's proposal, which is
12 addressing ENL needs not only in the City of
13 New York but in frankly so many of our
14 communities, where districts need to hire new
15 teachers and new aides that have capacity to
16 be bilingual or to be certified ENL. And the
17 much greater nuance on special ed
18 reimbursement for a school that is providing
19 significant number and at great expense to
20 meet the needs of their special needs
21 students.

22 Have you -- I know you've made
23 recommendations, but the Governor did not.
24 What is your analysis of the impact of not

1 providing additional money for both ENL needs
2 and special needs of districts throughout the
3 state?

4 NYSED COMMISSIONER ROSA: Well, we
5 believe that creating the foundation is
6 essential. And many times we have obviously
7 very specific needs, especially in terms of
8 support for not only just bilingual, to your
9 point, but sometimes bilingual special ed
10 students.

11 SENATOR MAYER: Yes.

12 NYSED COMMISSIONER ROSA: So the
13 combination, as well as special-needs
14 students.

15 The issue is is that the earlier we're
16 able to respond to these issues, the earlier
17 we have -- you know, we definitely have an
18 opportunity to address them. So the
19 investment of not only having staff
20 trained -- and, you know, we've done some
21 higher ed. With our higher ed population
22 we've tried to encourage teachers to take
23 additional courses to become dually
24 certified, in some cases. But we also want

1 to make sure that we have the commitment and
2 resources to be able to hire the -- train and
3 hire and keep these individuals that are
4 giving services for language acquisition and
5 students with special needs.

6 So the earlier we do that, the earlier
7 we realize that these are the subgroups that
8 truly need these kinds of support. And we
9 constantly talk about providing not only
10 training but recruiting and retaining these
11 individuals in our schools. So we have a
12 constant plan. We have conferences that we
13 do to encourage individuals to become part of
14 the network through our {unintelligible}, as
15 you know, to become part of the work that
16 we're doing with these two populations.

17 SENATOR MAYER: But let me switch to
18 full-day pre-K, which you know has been a
19 commitment of certainly the Senate Majority
20 for some time.

21 In the report that I believe SED did,
22 recognizing that there is these multiple
23 funding streams, the funding is inadequate,
24 there are many shortfalls in our existing

1 program. Has SED taken any steps so far to
2 address what we could do to make this work
3 more effectively so that more schools will
4 actually take up the opportunity to provide
5 full-day pre-K?

6 And what is your proposal with respect
7 to the building issues that some districts
8 raise as a barrier to providing full-day
9 pre-K?

10 NYSED COMMISSIONER ROSA: Sure. And
11 this is especially in our early -- I'm going
12 to ask Angelique to start, particularly with
13 our early childhood.

14 Go ahead.

15 DEPUTY CMMR. JOHNSON-DINGLE: Yes, so
16 thank you for that question.

17 Through our Early Learning Program,
18 over the past few years we have made some
19 dramatic gains. We have provided statewide
20 professional development for teachers
21 specifically targeting things that we know
22 are most important for children to build
23 those foundational skills to support as they
24 move up through elementary school and beyond.

1 We know that we have pockets where the
2 funding -- although we are grateful that
3 we've made some changes to the language that
4 allowed districts to access funding and be
5 able to kind of braid some of those funding
6 streams together, there are still two
7 separate laws that actually oversee and
8 govern the way that early learning funding is
9 provided to schools.

10 And we have, as part of our ask this
11 year, are requesting that maybe we take a
12 look at those laws and see how we are able to
13 get funding to those schools that need it the
14 most. We are looking at possibly an increase
15 in funding for expansion seats, looking to
16 increase some of those allocational rates
17 that have been set since 2016, 2017, and we
18 know the costs to deliver those services have
19 increased over the years as well.

20 We will do everything that we can from
21 our seats. We visit and monitor over 200
22 schools every single year. We provide them
23 with direct support on how to improve their
24 instruction -- thank you.

1 SENATOR MAYER: You can finish your
2 sentence. Finish your sentence.

3 CHAIRMAN PRETLOW: Thank -- thank you.
4 Assemblyman Carroll.

5 ASSEMBLYMAN CARROLL: Good morning,
6 Commissioner Rosa, and thank you for your
7 testimony.

8 As the Libraries chair, I'd like to
9 ask you about the Executive Budget's library
10 proposal. Specifically, the Executive
11 proposes 104.6 million in operating aid to
12 our 23 public libraries. Advocates at the
13 Library Association request the Legislature
14 to fund libraries at over \$176 million.

15 Do you have a number in mind that
16 would adequately fund our libraries'
17 operating expenses?

18 NYSED COMMISSIONER ROSA: Well, let's
19 put it this way. I think the 176 is closer
20 to a number that I would probably come up
21 with.

22 Because libraries are very --
23 they're -- when you think about the kind of
24 support and when you think about the

1 opportunity for children to be introduced,
2 supported, having -- and it's libraries and
3 also having families and having books
4 available. So whenever we have these
5 initiatives about children connecting,
6 building relationships through the reading
7 process, we definitely need to have --

8 ASSEMBLYMAN CARROLL: So do you have a
9 a formula or a best practice of how we should
10 come up with what is the -- to assess the
11 operating needs of our libraries, whether it
12 be volumes of books, librarians? Do you have
13 an assessment?

14 NYSED CFO COUGHLIN: There is a
15 formula that generates a number, and the
16 Executive proposal is well below that. I
17 think the -- as the commissioner said, the --

18 (Overtalk.)

19 ASSEMBLYMAN CARROLL: It's much closer
20 to that 176.

21 (Overtalk.)

22 NYSED CFO COUGHLIN: Exactly. Close,
23 yes.

24 ASSEMBLYMAN CARROLL: Thank you so

1 much. That is what I thought it was.

2 Switching gears, you mentioned the
3 capital needs of the State Education
4 Department Building. Of course you know
5 there are great capital needs for our
6 libraries throughout the state, many of them
7 historic buildings, Carnegie libraries. They
8 have a backlog of \$1.75 billion of capital
9 needs, and the Governor has only allocated
10 \$34 million.

11 Again, do you have an assessment of
12 figuring out what is a better number to help
13 with the capital needs of our 23 public
14 library systems?

15 NYSED CFO COUGHLIN: We were
16 disappointed that the number in the Executive
17 Budget was what it was. Certainly more. I
18 wouldn't say that we have a formula or an
19 assessment that gets at the question that
20 you're asking. But that's a very interesting
21 question. I'd like to think more about that.

22 ASSEMBLYMAN CARROLL: Thank you.

23 Now, Commissioner Rosa, we wouldn't be
24 speaking if we didn't talk about literacy. I

1 want to commend you and your staff for your
2 wonderful report on dyslexia and dysgraphia
3 last month that came from legislation that I
4 sponsored. In that report you recommend that
5 there should be an office of dyslexia and
6 dysgraphia to be a point for best practices,
7 for interventions, for professional
8 development, for screening.

9 Do you have an idea of how much that
10 would cost the State Education Department?

11 NYSED COMMISSIONER ROSA: I think
12 we're -- because the report was just done --
13 and again, I really want to thank the
14 committee for really advancing -- some of the
15 experts that were part of this committee
16 really, truly were able to share with us some
17 of the issues, whether it was through
18 identification, best practices, ways that we
19 could really, truly address early on some of
20 these issues to support our students.

21 So that recommendation is one that
22 we're looking at it, we're trying to come up
23 with a number to make sure that in fact this
24 work has the next phase, which is an

1 implementation and continuity.

2 ASSEMBLYMAN CARROLL: Well, I would
3 love to work you with on that implementation.
4 I hope we can find a number so that that can
5 become a reality.

6 In last year's budget the state
7 allocated \$10 million for professional
8 development for best practices for literacy
9 education. To your knowledge, have we
10 actually done any professional development
11 with those teachers, I think it was 20,000,
12 to get that professional learning?

13 NYSED COMMISSIONER ROSA: So let's be
14 clear, those were the dollars that were --
15 the \$10 million were given to NYSUT.

16 ASSEMBLYMAN CARROLL: I know. I'm
17 aware.

18 NYSED COMMISSIONER ROSA: Okay. So
19 they have been in the process -- as a matter
20 of fact, we just had a conversation, we've
21 been having ongoing conversations of the plan
22 that they have put together, which we have
23 been reviewing. And as a matter of fact --
24 it was last week, right? -- we sent back some

1 additional questions --

2 ASSEMBLYMAN CARROLL: But have any
3 teachers received any professional
4 development in evidence-based reading
5 instruction?

6 NYSED COMMISSIONER ROSA: The plan has
7 not been --

8 ASSEMBLYMAN CARROLL: -- implemented.
9 So they have not.

10 NYSED COMMISSIONER ROSA: The plan has
11 not been approved.

12 So I'd like to add also the fact that
13 we're still reviewing and having
14 conversations with the NYSUT staff on this.

15 NYSED CFO COUGHLIN: One of the
16 constraints we operate under when we're
17 implementing something like this is that we
18 do still need to enter into a contract with
19 the organization. So we are working on that
20 contract. We have been working very
21 collegially with them. I believe that they
22 will have a course developed and ready to go
23 pretty shortly after the contract is
24 finalized.

1 ASSEMBLYMAN CARROLL: So, you know,
2 let me editorialize. It is unbelievably
3 frustrating -- this is my ninth session here.
4 Commissioner Rosa, you and I have talked
5 ad nauseam about evidence-based literacy
6 interventions -- ad nauseam about the five
7 pillars of literacy, ad nauseam about the
8 fact that our largest school system and the
9 majority of our school systems for a
10 generation chose to use curriculum and
11 literacy interventions that were unproven and
12 didn't work.

13 It is settled science about what is
14 best to teach early readers how to read.
15 That is known. The idea that we are a year
16 later now and we are still in the phase of
17 understanding what that professional
18 development is going to be, is shocking.
19 It's absolutely shocking.

20 I understand that there are contracts
21 to sign and there may be, you know, lawyers
22 and others to consult with. But if I wanted
23 to get a Wilson-trained curriculum for
24 teachers, I could call them up today and they

1 would be able to start implementing tomorrow.

2 This is not some newfangled idea.
3 This pedagogy is known, it has been known, it
4 is being done throughout the country. And we
5 have finally, in New York, I think yourself,
6 what State Ed has done, what some major
7 chancellors of our big school systems have
8 done, have finally agreed that we need to
9 move in the direction of evidence-based
10 literacy instruction that is sequential,
11 systematic, rooted in phonics.

12 But yet the Legislature allocates
13 millions of dollars to have teachers receive
14 professional development, and none happens in
15 a year. That is shocking. And we know, we
16 know that for kids in kindergarten, first and
17 second grade, this is when reading attainment
18 happens. So that's another year lost for
19 those early readers.

20 And if we're here again next year and
21 we haven't done it, it will be another year
22 lost. And you know that 50 percent of our
23 children read below grade level and
24 30 percent don't read at all. One in seven

1 adults in America is functionally illiterate.
2 That is shocking.

3 NYSED COMMISSIONER ROSA: Well,
4 Assemblyman, let me just say that that aspect
5 that you're talking about, that one
6 particular program is really a small portion
7 of the work that we're doing. We are heavily
8 invested as -- within the department.
9 Briefs, literacy training, we've done all
10 kinds of workshops -- a lot of that is going
11 on.

12 This is a very specific program that
13 was -- that the Governor absolutely committed
14 to, which at the time, if you recall, was
15 called Back to Basics, and then it was -- but
16 that is only a small aspect. And they've had
17 to -- the way this was structured, they had
18 to submit the proposal, they had to put
19 together the proposal. But I can assure you
20 that we have been -- and I'm going to ask
21 Angelique -- we have been doing extensive,
22 massive work in terms -- in this space.

23 DEPUTY CMMR. JOHNSON-DINGLE: And to
24 the commissioner's point, I would like the

1 opportunity to just highlight some of the
2 things we have done since the beginning of
3 last school year, so figuring the fall of
4 '23. We have released a number of literacy
5 briefs that were coauthored by Dr. Nonie
6 Lesaux. We rolled it out in a statewide
7 conference that touched over 2500 educators
8 across the entire state. We then followed
9 that up with a curriculum review guide to do
10 exactly some of the points that you've
11 highlighted in helping districts to review
12 the things that they have purchased locally,
13 approved by their local boards, in order to
14 be able to provide instruction in literacy.

15 Just within this past month, we
16 actually turned around --

17 (Overtalk.)

18 ASSEMBLYMAN CARROLL: I have 13
19 seconds. I understand that. But I think
20 it's very clear that time is of the essence
21 and we need to act quicker, because every
22 year we lose a set of children to illiteracy.

23 CHAIRMAN PRETLOW: Thank you.

24 Senator?

1 CHAIRWOMAN KRUEGER: Thank you.

2 Senator John Liu, chair of the
3 New York City Education Committee.

4 SENATOR LIU: Thank you, Madam Chair.

5 And I want to start by reminding
6 everybody here that last year we passed
7 legislation, signed by the Governor, that
8 designates the Asian Lunar New Year as a
9 public school holiday. And guess what day
10 today is? Happy New Year!

11 NYSED COMMISSIONER ROSA: Happy New
12 Year.

13 SENATOR LIU: Congratulations, all the
14 public school kids throughout the State of
15 New York and their families. They get to
16 celebrate this new year, the Year of the
17 Snake -- some people call it the Year of the
18 Baby Dragon.

19 Whatever you call it, it's a happy
20 day. And I feel there is no better way to
21 celebrate the new year than to spend all day
22 today listening to the input of educational
23 professionals and advocates all throughout
24 the State of New York, especially when this

1 issue is so important to people and families
2 all throughout the State of New York.

3 So thank you, Madam Chair. And thank
4 you, Commissioner and your entire team, for
5 making sure that this is well-implemented
6 across the State of New York.

7 Happy New Year!

8 NYSED COMMISSIONER ROSA: Thank you.
9 Happy New Year.

10 SENATOR LIU: Thank you.

11 You know, I wanted to piggyback off of
12 what Chair Shelley Mayer started asking you
13 about, which is the Foundation Aid.
14 Specifically with respect to New York City,
15 the definition of poverty level imagined in
16 the Executive proposal casts a -- uses the
17 federal poverty guideline, without
18 differentiation, all across the State of
19 New York. And that poverty level is
20 somewhere at an income level of about 32,000,
21 maybe \$32,150. Whether you live in New York
22 City or parts of the North Country or Western
23 New York, it's the same level.

24 And we know that that's just an

1 inadequate measure. In fact, using that kind
2 of measure statewide reduces the amount of
3 Foundation Aid available for New York City
4 public schools by a substantial amount,
5 something to the tune of \$400 million
6 annually.

7 Is there anything that State Education
8 has looked at in terms of perhaps a better
9 measure of poverty, one that, like the
10 Regional Cost Index would do, would
11 differentiate what true levels of poverty for
12 families across the state would experience?

13 NYSED CFO COUGHLIN: Senator, the
14 Board of Regents has recommended the same
15 poverty metric that is -- was used by the
16 Executive.

17 But we do recognize, as the staff,
18 that there are those challenges in the
19 metrics that we -- the one that is in the
20 Executive Budget represents an improvement
21 over where we've been, which we think is very
22 important.

23 But I think your point underlying your
24 question is there may be better ways to

1 measure this going forward. I think that
2 speaks to the commissioner's view that the
3 Rockefeller recommendations and the proposed
4 Executive Budget represent a step in the
5 right direction, but they are not all the way
6 there to improving Foundation Aid so that it
7 truly serves the needs of our students.

8 SENATOR LIU: Well, I'm sure we'll
9 hear from the City of New York in a few hours
10 from now. But I would encourage the State
11 Education Department to look at what true
12 needs there are, particularly on the issue of
13 families experiencing poverty, and what it
14 takes the schools systems in different parts
15 of the state to educate these children.

16 NYSED COMMISSIONER ROSA: So, Senator,
17 if I may add, one of the concerns that I also
18 have is -- to your point, is that the reason
19 we think that our department needs to do some
20 of these modelings is to get to that issue.
21 Because just to have a standardized kind of
22 looking across, to your point, a child in
23 Washington Heights, the Bronx, parts of
24 Queens, parts of, you know, Manhattan and

1 other -- Brooklyn, the poverty even in some
2 of the neighboring districts is very, very
3 different.

4 SENATOR LIU: Well, that's true, but
5 the New York City Department of Education,
6 they can make those kinds of adjustments when
7 necessary.

8 NYSED COMMISSIONER ROSA: That is
9 correct.

10 SENATOR LIU: But at least if you
11 treat the entire City of New York and
12 acknowledge the much higher cost of living
13 for families in New York City, that would
14 certainly help the city.

15 NYSED COMMISSIONER ROSA: Yes. And
16 that -- those modelings combining those
17 situations would create some of the
18 differentiation.

19 SENATOR LIU: Great. And what about
20 the idea of providing additional weights in
21 education funding for students in temporary
22 housing, students in foster care. I know the
23 Rockefeller Institute made very brief mention
24 of those issues, but none of that is included

1 in the Executive proposal.

2 NYSED COMMISSIONER ROSA: Yeah,
3 especially students that are in temporary
4 housing, there are additional funding that we
5 have.

6 DEPUTY COMMR. HARMON: As you said,
7 Senator, there are opportunities, and I think
8 that's something that we see already inside
9 of how New York City is distributing
10 resources, right, where there are weighting
11 functions for students who are experiencing
12 homelessness, for English language learners,
13 that I think need to be, again, part of the
14 conversation in terms of the weighting when
15 you're looking at that overall formula, to be
16 able to make adjustments to drive resources
17 to places that are serving, you know, higher
18 concentrations or changing concentrations of
19 students who are experiencing those sort
20 of --

21 SENATOR LIU: So could State Education
22 reform its support of a portion of the
23 revised Foundation Aid formula to include the
24 costs of educating students in temporary

1 housing and foster care?

2 NYSED COMMISSIONER ROSA: Absolutely.

3 And in addition to that, though, we also --
4 we have funding, McKinney-Vento, for example.

5 DEPUTY COMM. HARMON: Right, those
6 are federal resources that continue --

7 (Overtalk.)

8 NYSED COMMISSIONER ROSA: Federal. I
9 mean, those are federal --

10 (Overtalk.)

11 DEPUTY COMM. HARMON: Right, to
12 continue to supplement.

13 NYSED COMMISSIONER ROSA: Yeah. We
14 try to make sure that they take advantage of
15 those dollars as well, because we know that
16 those students -- not only are they in
17 temporary housing, but a lot of times the
18 mobility of those students and the loss of
19 learning even going from one place to
20 another, that is loss of learning that -- in
21 terms of extended day or some of the other --
22 you know, some of the other practices that we
23 have to build in to assure that we support
24 these young people.

1 SENATOR LIU: Thank you.

2 You know, we've spoken many times
3 about the anti-Asian hate that we've seen
4 these last few years and ways to eradicate
5 that hate being through our public schools.
6 You know that I've been pushing a bill that
7 would require the teaching of the
8 Asian-American experience in public schools.
9 There are bills that require the teaching of
10 African-American history, Latinx culture.

11 And I know State Education has
12 reservations about those, but State Ed and
13 the Regents have made a tremendous amount of
14 progress with regard to the culturally
15 sustaining -- culturally responsive and
16 sustaining education --

17 NYSED COMMISSIONER ROSA: Very good.

18 SENATOR LIU: -- platform and --

19 NYSED COMMISSIONER ROSA: Framework.

20 SENATOR LIU: -- the framework.

21 Does that now all come under assault
22 with the new federal administration and what
23 the administration has been saying about
24 these kinds of educational curricula?

1 NYSED COMMISSIONER ROSA: So the
2 culturally responsive, that framework
3 stands -- by the way, it has been embedded,
4 has been embraced, I have to tell you,
5 throughout this state. And the kinds of
6 teaching that are in our standards will
7 continue. Those are in our standards.

8 So our position has been that we're
9 going to move forward with the bedrock of our
10 state, which is the issue of culturally
11 responsive, is absolutely one that our state
12 absolutely embraces because, as I said, every
13 single district, right, has been totally
14 committed to this work. They use it
15 constantly. And they really, truly celebrate
16 the various cultures. And as you know,
17 holidays are a perfect example where we use
18 opportunities in literature, we use it in
19 ways that help our young people to prepare
20 them for a global society.

21 SENATOR LIU: I thank you for that.
22 You know, I believe that we should go
23 further, but at least we should not go back
24 or retreat in any fashion whatsoever on the

1 culturally responsive, sustaining education.

2 Let's hope our members of Congress can
3 fight back against what the federal
4 administration is doing or potentially
5 threatening.

6 And my last question for you would be
7 the threat of removal of Title I funding
8 along with the abolishment of the federal
9 Department of Education. Is that something
10 that State Education has been examining and
11 preparing for?

12 NYSED COMMISSIONER ROSA: So I'll
13 start by saying that obviously yesterday we
14 were dealing with this issue, I think not --
15 not just our department, across the entire
16 state, right, and other states.

17 So we did get notice immediately that
18 the Title I and the -- it was Title I and
19 IDEA. But in the interim, we have been
20 taking stock of the impact that that will
21 have. And I'll answer it --

22 SENATOR LIU: I'll come back on
23 Round 2.

24 NYSED COMMISSIONER ROSA: Okay.

1 CHAIRWOMAN KRUEGER: Thank you.

2 CHAIRMAN PRETLOW: Assemblyman Smith,
3 five minutes.

4 ASSEMBLYMAN SMITH: Thank you. And
5 thank you, Commissioner. Thank you to the
6 team for being here. I want to take some
7 time to talk regionalization, because you and
8 I have spent a lot of time -- the
9 department -- hours over the last several
10 months, talking about this, going back and
11 forth.

12 So I'll start by saying before your
13 tenure as commissioner the State Education
14 Department rolled out a number of programs --
15 Race to the Top implementation, Common Core,
16 APPR, the licensing of teachers, a lot of new
17 initiatives. And I think a lot of our
18 schools are still -- maybe have some
19 posttraumatic stress over those experiences.
20 So I want to take some time --

21 NYSED COMMISSIONER ROSA: Sure.

22 ASSEMBLYMAN SMITH: -- to talk about
23 regionalization, what it is, what it is not.
24 I know you and the team have traveled across

1 the state and it's been received differently
2 in different regions of the state. Can you
3 speak about that a little bit? And I'll have
4 some follow-up questions.

5 NYSED COMMISSIONER ROSA: Sure. I'm
6 going to start, and then I'm going to turn it
7 to my regionalization guru.

8 This is not something new. And I know
9 you mentioned Race to the Top. I have been
10 in some -- we've visited some districts that
11 have been doing this for 10 years. And doing
12 it, and doing it well because of the
13 necessity -- you know, the sparsity issue for
14 many of our rural districts really -- you
15 know, they create opportunities to innovate,
16 they create opportunities to cooperate and
17 share. And so the notion of regionalization
18 has been very much a part of the fabric of
19 many, many of our districts and many of our
20 areas throughout, you know.

21 So that's that in itself, just to say
22 that this is not a new concept --

23 ASSEMBLYMAN SMITH: Right. So a
24 question that I think -- and sorry to cut you

1 off. Some school districts are concerned
2 that they and their taxpayers might be paying
3 for students of other districts. That is not
4 correct, is that your understanding, that
5 would not be correct?

6 So a school district might be
7 concerned that they and their local taxpayers
8 could be paying for the students of another
9 district. That is not the intention, is that
10 correct?

11 NYSED COMMISSIONER ROSA: Yeah,
12 absolutely. But, you know, that's part of
13 the literacy that we hope to impart on our
14 students in terms of misinformation,
15 disinformation.

16 But let me just say, you know, when I
17 was talking about the rural districts and
18 other districts that are doing this, the
19 notion -- I mean, we even have two districts
20 that share a superintendent.

21 The rural, the -- particularly rural
22 districts, because of the fact that they want
23 to also maintain the quality, a high-quality
24 education for their students -- as a matter

1 of fact, we met yesterday with three of them,
2 right? And in order to give those students
3 that high-quality education, they have to
4 learn to share. They don't have the
5 resources that some of our other districts
6 have.

7 ASSEMBLYMAN SMITH: So would you give
8 as an example maybe a rural district that
9 does not have AP offerings or college class
10 offerings, but maybe a neighboring district
11 does but maybe they only have four or five
12 students in each, that there could be an
13 opportunity.

14 NYSED COMMISSIONER ROSA: They
15 share -- yes. They're sharing resources,
16 they're innovating, they're figuring out --
17 they're problem-solvers in trying to figure
18 out how do we, despite the fact that we have
19 fewer students, the sparsity issue and so
20 many other barriers -- we have seen an
21 incredible number of districts that truly
22 have taken how to share their toys.

23 And again, there are those districts
24 that have a lot of resources, have a lot of

1 wealth, have a lot of ways of enjoying
2 giving, you know, as you said, different AP
3 classes or whatever. So they're not being
4 asked, in any shape or form, to share. In
5 many cases they are, and those places that
6 they are, we celebrate those.

7 And by the way, just to give you a
8 number, we are fairly close to 80 percent --
9 80 percent have opted in throughout the state
10 to do regionalization. Eighty percent.

11 ASSEMBLYMAN SMITH: And to get to that
12 point, there was an option. So if a school
13 district didn't feel that they could benefit
14 or didn't feel that their neighboring
15 districts would benefit --

16 NYSED COMMISSIONER ROSA: They could
17 opt out.

18 ASSEMBLYMAN SMITH: -- they could opt
19 out. So there's no obligation for them to --

20 NYSED COMMISSIONER ROSA: We do have
21 several -- the largest concentration happened
22 to be in your neck of the woods, you know, in
23 your neighborhood. Not your specific
24 neighborhood --

1 ASSEMBLYMAN SMITH: Not specifically,
2 right.

3 NYSED COMMISSIONER ROSA: In
4 Long Island.

5 But the truth of the matter is that we
6 honor the issue that they felt that they did
7 not want to be part of the process, and we
8 honor that. We --

9 ASSEMBLYMAN SMITH: And with that,
10 because I'm being asked that if they opt out
11 of the planning process, it's not simply the
12 planning process; they will not be asked to
13 take on or to participate.

14 NYSED COMMISSIONER ROSA: I'm going to
15 ask -- they're opting out. And by the way,
16 we asked them -- we asked the board and the
17 superintendent to negotiate this. And once
18 they opt out, you know -- and by the way, we
19 are establishing a regionalization network.
20 And just so you know, some of this -- the
21 reason you think it's new --

22 ASSEMBLYMAN SMITH: Yeah, I'm out of
23 time. But thank you for clearing up some of
24 this.

1 CHAIRMAN PRETLOW: Thank you. You are
2 out of time.

3 Senator?

4 NYSED COMMISSIONER ROSA: Thank you.

5 CHAIRWOMAN KRUEGER: Thank you.

6 Jim Tedisco, ranker in Education.

7 SENATOR TEDISCO: Thank you.

8 Commissioner, it's always great to see
9 you here before us, and we appreciate your
10 testimony and coming by to testify.

11 I'm going to start out with something
12 I know I wanted to say during my
13 presentation -- I'm very limited, I probably
14 would have saved to the end. And that is as
15 ranking member of the Education Committee,
16 and I think I can say representing my
17 conference, this is a very large budget to
18 begin with, I think \$8.6 billion in spending.
19 But we never know what's going to happen
20 during the course of this whole budget
21 negotiations.

22 I can go on record and tell you this.
23 Myself and I believe my conference will never
24 in this year be balancing this budget on the

1 backs -- no matter what comes out in the
2 finality of this budget, on the backs of our
3 local taxpayers, who may have to cut if there
4 are cuts in very important programs or the
5 backs of our kids or our school districts. I
6 want to be on record in saying that.

7 Having said that, I'm going to ask you
8 a question, probably won't get to the next
9 one, but you know where I'm going. Have you
10 ever seen the movie Casablanca? Yes or no.
11 No problem.

12 NYSED COMMISSIONER ROSA: Yes.

13 SENATOR TEDISCO: Yes. So you know in
14 that movie there's a police chief, and he
15 knows what's going on over there. And he
16 goes up to Humphrey Bogart: I'm shocked, I'm
17 shocked, I'm shocked that there's gambling in
18 this facility. We know he's not shocked.

19 I came to the capital this year, I
20 became shocked -- we have an affordability
21 problem in New York State. Did you know
22 that, Commissioner. Rhetorical. You don't
23 have to answer it. Most people over here
24 know it. If I've heard that once, I've heard

1 it a thousand times since we've been here.

2 We have an affordability problem.

3 Every time we interact with our
4 constituents, surveys or polls, we ask about
5 transportation, safety, education -- love
6 education. You support it? Yes. Do you
7 want us to fund it? Fund education, put
8 money in it. They want the test scores to be
9 good. They want the graduation rates to go
10 up. It's extremely, extremely important for
11 them.

12 But my goodness, everybody knows we
13 have an affordability problem in New York
14 State. We've had an affordability problem.
15 Besides what my constituents and others say,
16 in the last census we became number one in
17 outmigration: 101,000 people left the State
18 of New York. Fifty states. One of seven
19 states that lost a Congressperson, lost
20 voices out there. We're number one in Tax
21 Freedom State today. We still have that
22 designation. You know, Commissioner, that's
23 when we actually take a dollar home for the
24 people who work in New York State.

1 There is an affordability problem,
2 without question. The worst thing is our
3 destiny, possibly, which they suggest at
4 least two or three Congresspeople and
5 representatives will be lost in the 2032
6 census coming up. That's significant to
7 think about.

8 But make no mistake, if we're going to
9 move towards affordability -- and you know
10 what? We have to, to keep people in New York
11 State, to keep the great educational system
12 we have -- we're going to have to have
13 spending priorities, spending -- realistic
14 spending priorities. And that is the
15 challenge, I think, for us, for the
16 majorities, for the minority, for the
17 Governor: Spending priorities.

18 And I've seen a very large budget come
19 out, I've seen \$8.6 billion in spending. But
20 I don't want that to fall on the back of a
21 number-one spending priority: Educating the
22 kids in New York State. We cannot let that
23 happen.

24 But by the same token, I got a feeling

1 she's going to have to be Houdini with the
2 budget she gave us to give those tax monies
3 back. And we believe in tax cuts. We need
4 them. That would be part of the incentive.
5 It ain't a rabbit that has to come out of a
6 hat -- she's got to pull a giraffe out of a
7 hat. Now, that's a big animal. Okay? So
8 that's going to be hard to do.

9 So my question to you is -- I've got a
10 minute -- she has to be interacting with you
11 and the leaders of -- our other commissioners
12 and everything like that. Has she talked to
13 you about what's going to happen across the
14 board or how you can help with this cost of
15 living, not cutting programs but adjusting
16 how we move those programs forward, how we
17 realign programs, things of that nature?

18 Because it scares me when all of a
19 sudden affordability problems have been in
20 existence and we're going to solve them
21 overnight. Thirty seconds isn't enough, I
22 know that. Don't hate me.

23 NYSED COMMISSIONER ROSA: Well,
24 Senator, let me start by -- and I know you

1 know this, and this is going to sound --
2 we're an independent agency. We are not an
3 agency of the Governor.

4 Now, having said that, we do try --
5 and I have to tell you, put it point-blank,
6 the commissioners of this state, many of them
7 we work very closely with. So we try to, to
8 your point --

9 CHAIRMAN PRETLOW: Hold that point.

10 SENATOR TEDISCO: We could talk
11 forever.

12 CHAIRMAN PRETLOW: We had a
13 four-and-a-half-minute question and not
14 30 seconds -- anyway --

15 CHAIRWOMAN KRUEGER: And actually,
16 just to point out -- thank you, Cary -- we
17 try to remind legislators you can use all of
18 your minutes asking a question, but the
19 answerer doesn't get extra minutes to answer
20 you. So just the lesson for today.

21 Thank you.

22 CHAIRMAN PRETLOW: Before I go on,
23 we've been joined by Assemblymembers Conrad,
24 Hooks, Simone -- I'm sorry, Simon -- and

1 Mitaynes.

2 ASSEMBLYMAN RA: And we've also been
3 joined by Assemblywoman Mary Beth Walsh on
4 the Republican side.

5 CHAIRMAN PRETLOW: Assemblymember
6 Chludzinski, five minutes.

7 ASSEMBLYMEMBER CHLUDZINKSI: Good
8 morning, Commissioner.

9 NYSED COMMISSIONER ROSA: Good
10 morning.

11 ASSEMBLYMEMBER CHLUDZINKSI: I want to
12 thank you and your staff for being here today
13 with us, and I want to thank you all for the
14 hard work that you do for all our students
15 and families across New York State. I know
16 it's probably not always a thankful job, but
17 we appreciate the work that you all do.

18 I just have a couple of questions.
19 One is in regards to staffing shortages.
20 We're still hearing concerns about staffing
21 shortages at school districts across the
22 state. Particularly I know in my district I
23 hear there's shortages of -- it's very
24 difficult for them to find science teachers,

1 biology, chemistry.

2 What is your department doing to
3 address the shortages? And what structural
4 changes are needed to address these
5 shortages?

6 NYSED COMMISSIONER ROSA: So I'm going
7 to start by saying, as you saw in my intro,
8 we talked about Teach.org. But in addition
9 to that, we have -- under the leadership of
10 Dr. Matteson, we've been doing a great deal
11 of work of taking our requirements for
12 certification of our teachers and creating
13 lots of flexibilities.

14 And we can give you, just to be very
15 precise, a couple of good examples of that.

16 SR. DEP. COMMISSIONER MATTESON: So
17 just a couple of examples. You brought up
18 science. One of the things that the
19 department had done, I think in August of
20 '23, was to put a regulation in effect that
21 allowed -- if you're going to have a second
22 certification for science, you weren't going
23 to need additional 30 credit hours, you could
24 do 18 credit hours.

1 We've just put forward a regulation to
2 allow that for most of our certification
3 titles. So if a student is going to college
4 or university or a teacher prep institution
5 and would like to have multiple
6 certifications, it's not going to take
7 multiple 30-credit-hour coursework pathways
8 in order to get those certifications. So
9 that's some flexibility we've offered.

10 We've also tried to deal with some of
11 the certification exam issues that have been
12 a roadblock for many of our teachers,
13 especially coming from out of state, where
14 they may have taken an assessment, a
15 different teacher assessment in their state,
16 and then they have to take the New York State
17 exam. So they've done all they could do in
18 their home state, they're fully certified
19 there, otherwise qualified, that we're
20 finding ways to now -- we're going to -- we
21 put a regulation in place that we're going to
22 analyze those exams and the ones that are
23 comparable, we're going to accept them. And
24 then if they get close to passing ours, if

1 they didn't take an exam, we've also got a
2 multiple-measures approach to get people
3 certified if they have -- come very close to
4 passing the exam, so they're not one after
5 another taking it multiple times.

6 So in addition to Teach.org, which has
7 been a great success in recruitment and
8 getting people on the pathway to teaching, we
9 in fact have more people in the pipeline on
10 Teachnny.org, starting our pathway, than we do
11 in teacher prep institutions right now in
12 New York State.

13 So it's having the desired effect, and
14 that's only nine months in. Which is why
15 we've emphasized it -- now the third time in
16 this hearing. It's very important to us to
17 keep that product and to work with our
18 partners.

19 ASSEMBLYMEMBER CHLUDZINKSI: Thank
20 you, sir.

21 Just to change gears here, on the
22 Governor's Distraction-Free Learning
23 Initiative. I know that was mentioned a
24 little bit earlier. But are you concerned at

1 all that the Governor's Distraction-Free
2 Learning Initiative requires school districts
3 to adopt cellphone prohibition policies
4 rather than allowing districts to make the
5 determination locally?

6 I know locally, talking to our
7 superintendents, this has basically been an
8 issue that's been solved through their own
9 department policies and procedures, and
10 they've conveyed to me that they more or less
11 have this under wraps at their school
12 districts because it's been around for quite
13 a few years now.

14 Do you have concerns that the state
15 coming in and adopting their own policies,
16 superseding what the school districts already
17 have, will be problematic?

18 NYSED COMMISSIONER ROSA: Yeah, I have
19 taken a very strong position on the local
20 control and the fact that many of our
21 superintendents and schools, including -- and
22 again, I don't want to speak for the school
23 board or the Big 5 or some of the individuals
24 that have really taken a similar position.

1 We believe that this is local control.
2 People have been doing it, to your point, for
3 a while. And I do believe that the
4 Governor's office initially started in one
5 place, and those changes have been adjusted
6 to be at the local control. And knowing that
7 many districts already doing -- have been
8 doing this for a while.

9 So we are hopeful that that is the
10 final destination.

11 ASSEMBLYMEMBER CHLUDZINKSI: Thank
12 you, Commissioner.

13 CHAIRMAN PRETLOW: Thank you.
14 Senator?

15 CHAIRWOMAN KRUEGER: Thank you.

16 And our chair of Libraries, Senator
17 Bynoe, 10 minutes.

18 SENATOR BYNOE: Thank you,
19 Madam Chair.

20 Good morning, Commissioner.

21 NYSED COMMISSIONER ROSA: Good
22 morning.

23 SENATOR BYNOE: So I would like to
24 start out by echoing some earlier sentiments

1 and lending my voice to increasing capital
2 funding to libraries.

3 Specifically in my district, we have
4 the Uniondale Library that has a rising water
5 table and they're taking on water. They need
6 a roof. They're really in bad shape, and
7 they're not yet able to access that funding
8 to do the work.

9 And we have other examples throughout
10 the district, and I know many throughout the
11 state.

12 So in not belaboring the point, I'd
13 like to move on and ask about school
14 libraries and ask specifically about the role
15 of SED in oversight of school libraries,
16 specifically the funding. Right now I
17 believe the amount is \$6.26 per pupil, and
18 they haven't had an increase since 2007. And
19 I know that many of the districts do not have
20 full-time librarians in the schools. And
21 this has to be a function of that.

22 So I'd like to know -- I'd like to
23 hear from you regarding whether there's been
24 any study about increasing that per-pupil

1 cost and what your role is in doing so.

2 NYSED COMMISSIONER ROSA: Yeah, so let
3 me start by saying it's interesting, outside
4 of New York City they've done a better job
5 with libraries. And the -- but there's been
6 an investment and a push for New York City
7 also to realize the extreme value of this.

8 So on the issue of the per-pupil
9 investment --

10 NYSED CFO COUGHLIN: The Board of
11 Regents has in fact recommended that those
12 numbers be adjusted for inflation. So
13 relative -- I don't recall right now what the
14 number would be to adjust, but that they be
15 taken -- inflation from the time that that
16 was set in statute and increased to what it
17 would be now.

18 So yes, the board is supportive of
19 that.

20 SENATOR BYNOE: Okay. I would love to
21 see those numbers. And once you complete
22 that exercise, I think the whole body can
23 benefit.

24 NYSED COMMISSIONER ROSA: We'll share

1 -- we can meet with you and share with you
2 specifically, because we do have the numbers
3 of -- the number of districts that do have,
4 you know, librarians, particularly in the
5 elementary school but all way through. So
6 more than glad to meet with you to go over
7 those.

8 SENATOR BYNOE: Thank you.

9 Also, moving on to education -- and I
10 know that many parents would love to have the
11 opportunity and need the opportunity to have
12 alternatives and options in terms of
13 educating their young scholars. And I know
14 charter schools have provided that.

15 But I am concerned regarding the
16 saturation of charter schools in Senate
17 District 6, and I'm sure it's happening
18 throughout the state in certain areas. In
19 particular, Hempstead School District, which
20 has a total aid of \$234 million, is sending
21 roughly \$87 million to charter schools.

22 And the examples -- I can go on and on
23 on that but, you know, there's a real
24 disparate impact to school districts that are

1 sending those large sums of money to charter
2 schools. And, you know, I'd like to know,
3 first, when SED is reviewing these RFP
4 responses for charter schools, whether you're
5 taking into consideration that there's
6 saturation.

7 NYSED COMMISSIONER ROSA: Yes. So
8 I'll start by saying that we have two
9 entities, SUNY and SED. Our charters, in
10 the -- we have the smaller -- actually, you
11 have four, because you have Buffalo and
12 New York City. But primarily the two
13 entities that make the determination in this
14 particular case, SUNY has the largest number
15 of charters. We have 95, I think, is the
16 number that we have. And SUNY has --

17 DEPUTY CMMR. JOHNSON-DINGLE:
18 Two-thirty-eight.

19 NYSED COMMISSIONER ROSA: Two
20 hundred -- you're right, 238 is the SUNY
21 number. Ours is 95, and New York City 38 and
22 I think Buffalo two.

23 So in that determination it's --
24 there's a struggle because many districts --

1 you know, many charters will go to SUNY,
2 obviously, rather than -- you know, we have a
3 pretty strict -- and I'm not saying they
4 don't have a strict -- but we have a pretty
5 robust type of process that you have to go
6 through.

7 Now having said that, there are many
8 times that there's a lot of confusion in the
9 field where they feel that we've -- you know,
10 we have in fact decided that this charter's
11 going to go into that district when in fact
12 it's a SUNY decision.

13 And with Hempstead --

14 DEPUTY CMMR. JOHNSON-DINGLE: So we
15 have worked, over the past two years, I want
16 to say, with my colleague across the table,
17 Jason, in understanding how we can attempt to
18 find a way. We know that there is a problem
19 with the way that charter schools are funded,
20 essentially. And we do know that
21 Hempstead does have one of the highest
22 amounts of tuition rates that they do pay out
23 to their local charter schools.

24 And that is not to say that we don't

1 believe in parent choice and support that
2 decision of those parents, but I think it
3 comes down to essentially the way that
4 charter schools are funded within the laws
5 that are currently existing on the books that
6 do create a complication for the way that
7 school districts themselves have to pay out
8 that money.

9 SENATOR BYNOE: So we know now, right,
10 that there's a problem. Right? And we know
11 that Hempstead in particular has really been
12 hampered by this. But it's actually growing
13 tentacles, and it's making its way throughout
14 the district, insomuch that Uniondale is
15 currently sending 21 million, and they're
16 projected for -- for last year they sent
17 21 million, and they're projected to send
18 25 million.

19 What can SED do to streamline the
20 process, have better oversight in terms of
21 saturation so that -- you know, we know we
22 have these two different entities, but have
23 you done any study, any type of evaluation as
24 to best ways to move forward?

1 NYSED COMMISSIONER ROSA: Yeah, we've
2 looked at where the saturation -- I mean, a
3 perfect example is District 5. You've got a
4 huge saturation in District 5, and I can tell
5 you a couple of other districts.

6 We also know that, to Angelique's
7 point, that there's a different rate that's
8 paid, which also creates another layer.

9 You know, and sometimes people think
10 that it's kind of a one-on-one, you're
11 removing a kid from one place and moving it
12 to another. But when you have a class of,
13 let's say, 19 and you still have to create a
14 class, and you have minus the number of
15 students that have left, right, that is a
16 financial hole that the district is in. So
17 it's not as simple as, you know, sometimes I
18 think the way this structure in the law was
19 designed, it makes it look as if, Oh, well,
20 I'm taking 10 from here and you're left --
21 no, you still have to have that teacher, you
22 still have to have those resources.

23 So it's not as if the cost is, you
24 know, necessarily -- because as somebody

1 who's done, both in my middle school and high
2 school, done programming, it is a challenge.
3 And it's also a challenge when you have, you
4 know, fewer dollars to provide the kinds of
5 resources.

6 So I do think we have to take a look
7 at the whole issue with the charter law from
8 various issues. And that's one of them.

9 SENATOR BYNOE: And I'd like to work
10 with you on that.

11 NYSED COMMISSIONER ROSA: Okay. Well,
12 look forward to it.

13 SENATOR BYNOE: I have one other
14 question specific to Hempstead, and it's use
15 of -- SED's placement of a monitor.

16 NYSED COMMISSIONER ROSA: Monitor.

17 SENATOR BYNOE: And I'd like to
18 understand from you whether you believe a
19 monitor should still exist within that
20 district. And if so, why?

21 NYSED COMMISSIONER ROSA: Absolutely.
22 Our schools -- and I'll give you a concrete
23 example, and I'm going to turn it to Jason.

24 For example, when -- and I'm going to

1 go slightly over to a district like
2 Wyandanch. Right? Totally in horrendous
3 deficit, and it's now in a surplus. I think
4 they're 30 million, if I'm not mistaken,
5 right, 30 million in surplus, from a district
6 that was in a horrendous situation. And the
7 financial monitor has been extremely focused
8 and someone that has made a huge difference.

9 Now, personally I do have to say I
10 like the idea of two monitors, one
11 instructional, one operational that focuses
12 on the fiscal. And in your case you have one
13 monitor. And again, I would submit that in a
14 district like, you know, you're speaking to,
15 we really truly need an instructional as well
16 as fiscal.

17 SENATOR BYNOE: They've been able to
18 increase their graduation rates, so I'd like
19 to hear more from you on that.

20 Thank you.

21 NYSED COMMISSIONER ROSA: They did,
22 82 -- I think it's 82 --

23 SENATOR BYNOE: Eighty-seven percent.

24 NYSED COMMISSIONER ROSA: --

1 82 percent.

2 CHAIRMAN PRETLOW: Thank you.

3 Assemblyman Ra has stepped away, so
4 I'll go to Assemblyman Conrad, three minutes.

5 ASSEMBLYMAN CONRAD: Hi, good morning.

6 I was excited to review the Blue
7 Ribbon Commission's results and
8 implementation for our four-year changeover
9 for our cohorts of students under the new
10 diploma program. Can you review how SED
11 plans to support these school districts
12 across the state that desperately need staff
13 development? Because looking at the budget
14 right now, it looks like we're at
15 \$14.3 million eliminated for staff resource
16 centers. And I just don't know how that
17 particularly jibes with this new initiative
18 that we're about to implement here where
19 we're trying to make this new program truly
20 successful and have these pathways.

21 Do you care to comment on that?

22 NYSED COMMISSIONER ROSA: Sure. So
23 I'm going to start by saying I'd love to
24 invite you to a meeting to take you through

1 the journey of what we've gone through to get
2 to this place in terms of the task force --
3 which was made up of, as you know,
4 superintendents, businesspeople and the
5 twelve recommendations that I think Angelique
6 is going to speak to. There's been an
7 incredible journey of several years to get to
8 this point.

9 We also have a planned pilot that is
10 supporting this work to take a look at this
11 work within several districts.

12 So there's a tremendous amount of work
13 to answer that question. And more than glad
14 to really have you -- create a roadmap for
15 you and walk you through it.

16 In the meantime, Angelique?

17 DEPUTY CMMR. JOHNSON-DINGLE: And part
18 of the -- as you have mentioned, we have very
19 intentionally created a runway, a
20 five-year-plus timeline to build in
21 opportunities to provide teachers with the
22 necessary professional learning opportunities
23 that they would need to help improve their
24 instructional practices within the classroom,

1 along with including and expanding resources
2 to provide access to greater opportunities
3 for students. But happy to meet with you
4 offline to take you through that in a more
5 detailed fashion.

6 ASSEMBLYMAN CONRAD: I appreciate it.
7 It just doesn't make sense to me to eliminate
8 \$14.3 million for staff resource centers that
9 I found personally the place where I would
10 learn literacy techniques, as our
11 Chair Carroll mentioned and others. It just
12 seems like a very important piece, today more
13 than ever.

14 And I'll leave with just one comment.
15 Obviously, being an educator and having a lot
16 of friends that are still in education, the
17 paperwork load that is being placed on
18 special ed teachers -- I get it, they're not
19 just teaching, they're doing much more.
20 They're counseling, they're dealing with
21 addiction, they're dealing with trauma.
22 There's so much being added to the plate of
23 our educators.

24 What are we doing to eliminate or

1 simplify or just make a load of paperwork
2 that has been inundated -- the comment I keep
3 getting from educators is "I don't feel like
4 I'm teaching anymore. I'm just filling out
5 paperwork."

6 And I'll leave it at that, if there's
7 any efforts that we can do to alleviate that.

8 NYSED COMMISSIONER ROSA: Sure. So I
9 will tell you --

10 ASSEMBLYMAN CONRAD: We'll talk later.

11 (Laughter.)

12 CHAIRMAN PRETLOW: Thank you.

13 Senator?

14 CHAIRWOMAN KRUEGER: Thank you. We've
15 been joined by Senator Weik.

16 And Senator Murray, ranker on
17 Libraries, for five.

18 SENATOR MURRAY: Thank you very much
19 on.

20 And thank you for being here. I'm
21 over here in the corner. Thank you for being
22 here and for your testimony. I have quite a
23 few questions, but with five minutes I'll
24 start with the first here.

1 So recently the Trump administration
2 had announced a reversal in policy regarding
3 law enforcement and making arrests or going
4 into locations deemed as sensitive areas --
5 churches, synagogues, and schools, of course.
6 They reversed that policy, and when doing so,
7 the media spun it as though they're targeting
8 these locations. Now, ICE officials, other
9 officials have come on and said that's not
10 the case, we are not targeting them, we
11 simply need to have access in the event, say,
12 a violent gangbanger is going into a school
13 to get sanctuary from being caught. We don't
14 want that. We don't want them around our
15 kids either.

16 So in making this change, we've seen
17 school districts now coming out with their
18 statements. And recently, yesterday or the
19 day before, a district in my Senate district,
20 the Pat-Med District, says, Law enforcement
21 can't access school grounds. They will not
22 give them access to their school grounds
23 unless there's a crime being committed
24 currently on the school grounds or they have

1 a warrant.

2 I'm concerned about the message that's
3 sending. Our police officers, whether it's
4 through COPE, whether it's through community
5 policing, our police, whether it's the PAL --
6 we have police in Suffolk County that take
7 kids fishing just to get a relationship, to
8 show that we're not the bad guys. And then a
9 statement like this comes out, and it makes
10 it look like they are the bad guys.

11 I think we've taken -- statements like
12 this are taking steps so far backwards and
13 putting police at such a disadvantage now.

14 I'd like to know, is there a policy
15 that you are recommending? Do you support
16 this policy? And do you have a blanket
17 policy regarding this issue that you are
18 recommending to school districts?

19 NYSED COMMISSIONER ROSA: Sure. And
20 I'm more than glad to make sure you have a
21 copy of. We worked during the holidays --
22 and this is not a new policy, but to -- with
23 the Governor's office, the AG and our
24 department, to provide guidance to the

1 schools, under what circumstances -- and it
2 was very specific.

3 Our local police officers, many of
4 them, to your point, work as part of the
5 community and they're known. This is very
6 different when you're going in asking, as you
7 know, for, you know, records, information.
8 No parent would want that information to be
9 provided unless -- and sometimes it's a
10 question of making sure that there is a
11 warrant or there is a subpoena. Whatever it
12 is, these are two places, you know,
13 especially -- I won't speak for churches, but
14 I'll speak for schools. Schools are places
15 where, when parents send their children to
16 school, they want to know that no one other
17 than that principal in that space, and that
18 superintendent, are aware that whether
19 they're being questioned or they're being,
20 you know, taken out or -- that we follow the
21 law in terms of what is acceptable and what
22 is not.

23 SENATOR MURRAY: So --

24 NYSED COMMISSIONER ROSA: So that

1 guidance, we're more than glad to make it
2 available to you. Because we did send it out
3 to all the districts and to all the lawyers
4 in the districts, to all the districts and --
5 as a matter of fact, we've sent it out
6 several times just to make sure that our
7 schools are not only informed but that they
8 know the protocols that they have to follow.

9 SENATOR MURRAY: So wouldn't you agree
10 that there needs to be clarification -- on
11 both sides. On both sides. I think the
12 Trump administration needs to come forward
13 and maybe the federal officials need to come
14 forward to identify exactly what they mean
15 when they say they need access to the
16 sensitive areas.

17 But with that said, when you have
18 districts making blanket statements like this
19 that are being -- I don't even know if
20 "misconstrued" would be the right word.
21 because it's being received by law
22 enforcement as a slap in the face.

23 And might I remind you that I think
24 most school districts do have SROs in their

1 schools. They're law enforcement. So we
2 can't pick and choose when they're good and
3 when they're not. You know, I wonder what
4 this will also do, a statement like this will
5 do to those SROs and how they're seen now.

6 NYSED COMMISSIONER ROSA: Right. I
7 think that, again, the climate that we're
8 currently in is very different, as you know.
9 So your SRO is very much a part of the fabric
10 of that school. You know, we have to be
11 honest and say that I think the media and the
12 information that's out there --

13 SENATOR MURRAY: Hundred percent
14 agree.

15 CHAIRWOMAN KRUEGER: Thank you.
16 Assembly.

17 CHAIRMAN PRETLOW: Assembly -- you're
18 taking my job.

19 (Laughter.)

20 CHAIRMAN PRETLOW: Assemblyman Ed Ra,
21 ranker on Ways and Means.

22 ASSEMBLYMAN RA: Thank you, Chair.

23 Commissioner, good morning. Good to
24 see you.

1 NYSED COMMISSIONER ROSA: Good
2 morning.

3 ASSEMBLYMAN RA: Thank you and your
4 team for always being responsive to us when
5 we have questions and clarifications needed
6 on things.

7 I just want to talk about a few
8 funding issues -- Foundation Aid, as we know.
9 I think we all expected this to be a big, you
10 know, thing in this year's budget, and we're
11 kind of not making too many changes relative
12 to what we saw in the report. So I want to
13 ask you just about a few of them.

14 I know in the Regents budget proposal
15 there was a proposal or some talk about
16 Regional Cost Index. I was wondering if you
17 guys have any financial estimate of what it
18 would have cost to implement what was
19 proposed and whether that was the type of
20 thing that we'd have like a large-scale
21 winners and losers, which is something that
22 we've all been concerned with when it comes
23 to updating Foundation Aid.

24 NYSED CFO COUGHLIN: That is something

1 we can get back to you on, those details.

2 ASSEMBLYMAN RA: Okay.

3 NYSED CFO COUGHLIN: It does -- I can
4 say, to the second part of your question, it
5 does drive significant change. So it is
6 important to think about it in the global
7 context of supporting our schools. But with
8 respect to specific details, we can get you
9 more later.

10 ASSEMBLYMAN RA: Okay, thank you.

11 NYSED CFO COUGHLIN: Thank you very
12 much.

13 ASSEMBLYMAN RA: And then one of the
14 other pieces that -- you know, the
15 Executive Budget doesn't propose any updates
16 to the "successful schools model." And I
17 know that with what's going on within the
18 board, just wondering if you could comment on
19 how much of a priority it is to update that
20 model concerning the new graduation measures
21 that are being discussed by the Board of
22 Regents.

23 NYSED COMMISSIONER ROSA: It's the
24 after-school -- you're talking about the

1 extended day?

2 ASSEMBLYMAN RA: I'm talking about the
3 "successful schools model" as it pertains to
4 Foundation Aid, especially given -- you know,
5 it relies currently on Regents exams, and
6 with the new graduation measures coming.

7 NYSED CFO COUGHLIN: We do think it's
8 important. As we were developing the Regents
9 state aid proposal to support them, we worked
10 with the major education stakeholders --

11 ASSEMBLYMAN RA: Some of my colleagues
12 are having trouble hearing you.

13 CHAIRMAN PRETLOW: Get closer to the
14 mic? Thank you.

15 NYSED CFO COUGHLIN: Thank you very
16 much. Sorry about that.

17 As part of developing the state aid
18 proposal, we had numerous conversations with
19 the big education stakeholder groups, and
20 they were telling us in such important
21 language that the expectations for schools in
22 our state have changed significantly since
23 that original study. So it's been -- that
24 "successful schools" as it currently exists

1 is a number that was analyzed years ago, and
2 then inflation has adjusted it.

3 But if the underlying role of
4 education has changed significantly in our
5 state, it's really important to think about
6 that when you try to measure what we need to
7 support.

8 ASSEMBLYMAN RA: And then on the
9 special education side, I know the Regents
10 proposal wanted to do a CPI adjustment until
11 the new methodology is adopted. Where do we
12 stand with regard to the tuition rate-setting
13 methodology study?

14 NYSED COMMISSIONER ROSA: Great
15 question.

16 DEPUTY CMMR. MEYERS-RUFF: We are
17 currently beginning work on the study, and it
18 will be completed by July 2027. And so
19 the --

20 ASSEMBLYMAN RA: I'm sorry, 2027, is
21 that what you --

22 DEPUTY CMMR. MEYERS-RUFF: 2027, the
23 study will be completed.

24 But we're beginning the work now.

1 We're meeting with districts, we're getting
2 information, we've identified a consultant to
3 work with us so that we can get input from
4 stakeholders. But the initial work has
5 begun.

6 In the meantime, that 3.1 percent CPI
7 that you referenced is important because we
8 need to make sure that on an annual basis
9 that increases are happening while we're also
10 doing the study.

11 ASSEMBLYMAN RA: Agreed.

12 And then last year, on another type of
13 special education school, we did \$30 million
14 in capital funding for the 4201 schools. Can
15 you provide any update in terms of that
16 funding and, you know, how much has gone out
17 the door and where it is in the pipeline?

18 DEPUTY COMMR. HARMON: So the
19 \$30 million, there's been \$25 million in
20 awards that have been identified. Our
21 contracts administration group is working to
22 establish that so that those funds can begin
23 to be made available to those awardees.

24 There is a pot of I think it's

1 \$5 million that was reserved to be able to
2 handle emergency capital situations that
3 would arise, and so that continues to be
4 available as outreach is made, you know,
5 under those circumstances. But we're moving
6 forward to be able to move those dollars out
7 to the entities that were awarded those
8 dollars.

9 ASSEMBLYMAN RA: Okay, great.

10 With my last 20 seconds -- this is
11 more of a statement. But, you know, going
12 back to the CPI with the 853s or as it
13 pertains to the 4201s, right, we have these
14 minimum increases we're giving to all our
15 public schools. And so many times these
16 institutions don't benefit from that, so I
17 think it's very important that we keep that
18 front of mind and make sure they're getting
19 increases as well.

20 NYSED COMMISSIONER ROSA: Agree.

21 CHAIRMAN PRETLOW: Senate?

22 CHAIRWOMAN KRUEGER: Thank you very
23 much.

24 Senator Robert Jackson.

1 SENATOR JACKSON: So, thank you,
2 co-chairs, for putting together this joint
3 budget hearing.

4 Commissioner, thank you and your staff
5 on behalf of all of the people in the State
6 of New York with respect to the job that you
7 have.

8 In fact, you had a legislative
9 breakfast about two weeks ago, and you
10 mentioned that you only have about
11 \$20 million. And I saw the need for what you
12 say is really about \$40 million to straighten
13 up your beautiful house right across the
14 street, meaning the State Education Building.
15 So I applaud you for saying what you really
16 need.

17 But also I'm saying what about the
18 poverty counts and Foundation Aid as a result
19 of tens of thousands of students are now in
20 the system that were not there before?
21 That's number one.

22 And then number two, because my time
23 frame is only two minutes now, is the
24 Foundation Aid formula is an old formula,

1 very old. And Michael Rebell and others are
2 looking to change that totally. And it
3 reminds me of a car that I had, it was an old
4 car, it had 330,000 miles on the car. It was
5 a Volvo wagon. And I needed to take it in
6 for a repair, and the mechanic said, you
7 know, it's time to get another one. So I
8 didn't believe him; I took it to another
9 place to get a second opinion. And they said
10 no. So I had to get a new car.

11 So same thing with the Foundation Aid.
12 We don't need the old formula. It's not
13 working. It's not really working. So I just
14 ask you about those two questions. And
15 quickly, I want you to know that the
16 situation of inaction on governance in
17 East Ramapo is a major issue, and the kids in
18 that school district, in the public school
19 district, are not getting the opportunity for
20 a sound, basic education which they are
21 guaranteed under the New York State
22 Constitution.

23 NYSED COMMISSIONER ROSA: So I would
24 say hold on to that car; it may be an antique

1 and very valuable at some point.

2 But I do believe that we have to get
3 to a new formula. And I have been in
4 conversation with Michael Rebell. And one of
5 our new partners is AIR, and they do some
6 really good research and some good work on
7 this issue.

8 So I would say one of the things we're
9 doing is as we're having conversations about
10 the -- what I consider to be the journey or
11 the roadmap has to lead us to a new formula,
12 no question about it.

13 SENATOR JACKSON: The second part?

14 NYSED COMMISSIONER ROSA: Yes, on
15 East Ramapo. East Ramapo, more than glad --
16 I know that also Senator Mayer has been
17 intimately involved as well in this issue.
18 It is such a complex issue because you've got
19 10,000 kids on one side, 30,000 kids on the
20 other side -- more than glad to meet with you
21 on this.

22 CHAIRWOMAN KRUEGER: You'll have to
23 follow-up afterwards.

24 CHAIRMAN PRETLOW: Right. Thank you.

1 Assemblywoman Buttenschon, for three
2 minutes.

3 ASSEMBLYWOMAN BUTTENSCHON: Good
4 morning, Commissioner and team. Thank you
5 for being here this morning.

6 Many of my colleagues have asked
7 questions that I had, but I want to shift
8 gears to the Career and Education -- the CTE
9 programs. So I have a few questions; I'll
10 ask them and then give you time to respond.

11 So first, as we look at many of the
12 contributing factors to a successful program,
13 credentialing is one. And you reflected the
14 expansion that will happen at the community
15 colleges. The first question is, do you have
16 the staffing to ensure that that
17 credentialing can be expedited at the
18 secondary level so that -- as we prep for our
19 community colleges?

20 Second, what is your office doing
21 different to ensure the teachers' expertise
22 that is going to be needed, again, to prepare
23 for our community colleges -- and I know my
24 colleague talked about staffing, but this is

1 clearly the expertise within the much-needed
2 CTE.

3 And finally, what is the office doing
4 a little differently to ensure our special --
5 our children with special needs are inclusive
6 into these great programs?

7 Thank you.

8 NYSED COMMISSIONER ROSA: Sure. Yeah.
9 So starting with your question about do we
10 have the staffing, and the answer is no.
11 Everybody on our staff is doing at least
12 seven to 10 jobs as a result of the fact
13 that, you know, our staffing has really
14 pretty much been pretty flat.

15 The one issue that you raise about we
16 do have conversations with higher ed, both
17 CUNY, SUNY and others, to really try to
18 create that continuum and that link in terms
19 of what are the ways that we can help each
20 other to help our students make those
21 transitions.

22 In terms of CTE, along with our
23 BOCES --

24 SR. DEP. COMMISSIONER MATTESON: Yeah,

1 it's an excellent question about the access
2 to CTE for special education students. And
3 they've always had access, but we found
4 several years ago that the ability to meet
5 their needs, their learning needs while
6 they're in those programs, was lacking a
7 little bit.

8 And there's been a massive investment
9 of both the department's time to consult with
10 the BOCES and CTE programs to make sure all
11 the accommodations were provided and those
12 students were having success, and that they
13 are getting access to those programs
14 equitably.

15 And the BOCES have -- I know this
16 because of recently being a district
17 superintendent of a BOCES a couple of years
18 ago, created two new networks, a special ed
19 network and a CTE network that now meet
20 together to ensure that those accommodations
21 are taking place and those students have
22 access to those programs.

23 So they have just the same skill set
24 available to them to go into workforce

1 development programs after high school.

2 ASSEMBLYWOMAN BUTTENSCHON: Thank you.

3 CHAIRMAN PRETLOW: Thank you.

4 Senate?

5 CHAIRWOMAN KRUEGER: Thank you very --

6 excuse me. Okay, sorry. The two chairs are

7 debating which of us has the harder

8 microphone to use.

9 CHAIRMAN PRETLOW: Mine stays on all
10 the time now.

11 (Laughter.)

12 CHAIRWOMAN KRUEGER: I'm sorry, we're
13 up to Senator Weber, for three minutes.

14 SENATOR WEBER: Thank you, Chair.

15 Hello, Commissioner and everyone here
16 today.

17 You know, I wanted to just talk about
18 the Foundation Aid formula. I think there's
19 a lot of -- the recommendations, I think
20 there are a lot of great recommendations that
21 are in that report that will help a lot of
22 school districts in the 38th Senate District.
23 Primarily, East Ramapo School District would
24 certainly benefit from a lot of the

1 recommendations in there.

2 So I'm encouraged that the Governor
3 has some of those recommendations in this
4 year, and I hope that we can look at the
5 other recommendations as well.

6 But I want to go back to, you know,
7 obviously the East Ramapo situation. You
8 know, a year ago now we were on Zoom calls
9 and we were on conversations with the monitor
10 where we were told that the district was
11 going to need -- was \$20 million short and
12 needed a spin-up, wasn't going to be able to
13 make payroll by July. Right? We had many
14 conversations through the spring. You had
15 worked with then-Assemblyman Zebrowski on a
16 bill to have a fiscal control review board to
17 take over the district because they were
18 obviously mismanaging money to the effect of
19 \$20 million.

20 Lo and behold, we find out over the
21 summer that they -- or late after the summer,
22 that they had a \$30 million surplus. Right?

23 But in between, you know, you had
24 made -- and indicated to me that you had

1 started doing a review and that the district
2 wasn't in as much dire straits. Yet in late
3 July/early August you took the unprecedented
4 steps of, right, directing the school board,
5 after the voters only approved a 1 percent
6 tax increase, to order and direct the school
7 board to implement an additional 4.38 percent
8 tax levy.

9 Against the voters' will, overriding
10 the voters, basically directing the school
11 board members that if you don't vote for it,
12 I will remove you from the board. Right?

13 But you knew at that point, or you
14 probably were getting an indication at that
15 point that the district wasn't in a
16 \$20 million deficit as we were misled all
17 along throughout the year. And then we find
18 out, as I said, after -- sometime in October
19 or November -- they had a \$30 million
20 surplus, a \$50 million swing.

21 Knowing what you know now, do you
22 regret ordering that directive? And second,
23 where do the taxpayers, who are the most -- I
24 think we're the second-highest property tax

1 county in the country. Where do those
2 taxpayers go to get their refunds?

3 NYSED COMMISSIONER ROSA: Okay. No, I
4 do not regret, because for years, 10 years or
5 more, this district has made no commitment to
6 the children of this -- you know, the
7 children of East Ramapo. None. So I don't
8 regret that.

9 But also, this was very specific to
10 English language learners. And so that
11 was -- you know, that's a misinformation
12 that's kind of lost in this conversation.

13 In addition to the confusion, we also
14 had, as you know, somebody that -- both
15 people left --

16 CHAIRMAN PRETLOW: Thank you.

17 NYSED COMMISSIONER ROSA: More than
18 glad -- I think we've had this conversation.
19 More than glad --

20 CHAIRMAN PRETLOW: Hold the thought.

21 NYSED COMMISSIONER ROSA: -- to
22 clarify some of these issues.

23 CHAIRWOMAN KRUEGER: Thank you.

24 Assembly.

1 CHAIRMAN PRETLOW: Okay.

2 Assemblywoman Jackson.

3 ASSEMBLYWOMAN JACKSON: Good, because
4 I was freezing.

5 Hi, Commissioner.

6 NYSED COMMISSIONER ROSA: Hi.

7 ASSEMBLYWOMAN JACKSON: One of my
8 favorite teachers, she happens to be my
9 stepmom, she works in a middle school in
10 Brooklyn, and she spends about 350 -- so far
11 she's spent about \$350 on preparing her
12 classroom. And Teachers Choice we have in
13 the city, they give about 250 back to the
14 teachers for reimbursement.

15 And I think in other parts of the
16 state they can use a -- they can get a
17 federal tax credit for their supplies.

18 I'm just wondering about your
19 thoughts -- and it's not in this proposal,
20 but I'm just wondering about your thoughts on
21 a state tax credit for professionals to
22 purchase school supplies. And I say
23 professionals because I'm a former
24 high school social worker, so I have to

1 advocate for them as well. So just talk to
2 me about that.

3 And then Teacher Resources Centers
4 have been eliminated. They usually do. We
5 usually reinstate them. If we don't
6 reinstate them, what would the impact be?

7 And a plus-one on East Ramapo.

8 NYSED CFO COUGHLIN: The good work
9 that teachers do in their classrooms to
10 prepare their classrooms is so important.
11 And I know from my own children's classrooms
12 the beautiful spaces that they create. It
13 certainly saddens us that teachers are
14 spending their own money on that.

15 That said, revenue policy makes us a
16 little nervous. So I want to hesitate to
17 answer that question in detail. But we
18 understand your point very carefully, and
19 it's close to our hearts.

20 ASSEMBLYWOMAN JACKSON: Gotcha.

21 NYSED CFO COUGHLIN: There was a
22 second part of the question. Commissioner,
23 you want to take that?

24 ASSEMBLYWOMAN JACKSON: The Teacher

1 Resource Centers.

2 NYSED COMMISSIONER ROSA: The what?

3 ASSEMBLYWOMAN JACKSON: Teacher
4 Resource Centers. They have been eliminated
5 in the budget. We usually reinstate them.
6 But just imagine if we didn't -- what would
7 that impact be?

8 NYSED COMMISSIONER ROSA: Okay. Yeah.
9 The teacher resources obviously is something
10 that we are extremely committed to, both from
11 some tangibles as well as some professional
12 development.

13 And I'm going to ask Angelique to talk
14 about some of the things that we're doing
15 with them.

16 DEPUTY CMMR. JOHNSON-DINGLE: So the
17 Teacher Resource Center, which we do work
18 with them directly, knowing and understanding
19 all of the various initiatives that we have
20 going on, talking about implementing
21 culturally responsive, sustaining education,
22 talking about strategies to support some of
23 our struggling learners, in addition to
24 expanding opportunities around instructional

1 best practices with literacy as well as
2 numeracy, will not be able to be provided at
3 the level that it could be if our Teacher
4 Resource Centers are not funded.

5 As a former teacher center director
6 earlier on in my career, I certainly can
7 speak to the amount of professional
8 development that was provided that is
9 essential to help ensure that teachers are
10 able to help further the knowledge that they
11 have to enhance their skills to support
12 students.

13 And I'll pass East Ramapo to Jason.

14 DEPUTY COMM. HARMON: Yeah, I would
15 just quickly note that the order was very
16 distinct from the structural deficit and the
17 cash-flow issues that were highlighted, to
18 the commissioner's point.

19 CHAIRMAN PRETLOW: Thank you.

20 Senate?

21 CHAIRWOMAN KRUEGER: Thank you.

22 Senator Cleare.

23 SENATOR CLEARE: Okay, thank you.

24 Thank you so much. I'm going to try

1 to, like, say this really fast because I want
2 you to answer, if you can.

3 Because of the oversaturation in
4 District 5 of charters, and in the Harlem
5 portion of District 3, the holes you
6 described earlier are really impacting some
7 of our traditional public schools, and they
8 are being forced to collapse in some cases.
9 There's a number of collocations,
10 disruptions.

11 I'm particularly concerned about the
12 possibility of some of my very young students
13 that will have to travel further distances to
14 get to a traditional public school. And I
15 just wanted to know if we've factored in the
16 formula, if we've considered those factors in
17 supporting District 5 in that way.

18 Also, I want to ask, is there any
19 other municipality other than New York City
20 where they are being forced to pay rent for
21 charters? So we're the only ones.

22 Because those are dollars that I see
23 that could be used and space that could be
24 used to attain smaller class size.

1 And also in visiting some of my
2 districts, aside from more clarity needed on
3 where ICE can go and what have you, we are
4 already seeing parents not bringing children
5 to school. My districts received many of
6 those families, and I'm just concerned about
7 the impact on the school itself with our
8 parents already refusing to come outside,
9 even.

10 NYSED COMMISSIONER ROSA: Yeah, the
11 fear is real. I mean, it's not -- to your
12 point.

13 The saturation issue is one that we've
14 had many conversations with New York City.
15 And I think even with -- I think Buffalo had
16 a similar kind of situation, Rochester
17 somewhat.

18 We usually try to work with the school
19 districts in terms of, you know, this kind of
20 issue, particularly even for us, when we look
21 at charters that applied for that. But
22 that's not -- because we have different
23 charter entities -- authorizers, thank you.

24 The issue for us is also that, you

1 know, again -- and I've said this at this
2 meeting before, the biggest concern I have is
3 that particularly when charter schools take
4 children and they don't have services that
5 they need, they recommend that they return to
6 the public setting.

7 When charters take schools and in some
8 cases children are -- for whatever reason, it
9 is not a good fit, they return. So there's a
10 return policy that is disruptive, and there's
11 also a return policy that I don't understand,
12 you know, if there's -- if there's a
13 willingness to work, then we've got to have a
14 willingness to work with all children and
15 make sure that the same provisions we have to
16 make for special education, everybody should
17 be making and responsible for those
18 provisions.

19 To the question, your excellent
20 question about -- it's only New York City.
21 That's what's in law. And it's New York City
22 in terms of the --

23 CHAIRMAN PRETLOW: Thank you.

24 Assemblyman Pirozzolo.

1 ASSEMBLYMAN PIROZZOLO: Good morning,
2 Commissioner. Thank you for being here
3 today.

4 NYSED COMMISSIONER ROSA: Good
5 morning.

6 ASSEMBLYMAN PIROZZOLO: So I'm really
7 not going to comment on your testimony, not
8 because it was good or because it was bad.
9 Just in my opinion, I feel that it's ancient.
10 Right?

11 Our system seems to be based upon an
12 agrarian society or an agrarian system, and
13 hopefully I'm going to be able to plant the
14 seed with you, and you'll be able to water
15 it, and together we can watch it grow.

16 I think that there's plenty of blame
17 to go around when it comes to the failures of
18 education -- not trying to say there aren't
19 many, many successes, because there are. But
20 we do a lot of pointing fingers -- you know,
21 is it the teachers, is it the parents, is it
22 you, is it you.

23 So in my effort to become a better
24 human being, right, I'm going to say that

1 really I now believe that the system is to
2 blame, and we need to make some changes to
3 the system. And one of the things I'd like
4 to suggest is really maybe a pilot school
5 program. I'd like to see us go to a 12-month
6 school year.

7 Now, I'm not saying that teachers have
8 to spend any more time in a classroom than
9 they already do. I'm not saying that
10 students have to spend more time in a
11 classroom or as far as the required number of
12 days of education. What I would like to see
13 is maybe some sort of an opt-in both by
14 parents or teachers in a pilot school where
15 it's run more like a college. Okay? Because
16 right now I think that the education system
17 is really based around the adults who work in
18 the buildings and not necessarily the
19 students and their families. All right?

20 I'd like to see that maybe we could
21 possibly incorporate our after-school
22 programs within the school day, maybe even
23 make them part of the curriculum. It might
24 be easier to secure funding for them that

1 way. I mean, I know our schools are open
2 12 months out of the year anyway, but not
3 necessarily in a formal education setting.
4 And if it were, we would be able to possibly
5 to prevent the drop off in education that we
6 have, you know, once we go into summer school
7 or do things like that or when we come back
8 in September.

9 So I think that there could be
10 benefits, you know, from that. And I think
11 it's something that we kind of need to
12 explore. Because as I said, you know, this
13 is my third Education hearing, and other than
14 the different topics of the day, every part
15 of the conversation and everything that
16 everyone suggests and talks about is exactly
17 the same. And I feel that, you know, we have
18 certainly been, in my opinion, failing some
19 of our students, our most neediest students,
20 for generations.

21 NYSED COMMISSIONER ROSA: So I just
22 want to say that, to your point, I was -- and
23 I'm going back to 1993, '94, '95, '96, in
24 that space. I was the principal of a middle

1 school and -- and Senator Jackson was my
2 board president. Open six days a week --
3 Saturday. Open till 10 p.m. every night.
4 That school was the first Community School,
5 218. So as innovative as I know you're
6 stating and it sounded, that was open all
7 year round, and exactly to this -- Children's
8 Aid Society was our partner. So this has
9 been tried and done.

10 CHAIRMAN PRETLOW: Thank you. Thank
11 you.

12 ASSEMBLYMAN PIROZZOLO: Well, I meant
13 a little bit more than a Community School,
14 but thank you very much. I appreciate
15 everyone being here today.

16 CHAIRMAN PRETLOW: Senate?

17 CHAIRWOMAN KRUEGER: Senator Weik.

18 SENATOR WEIK: Thank you.

19 Good morning, Commissioner.

20 NYSED COMMISSIONER ROSA: Good
21 morning.

22 SENATOR WEIK: Thank you for being
23 here today.

24 I know our schools are facing so many

1 challenges with education and so many
2 multiple changes financially. One of the
3 big -- lots of my questions have already been
4 asked, but one of the other issues that
5 hasn't been touched on yet is the mascot
6 issue.

7 I have five schools in my district,
8 and just to the west of me I know
9 Senator Rhoads has three schools that are
10 being affected, to the tune of millions of
11 dollars.

12 With all of the educational and the
13 necessary changes that are happening in our
14 schools, this is really a noneducational,
15 kind of non-necessary burden that we're
16 putting on our school districts. In the
17 summer of 2023 I had a meeting where we had
18 all eight schools plus three leaders from our
19 local Indigenous tribes. We had reached out
20 to you and invited you; we got no response
21 from you or any representative attending the
22 meeting.

23 And the school districts are really
24 looking to work with the regulation, try to

1 find out what are the rules, and they've
2 really been hitting a dead end.

3 So my question to you is, what
4 guidance do you plan on providing or what
5 assistance or extensions are you looking to
6 reach out to those schools who are really
7 struggling at this time with all of the rest
8 of the -- you know, the electric bus mandate,
9 the changes in Foundation Aid, the changes in
10 our educational system. So what do you plan
11 on doing to reach out and make sure that
12 you're communicating with these school
13 districts?

14 NYSED COMMISSIONER ROSA: Sure.

15 SR. DEP. COMMISSIONER MATTESON: So
16 there is still time, obviously, to have our
17 districts move into this space. There's been
18 constant communication. We've had an
19 Indigenous office that has got a committee
20 that's given us a lot of feedback. And we've
21 had a person who's a point person. And we
22 certainly want to continue to communicate, to
23 hear more information on what the roadblocks
24 are.

1 I think the commissioner intends to be
2 as flexible as she possibly can be within the
3 confines of what we've heard and the Board of
4 Regents regulation that has been adopted.

5 And --

6 SENATOR WEIK: Okay, so at this point
7 the school districts are not getting any
8 communication back from anyone. So they've
9 been reaching out to the group that no one
10 knows who they are and saying, okay, well,
11 our mascot was never founded on the premise
12 of being Indigenous or -- they have different
13 arguments. And they can't seem to get any
14 response from anyone. So when you say that
15 they're responding back to them, I have to
16 disagree with that. I've got five school
17 districts that are telling me they're not
18 getting any response at all.

19 NYSED COMMISSIONER ROSA: So if you
20 can send us information, because I'm going to
21 tell you, we meet with the districts, we
22 meet -- we only have four districts that
23 have -- you know, are not in the process of
24 having responded to this issue, number one.

1 We meet with the Nations. We've had
2 guidance out there. We've had conversations.
3 So to be quite honest with you, this has been
4 an ongoing conversation with our districts.
5 They reach to us through --

6 (Overtalk.)

7 SENATOR WEIK: If there was good
8 communication, there probably wouldn't be a
9 lawsuit. And there is a lawsuit pending with
10 a lot of my districts.

11 NYSED COMMISSIONER ROSA: Yeah, the
12 lawsuit is four districts.

13 CHAIRMAN PRETLOW: Thank -- thank you.

14 Assemblywoman Pheffer Amato.

15 ASSEMBLYWOMAN PHEFFER AMATO: Good
16 morning. Thank you, Commissioner, for your
17 testimony and for your team being here.

18 As you know, any child with an IESP
19 that needs services has the right to get them
20 in New York. In the event that the district
21 cannot provide such services, the parent can
22 make the request that the district approve
23 for a private provider to provide these
24 services. If the district says no, a parent

1 can get a fair hearing, as is their right.

2 However, this past summer the New York
3 State Board of Regents made an amendment to
4 the rule that appeared to eliminate the right
5 to a due process hearing with districts
6 entirely when it came to obtaining special
7 education services. Meaning parents,
8 specifically in my community, cannot appeal a
9 no decision by the district.

10 Thankfully a judge issued a temporary
11 restraining order, but this case is still
12 pending in court.

13 My question is, how can taking away
14 the right to a due process hearing help
15 children, especially in our non-public
16 schools where the districts cannot provide
17 these services? How is denying a child these
18 services helpful?

19 NYSED COMMISSIONER ROSA: Sure. So
20 the actual action that we took was that if
21 you look at the backlog, for many, many --
22 you know, it's information that we're more
23 than glad to share. We've had to add OATH
24 hearing officers because of the fact that in

1 many cases -- and I know the AG's involved
2 with this -- we've had some amazing,
3 unbelievable amounts of corruption, and we've
4 had an unbelievable amount of misuse and
5 abuse of some of these -- you know, where
6 we've had hearings where the parents haven't
7 shown up and hearings where the amount of
8 dollars that are being requested are -- you
9 know, you're talking about for -- you know.

10 So let me just finish with more than
11 glad to walk you through, because this is a
12 complex situation and we've been working
13 very, very closely with New York City to try
14 to resolve the issues at the local level with
15 the parents, and to make sure that things
16 don't automatically -- and some of these
17 agencies are the ones that are moving
18 forward -- come to a due process proceeding
19 where some of it can be locally resolved.

20 And so the response the district took,
21 along with the department, was in order to
22 find solutions to try to get at these issues,
23 rather than looking for -- if you're looking
24 for \$500 an hour when in fact -- those are

1 taxpayers' dollars.

2 ASSEMBLYWOMAN PHEFFER AMATO: With all
3 due respect --

4 NYSED COMMISSIONER ROSA: So -- yeah,
5 so --

6 ASSEMBLYWOMAN PHEFFER AMATO: So on
7 the umbrella of corruption, we deny. And a
8 parent is paying four times a week for
9 services for their child because we want --
10 there's corruption over here. But there is
11 not a solution, because it's coming out of
12 pocket. And if you have several children,
13 that's expensive.

14 So if a parent's going to choose -- we
15 could all use the example of eggs. How do I
16 buy eggs and pay for services at \$85 an hour.
17 So that's not a solution.

18 NYSED COMMISSIONER ROSA: No, no,
19 that -- \$85 is not the case. So --

20 ASSEMBLYWOMAN PHEFFER AMATO: But I'm
21 saying that's what they -- if they have to
22 find a private provider.

23 (Overtalk.)

24 CHAIRMAN PRETLOW: Thank -- thank

1 you --

2 ASSEMBLYWOMAN PHEFFER AMATO: So we're
3 taking the money out of their pockets.

4 CHAIRMAN PRETLOW: Thank you,
5 Assemblywoman.

6 Senate?

7 NYSED COMMISSIONER ROSA: We'll --
8 we'll share with you what the solutions --

9 ASSEMBLYWOMAN PHEFFER AMATO: I need
10 solutions.

11 CHAIRWOMAN KRUEGER: Thank you.

12 Senator Brisport.

13 SENATOR BRISPORT: {Mic issues.}

14 Thank you -- oh, wow, okay. Good morning,
15 everybody. Thank you, Madam Chair, and thank
16 you, Commissioner and to the team. I know
17 it's no easy feat to be going two hours
18 straight and then some, so I appreciate your
19 time.

20 I wanted to start by just echoing some
21 of the concerns from some of my colleagues,
22 Senator Cleare and Senator Bynoe, about the
23 proliferation of charter schools in certain
24 districts.

1 I have School District 16 in my
2 district, which is now approaching a 50-50
3 split for every one child enrolled in public
4 school, there's one child enrolled in a
5 charter school. So I do just echo their
6 concerns and hope there can be more work done
7 around geographic understanding of where they
8 are requesting these charters and where they
9 are setting up.

10 But I do have a question about part of
11 your written testimony, Commissioner. You
12 say that siloing childcare from
13 prekindergarten is a problem that "will
14 ultimately harm children and hinder our
15 ability to provide them with the best
16 possible start in life."

17 I am very curious to hear more about
18 that. Could you say a little bit more about
19 that?

20 NYSED COMMISSIONER ROSA: Yeah.

21 DEPUTY CMMR. JOHNSON-DINGLE: So
22 ultimately through universal pre-K funding,
23 whether it is through a state -- the
24 statewide funding stream or whether it is

1 through the universal pre-K funding stream,
2 we are limited in nature in regards to some
3 of the monitoring and oversight. And that
4 really is, again, entrenched in the laws,
5 3602-E and 3602-EE, understanding that the
6 funding streams are governed very
7 differently, which does create some
8 constraints on our part.

9 However, I also would be remiss if I
10 did not admit that for childcare settings,
11 the State Education Department does not have
12 jurisdiction and oversight with that. That
13 is overseen by OCFS. And we do work very
14 closely with OCFS. We've actually spent the
15 past year creating a committee where we bring
16 folks from the school side and our childhood
17 settings together to talk about some of
18 the -- maybe some of the inconsistencies we
19 see as far as what's happening educationally,
20 how we can better support our community-based
21 organizations in providing education and
22 support for students.

23 So ultimately we do our -- both
24 settings are overseen by two separate

1 agencies, but we do attempt to work together
2 to try to support students. Because at the
3 end of the day, it is all about the children.

4 SENATOR BRISPORT: Thank you.

5 CHAIRWOMAN KRUEGER: Assembly.

6 CHAIRMAN PRETLOW: Assemblywoman Cruz.

7 ASSEMBLYWOMAN CRUZ: There we go.

8 Thank you. Good to see you again,
9 Commissioner. I want to thank you publicly
10 for all your help and your team's help in
11 making sure we got Clean Slate right.

12 Putting aside the fact that unfettered
13 access to schools by law enforcement is
14 likely a violation of FERPA, which is federal
15 law, the humane thing to do is to ensure that
16 our kids can go to school without the fear of
17 being picked up by ICE. Extreme examples of
18 law enforcement looking for gangbangers is
19 how folks look to sugar-coat this whole
20 situation. But the reality is that
21 enforcement is going to look like
22 undocumented kids being picked up if the DACA
23 program ends, formerly DACA-documented
24 teachers or volunteers being picked up at the

1 schools.

2 And I know this because I was one of
3 those kids who went to school undocumented in
4 the '90s when we didn't have the sensitive
5 locations memo. And now that it's gone, you
6 mentioned that you are providing schools with
7 guidance. Is it correct to assume that there
8 is nothing in the law that makes it extremely
9 clear that immigration civil enforcement
10 should not be happening in schools?

11 And the second question, as a
12 colleague mentioned earlier, there is a
13 staffing shortage when it comes to teachers.
14 The department provides multiple licenses to
15 many of these industries that right now don't
16 have workers, including teachers and
17 including nurses. Thousands of those
18 licenses are currently held by DACA
19 New Yorkers. Over the years there's been an
20 attempt to end the DACA program. If the
21 program in fact ends, is the Department of
22 Education ready to protect that data, ready
23 to protect the licenses of these students --
24 I mean, teachers, nurses, et cetera?

1 And if it is not, would you be willing
2 to consider legislation around this? I
3 happen to have a bill around this, and I'd
4 love to talk to your team about it.

5 NYSED COMMISSIONER ROSA: Yeah, we
6 should talk about it. But definitely, yes,
7 we are committed to the protection, to your
8 point.

9 ASSEMBLYWOMAN CRUZ: And on the first
10 question, there is no current law that
11 actually ensures that civil immigration law
12 is not being enforced in schools, only
13 guidance, is what you're saying?

14 NYSED COMMISSIONER ROSA: Yeah, so --
15 so we have worked with, in our guidance,
16 which I'm sure you saw --

17 ASSEMBLYWOMAN CRUZ: Yes.

18 NYSED COMMISSIONER ROSA: -- with the
19 AG's office, all of our counsel, all our
20 general counsel, along with the AG, along
21 with the Governor's, worked on those
22 guidance.

23 ASSEMBLYWOMAN CRUZ: So the answer is
24 yes, only guidance, no state law.

1 NYSED COMMISSIONER ROSA: Yes. Yes.

2 ASSEMBLYWOMAN CRUZ: Thank you.

3 CHAIRMAN PRETLOW: Senate?

4 CHAIRWOMAN KRUEGER: Senator Tom

5 O'Mara, ranker, five minutes.

6 SENATOR O'MARA: Good morning. Thank
7 you all for being with us today.

8 I have, on behalf of our newest
9 Senator on our side of the aisle,
10 Senator Chan, from New York City, who also
11 wishes to reiterate Senator Liu's Happy Lunar
12 New Year to everybody. And the first day of
13 no school on Lunar New Year, and you're all
14 here. Thank you very much.

15 (Laughter.)

16 SENATOR O'MARA: We appreciate that.

17 But Senator Chan has a question. He's
18 unable to be here today. Senator Chan has
19 been an elected parent representative in
20 New York City schools since his daughters
21 were in kindergarten. Senator Chan is deeply
22 familiar with the diverse needs of individual
23 school communities. Many schools do not
24 experience significant cellphone-related

1 challenges, and in some cases parents may not
2 support a blanket cellphone ban.

3 Senator Chan strong advocates for
4 empowering school leadership teams comprised
5 of parents, teachers and administrators to
6 develop tailored cellphone policies that best
7 address the unique needs and circumstances of
8 their respective schools.

9 Can you address Senator Chan's
10 concerns with regard to this blanket policy?

11 NYSED COMMISSIONER ROSA: Yeah. I
12 did, Senator, address the fact that we
13 totally, as a department, believe in the
14 local control. And we believe in the fact
15 that individual districts have been doing a
16 great job in addressing these issues.

17 We do also believe that the
18 opportunities for districts to engage with
19 parents and with community members, students
20 and so forth to ensure that there is a policy
21 and there's a plan in that school and in that
22 district, is extremely important. So there's
23 agreement there.

24 SENATOR O'MARA: Thank you for that.

1 Now, a question from myself. And
2 while we certainly appreciate the 2 percent
3 floor for the districts, the wide majority of
4 the districts, school districts in my Senate
5 district are at 2 percent. Given inflation
6 in the country and, more importantly, in the
7 New York region, Northeast region, inflation
8 still exceeds 4 percent of CPI.

9 How is 2 percent adequate for these
10 districts to keep up with these inflationary
11 pressures?

12 NYSED CFO COUGHLIN: I'd like to start
13 by saying that the board and the staff at the
14 department have expressed strong concerns
15 around the state that every student have the
16 opportunity to prepare for college and
17 career. And the aid formulas and the aid
18 that's provided from the state should support
19 that.

20 So 2 percent is less than 4 percent,
21 so that is a challenge.

22 SENATOR O'MARA: I think it's
23 something we should be looking at as a
24 Legislature, to the importance of education

1 for every student in this state to at least
2 keep up with inflation for the costs of
3 operating our schools.

4 Can you tell us how -- given this
5 2 percent floor, on the save harmless issue
6 that was such a big discussion point last
7 year, where are we on save harmless? Is that
8 what's playing into this 2 percent floor? Or
9 do they interact at all?

10 NYSED CFO COUGHLIN: There are more
11 districts on save harmless this year than
12 there were last year. So the 2 percent
13 applies to more districts around the state.

14 I think my -- I'm going to defer to my
15 colleague Jeff Matteson, because our response
16 to the save harmless concerns last year was a
17 lot of that regionalization work, and perhaps
18 Jeff can talk about that.

19 SR. DEP. COMMISSIONER MATTESON: I
20 think part of the issue here is, to your
21 point, when you try to shoehorn some
22 modifications of the Foundation Aid into what
23 the old law would have generated anyway,
24 there were some compromises made. If you're

1 going to try to stay at 1.7 and you want to
2 change some things that make it more
3 equitable from the recommendations of the
4 Rockefeller Institute, something has to give.
5 And so instead of a 3 percent floor, you have
6 a 2 percent floor.

7 We're fortunate because I think the
8 reaction from last year on the hold-harmless
9 issue, that they announced early that they
10 were not going to start eating into that. We
11 were very concerned about that, obviously.
12 And even in the report they said there should
13 be a three-to-five-year drawdown.

14 But really what we need is we need to
15 study this issue about how much it actually
16 costs to educate a kid from each segment of
17 the state so that we can meet your goal of
18 educating --

19 SENATOR O'MARA: Thank you.

20 CHAIRMAN PRETLOW: Thank you for your
21 response.

22 Assemblywoman Torres is next, but I
23 will pause until the commissioner returns.

24 And she's returning. Are we good?

1 NYSED COMMISSIONER ROSA: We're good.

2 CHAIRMAN PRETLOW: Okay.

3 ASSEMBLYWOMAN TORRES: Thank you,

4 Chair. Thank you, Commissioner.

5 Many of my questions have been posed,
6 but I have some concerns about the Governor's
7 budget and the decreases in particular and
8 the impact on your work.

9 First, on Summer School of the Arts
10 and arts education in general, I represent a
11 high-need economically challenged district
12 where these components of education are not
13 thoroughly provided at all, in the South
14 Bronx. So I'm interested to know
15 particularly the decreases in the
16 Summer School for the Arts and arts
17 education, as well as the decrease in funding
18 for financial literacy.

19 Look, we know that in high-need
20 districts we don't have access, exposure to
21 financial literacy. And then when you get to
22 college, if you get to college, you get a
23 credit card application right away. So these
24 are the types of things that I truly care

1 about, and I'd like to know more information
2 about the funding, the decreases and the
3 impact that it's going to have on your work.

4 NYSED COMMISSIONER ROSA: So -- go
5 ahead, and then I will --

6 NYSED CFO COUGHLIN: We were
7 disappointed to see the reduction in funding
8 that was offered for the School for the Arts.

9 And, you know, that work that we've
10 been doing there supports the in-person
11 programs, but it's also been supporting
12 programs so that students who are at their
13 homes can participate in summer arts
14 programming, which is intended to provide
15 students in districts like yours the
16 opportunity to do that.

17 So that was a disappointment, and we
18 certainly hope that that will be addressed in
19 the enacted budget.

20 NYSED COMMISSIONER ROSA: And with the
21 financial literacy, we did get \$400,000 that
22 we are using and using well, so I'm going to
23 turn it to Angelique.

24 DEPUTY CMMR. JOHNSON-DINGLE: And one

1 of the -- one recommendation that came out of
2 the grad measures recommendation was to
3 require instruction in financial literacy
4 beyond what is already happening and our
5 participation in government and economics
6 required courses.

7 But to your point, for children to
8 understand the impacts of making very sound
9 financial decisions and how it will help to
10 support them through their life, we are, as
11 part of our plan to make some adjustments to
12 high school graduation requirements, are
13 looking to require financial literacy
14 across -- I want to say beginning the school
15 year of '26-'27.

16 We are looking forward to working with
17 some partners in the field, including our
18 state comptroller's office, to help build out
19 not just resources for school districts to
20 follow, but also giving folks the flexibility
21 to implement it in a way that works within
22 the context of their community.

23 So right now we currently have schools
24 that will offer an entire course in personal

1 finance and financial literacy. And then you
2 have others where it is integrated across in
3 different courses. So leaving that flexible,
4 requiring it for '26-'27, we believe will get
5 to the recommendation made by the Blue Ribbon
6 Commission about requiring financial literacy
7 for all students.

8 NYSED COMMISSIONER ROSA: And it was
9 the number-one issue recommended by the
10 students during the Blue Ribbon.

11 CHAIRMAN PRETLOW: Thank you.

12 Senate?

13 CHAIRWOMAN KRUEGER: Thank you.

14 Senator Borrello.

15 SENATOR BORRELLO: Thank you,
16 Madam Chair.

17 Thank you all for being here.

18 The number-one concern by far when I
19 speak with school districts and
20 administrators across my district is the
21 electric school bus mandate. It is creating
22 a lot of concern and consternation.

23 Right now this program, this mandate
24 is woefully underfunded, to the tune of

1 multiple billions of dollars. Some school
2 districts are looking at multi-million-dollar
3 changes to electric infrastructure. So right
4 now we're looking at being forced -- because
5 we also have votes that are going down,
6 right? You have voters that are in districts
7 that have voted down the purchase of these
8 electric school buses, even when they've gone
9 to really good measures to try to educate
10 them on these buses.

11 So my first question is, what is going
12 to happen to those school districts? Will
13 there be punishment if they're not able to
14 execute and meet these mandates?

15 NYSED COMMISSIONER ROSA: Jason?

16 DEPUTY COMM. HARMON: You want to
17 start, Christina?

18 NYSED CFO COUGHLIN: We share your
19 concern about the financial impact of this.
20 You know, as the State Education Department
21 we're not the lead in implementing that, but
22 we have been trying to provide as much
23 support as we can to districts. And we're
24 hearing the same thing as you are. So no

1 argument there, but --

2 SENATOR BORRELLO: I would like, I
3 guess, some really -- you know, some vocal
4 opposition from you all because you see
5 what's -- because now they're going to have
6 to start choosing between providing critical
7 educational services, including meals for our
8 kids, you know, healthcare, you know, mental
9 health support, so that they can meet this
10 ridiculous boondoggle mandate.

11 I mean, we're going to have to lay off
12 teachers. We're going to have to do things
13 that have nothing to do with education to
14 meet what is a virtue-signaling mandate. So
15 I would like to see at least this being
16 expressed.

17 In the dollars and cents of it, by the
18 way, you have the ability to lay out very
19 clearly what it's really going to cost. You
20 know, just the cost of the difference between
21 a gas school bus and an electric school bus
22 across the state is about \$8 billion. Not to
23 mention multiple billions in infrastructure
24 that's needed. And we don't know these

1 things are safe and reliable.

2 Why not push for a pilot program?

3 DEPUTY COMMR. HARMON: So, Senator,
4 just to your point, so earlier this school
5 year, I believe in late fall the department
6 issued a report based on information that we
7 had done collecting from the field broadly
8 about their implementation that's either
9 currently underway or plans for moving
10 forward.

11 We know, to your point, there's only
12 right now in the state I think it's 54
13 districts who indicated to us, out of about
14 600 that responded to the survey, that they
15 have zero-emission buses that are in their
16 fleet and out operating by the end of the
17 current school year.

18 That number is anticipated to grow
19 over the next couple of years, but I think
20 one of the big areas of concern that we've
21 heard from folks in particular is just having
22 a capture of those costs and what the impact
23 will be. The need for studies, both
24 individual districts as well as looking at

1 things from a regional perspective through
2 the work that some of our --

3 SENATOR BORRELLO: So you support
4 doing a study, rural, urban, suburban.

5 DEPUTY COMM. HARMON: A study is
6 critical, and being able to provide support
7 for those studies to be done is going to be
8 essential.

9 SENATOR BORRELLO: Thank you. I'm
10 glad to hear you say that. Thank you very
11 much.

12 NYSED COMMISSIONER ROSA: Yeah, and
13 we've made that available.

14 SENATOR BORRELLO: Thank you.

15 CHAIRMAN PRETLOW: Thank you.

16 Assemblywoman Mitaynes.

17 ASSEMBLYWOMAN MITAYNES: Thank you.

18 Good morning. I'm State
19 Assemblymember Marcela Mitaynes, and I
20 represent the 51st Assembly District --
21 that's South Brooklyn along the waterfront.

22 I want to talk to you about special
23 education programs, particularly the
24 non-public schools and the 4410 problems that

1 are facing a significant staffing shortage.
2 How do you plan to support these schools in
3 recruiting and retaining qualified educators
4 and staff to ensure that students with
5 disabilities receive high-quality services?

6 DEPUTY CMMR. MEYERS-RUFF: Thank you.
7 We agree that there needs to be more
8 staffing. One of the real challenges is
9 getting us to parity and making sure that the
10 schools have the funding that they need. And
11 that's an issue that we've been for several
12 years advocating for: Additional parity so
13 that the schools have the funding they need
14 to maintain the staff that they need for the
15 students.

16 NYSED COMMISSIONER ROSA: And just so
17 you know, we've also, in our department this
18 year, we've made a change for the purpose of
19 continuum. We have P-12, you know, our
20 special education along with ACCES-VR, so
21 that there is a continuation, a continuum,
22 and it's all under Ceylane. So we've put it
23 all in one place so that we don't have those
24 breaks in between -- the whole focus for us

1 is also not just the staffing, the resources,
2 but professional development and the support
3 that both our public as well as non-publics
4 need.

5 ASSEMBLYWOMAN MITAYNES: Thank you.

6 I yield the rest of my time.

7 CHAIRWOMAN KRUEGER: Excuse me. We've
8 been joined by Senator Stec, three minutes.

9 SENATOR STEC: Hi. Good morning.
10 It's very efficient of me.

11 NYSED COMMISSIONER ROSA: Good
12 morning.

13 SENATOR STEC: I apologize for my
14 delayed arrival here today; I had something
15 in the district, so I missed some of the
16 questioning. So I'll be very brief.

17 I wanted to follow up, though, on
18 Senator Borrello's discussion on electric
19 vehicles, electric bus mandate.

20 You're familiar with my district.
21 It's one of the largest Senate districts in
22 the state -- in the North Country -- because
23 it's very rural. And I've got schools that
24 have complained, they said, look, we can't

1 turn around a bus and charge it. They need
2 multiple buses because they can't have the
3 same bus running out and doing multiple runs.

4 I'm not going to bore you all with my
5 thoughts on electric vehicles, but clearly
6 there's a range issue and clearly it varies
7 geographically in the state based on
8 ruralness and based on the weather.

9 But Governor Hochul was very quick
10 last year to hit the pause button on her own
11 for congestion pricing. Would you encourage
12 Governor Hochul that maybe now is a good time
13 to hit the pause button on the electric bus
14 mandate before we get too far down this path
15 and spend a lot of money? I mean, we
16 literally are putting the cart before the
17 horse. And, you know, I mean it's one thing
18 for me to say it, but if you're hearing it
19 from the schools as I am -- and I suspect you
20 are -- she needs to hear it from you.

21 NYSED COMMISSIONER ROSA: Yeah, and I
22 think you were not here when we gave the
23 example of the data that we've been
24 collecting with the 54 school districts out

1 of the, you know, close to 700. So we are
2 hoping that as we're doing this study
3 and the -- obviously, as we're getting the
4 information, that we can all come together
5 and take a look at this. And you know that
6 part of our journey has been to go and
7 specifically speak to our communities in
8 these kinds of situations. We've also been
9 to the rural school districts, where you know
10 that that is the one hot topic that has come
11 up constantly.

12 So I think that there's enough
13 conversations around this and, you know,
14 giving voice to this issue that I do think
15 collectively it is a moment to really take
16 stock on this issue.

17 SENATOR STEC: I appreciate that.
18 Again, I mean, I pointed out to the
19 congestion pricing pause just for my
20 colleagues and for the Governor's office if
21 they're listening -- I assume they are. She
22 has tools available to hit the pause button
23 in that regard.

24 And again, this is a population of

1 people, the school superintendents -- these
2 are not right-wingers, these are people that
3 want to -- you know, they're believers in the
4 mission, whereas maybe we're not all
5 unanimous in that. But I think that they as
6 a group are, and they're the ones that are
7 saying, Look, this is not practical for us.
8 Perhaps a pilot program in an area where it
9 makes the most sense. In the meantime, you
10 let technology march forward for a few years,
11 we learn from those things in other areas
12 where range and climate isn't as big an issue
13 as it is in the North Country.

14 That's my time, but I -- and I want to
15 thank you, though, Commissioner, on a
16 personal level for some of the work that
17 you've done for me and some of my projects
18 and issues within my district. Thank you
19 very much.

20 NYSED COMMISSIONER ROSA: You're
21 welcome.

22 CHAIRMAN PRETLOW: Thank you.

23 We've been joined by
24 Assemblywoman Rozic.

1 Our next questioner is
2 Assemblywoman Simon.

3 ASSEMBLYWOMAN SIMON: Thank you.

4 Thank you, Commissioner, for your
5 testimony. As usual, there's not enough
6 time. But I wanted to, just if I could,
7 support Assemblymember Pheffer Amato with
8 this IESP thing, because the real danger is
9 that -- in fact, I know New York City is not
10 invested in paying enough for independent
11 hearing officers. They take forever to repay
12 people who are entitled to reimbursement.
13 That creates, then, this colossal mess that
14 I'm not sure is really addressed by the
15 approach that was taken.

16 Secondarily, I also want to support
17 Assemblymember Carroll's comments about the
18 dyslexia task force recommendations -- which,
19 as you know, are very much needed -- to have
20 in-house expertise. And that's accessible to
21 those in K-12 as well as, as you know, higher
22 ed.

23 This is my question for you, whether
24 it would -- how much it might cost to hire a

1 couple of people with expertise in the
2 research in science of reading as well as the
3 delivery, so the person who's actually
4 skilled in the instruction, using structured
5 literacy.

6 And then connected to that, we talked
7 about libraries and the importance of school
8 libraries, and decodable texts, which
9 actually can get kids hooked on learning,
10 particular those kids with dyslexia, but not
11 exclusively.

12 Thank you.

13 NYSED COMMISSIONER ROSA: So we're
14 more than glad to go back because we're so
15 excited about your idea of having
16 residencies, you know, individuals who have
17 this kind of expertise. Clearly we have been
18 spending resources to bring in experts to
19 clearly work with us, you know, like
20 Dr. Lesaux, who did look at our standards
21 work but also has done a great deal of work.

22 But to your point, having internal
23 individuals who are part of the fabric every
24 single day is a different conversation, and

1 we will put together what I would call a
2 reasonable plan and share it with you and
3 also Assemblyman Carroll as well.

4 ASSEMBLYWOMAN SIMON: Thank you. I
5 think it's critical to have a dollar amount
6 attached to that, and what that might be.
7 Thank you.

8 NYSED COMMISSIONER ROSA: Thank you.

9 CHAIRMAN PRETLOW: Okay,
10 Assemblyman Maher.

11 ASSEMBLYMAN MAHER: Thank you very
12 much.

13 Let me be the first one to say good
14 afternoon, Commissioner Rosa. Thank you all
15 for being here.

16 So looking at your testimony, there
17 are a lot of issues and there are a lot of
18 funding requests, and they total over \$200
19 million. And all of them are followed by
20 "was not part of the Governor's executive
21 proposal."

22 So why is there such a disconnect
23 between the New York State Education
24 Department and the Governor's office?

1 NYSED COMMISSIONER ROSA: Well, again,
2 as an independent agency, we are -- we are
3 your department. You know, when we think
4 about the legislators, right, the reality is
5 that being an independent agency we depend on
6 some funding from the Governor, but we're not
7 one of her agencies. I've often used the
8 term, you know, to the Governor that I'm the
9 stepchild -- but I'm a good stepchild.

10 (Laughter.)

11 NYSED COMMISSIONER ROSA: So we do get
12 some funding, and we're always, you know,
13 grateful to negotiate and have those
14 conversations. But we also lean on our
15 legislators for your support. And you're the
16 ones that really in many ways, you know,
17 listen to these testimonies, listen to the
18 initiatives that are in your communities that
19 are important, that help us to obviously get
20 the kinds of resources to do our work.

21 ASSEMBLYMAN MAHER: I can appreciate
22 that. And as someone who's a father -- I
23 have a 2-year-old and a 3-year-old that are
24 just about to get into prekindergarten -- I

1 want to focus on some of your comments. It
2 says "This Executive Budget proposal lacks
3 any additional funding to improve or expand
4 our pre-K system, and this disparity in
5 funding creates an unsustainable system for
6 providers and undermines the quality of early
7 learning experiences for our youngest
8 children."

9 To me, that speaks as a real issue in
10 terms of the Governor's lack of investment
11 into our youngest children at the most
12 important time in their education. So can
13 you speak as to why that conversation hasn't
14 taken place where you're met a little bit
15 further in the middle?

16 NYSED COMMISSIONER ROSA: Yeah. Well,
17 the conversations do take place. I think,
18 you know, we truly believe, in our
19 department, in foundational -- building a
20 strong house through the foundation. But
21 again, we have, you know, our zero-to-three,
22 we have a separate agency, you know, that
23 deals with this, which is her agency.

24 So what ends up happening is we try to

1 collaborate, we try to share resources, we
2 try to be good partners. But at the end of
3 the day --

4 ASSEMBLYMAN MAHER: Just real quick,
5 because I have about 18 more seconds. And
6 I'll get to you sidebar with this because we
7 won't have time. But I do want to bring up
8 that there was a study that was done last
9 year, a feasibility study on consolidating
10 the various universal prekindergarten. I'd
11 love to chat with your team about what
12 impacts and low-hanging fruit might exist as
13 part of that study.

14 NYSED COMMISSIONER ROSA: Yes. Thank
15 you.

16 CHAIRMAN PRETLOW: Thank you very
17 much.

18 Assemblyman Otis.

19 ASSEMBLYMAN OTIS: Thank you,
20 Commissioner and team, for all your good
21 work.

22 I have two topics. So I'm going to be
23 quick in asking questions here, have some
24 time.

1 Number one, like to hear where we are
2 on school districts adopting science and
3 engineering education at lower grades. And
4 the second topic is what SED is hearing from
5 school districts about cybersecurity breaches
6 when they go to you to help. There are other
7 state agencies involved. Certainly concerned
8 about the protection of student and staff
9 records and information in that.

10 And so those are my two topics.
11 Giving you most of my time back to answer
12 them. Thank you.

13 SR. DEP. COMMISSIONER MATTESON: As
14 far as the science is concerned, one of the
15 things that the field was anxious to get was
16 the results of our most recent elementary
17 science examination. There was a line with
18 the new standards that gave us great
19 information about what areas of the state are
20 really -- have really good alignment in
21 instruction toward science and those that did
22 not.

23 And so great conversations came as a
24 result of those, good analysis on how folks

1 did on certain aspects of that particular
2 assessment. And we're anticipating a great
3 leap forward, so to say, when it comes to the
4 science, because we know people took that
5 seriously and want to see that improvement
6 this year as far as the science is concerned.

7 ASSEMBLYMAN OTIS: It's so important
8 to get that earlier, and I know that's part
9 of your curriculum.

10 NYSED COMMISSIONER ROSA: And it's
11 inquiry and exploration for many students.
12 And the science allows the students to do
13 what we call applied learning, because
14 they're actually taking the information and
15 actually demonstrating what they know.

16 So that's -- and I think with the
17 cyber --

18 SR. DEP. COMMISSIONER MATTESON:
19 Sorry. You know, we have an office that
20 deals directly with those -- when it's
21 national, when it's in a local school
22 district, when it happens at the state --
23 that immediately responds.

24 The most recent one with the

1 PowerSchool piece, we were right on it. We
2 both got our counsel's office involved, to
3 ensure there was protection of PII, but also
4 other offices involved to make sure that all
5 of our school districts that had PowerSchool
6 had the information they need, and that
7 PowerSchool is communicating with them on
8 what was exposed and what they're offering as
9 compensation to ensure student information is
10 protected going forward.

11 ASSEMBLYMAN OTIS: It's an important
12 topic, and especially for smaller school
13 districts; they're in a sense more exposed
14 because they maybe have not focused on
15 prevention as much as a larger district who's
16 ahead in the game.

17 DEPUTY CMMR. JOHNSON-DINGLE: And if I
18 could just introduce, within our chief
19 privacy office we have released guidance,
20 districts know they can reach out to us
21 directly when they have concerns, through --
22 we'll follow up with you.

23 CHAIRMAN PRETLOW: Thank you very
24 much.

1 ASSEMBLYMAN OTIS: Thank you very
2 much. Thank you always for your good work.

3 CHAIRMAN PRETLOW: Assemblywoman Mary
4 Beth Walsh.

5 ASSEMBLYWOMAN WALSH: Thank you.

6 Good afternoon.

7 Commissioner, the Public Health Law
8 imposes the responsibility of enforcing the
9 state's immunization program on school
10 principals who must ensure that all students
11 are properly immunized in order to attend
12 school. Not only has the program become
13 increasingly complex and time-consuming for
14 school administrators, but school principals
15 face a personal fine of up to \$2,000 for
16 every non-immunized student attending school.

17 While the nursing shortage is
18 adversely affecting all schools, the
19 deficiency of nurses to do this work is
20 especially extreme in our religious and
21 independent schools. Although we provide
22 modest funding to enable you to reimburse
23 non-public schools located in Buffalo,
24 Rochester and New York City for their

1 expenses, we amended the law about 10 years
2 ago to require you to reimburse all
3 non-public schools across the state for their
4 time and effort in complying with this public
5 health mandate.

6 If I'm not mistaken, the department
7 has yet to tell us how much funding the
8 department needs to cover the expenses for
9 those schools located outside these three
10 cities. Can you tell us what has been taking
11 so long and when we can expect a cost
12 estimate from you?

13 NYSED CFO COUGHLIN: I'll say that we
14 noted that the Executive Budget did not have
15 that funding to support the religious and
16 independent school immunizations in it. So
17 that's the first piece I'd like to speak to.

18 The second half with respect to the
19 cost, we've been operating within the
20 limitations of the appropriation. So our
21 formulas when we are -- with those
22 mandate-services pieces take the costs that
23 are reported and then reflect them out. But
24 with this, we're constrained by that

1 appropriation.

2 So we have not done that study. We're
3 willing to look at it, but the funding hasn't
4 been there for that.

5 ASSEMBLYWOMAN WALSH: Thank you very
6 much. I do have one -- I'm surprised that I
7 have a minute left to go, so it's going to be
8 more of an awareness sort of a question for
9 you, Commissioner.

10 The Early Intervention Hub, the EI Hub
11 launched in October of 2024 using a
12 \$53 million one-bid contract with PCG,
13 continues to have significant problems that I
14 and many of my colleagues have been hearing
15 about in our districts, resulting in
16 nonpayment or severely delayed payment to
17 Early Intervention providers and the
18 cancellation of beneficial EI programming
19 that they are doing.

20 Our concern is that this may in turn
21 have a ripple effect on K-12 education, as
22 more students entering kindergarten will not
23 have received all of the intervention
24 services that they could have. I don't know

1 if you would have any comment on that.

2 DEPUTY CMMR. MEYERS-RUFF: What I can
3 say quickly in 10 seconds is that we are
4 meeting and working with the Early
5 Intervention Program to have more
6 collaboration and provide support so that
7 students can transition.

8 ASSEMBLYWOMAN WALSH: Thank you.

9 CHAIRMAN PRETLOW: Thank you.

10 Senate?

11 CHAIRWOMAN KRUEGER: Sorry. We've
12 been joined by Senator Leroy Comrie with a
13 question.

14 SENATOR COMRIE: Thank you.

15 Good afternoon, Commissioner. I was
16 at another hearing on another meeting.

17 I have two questions; I'll be brief.

18 As you know, I've been working to try
19 to do a financial bill to teach young people
20 how to become financially aware, and putting
21 it in the schools. And we've been stymied
22 for the last three years trying to get a
23 financial literacy bill done. Can you let us
24 know what the state is ready to do --

1 NYSED COMMISSIONER ROSA: Senator, I
2 can't hear you, I'm sorry.

3 SENATOR COMRIE: Sorry. I've been
4 trying to get a financial literacy bill
5 passed in the state for the last three years.
6 We've been getting stymied at every level.
7 Can you let us know what the State Ed
8 Department is ready to do to try to ensure
9 financial literacy? I have too many young
10 people that are going to college and winding
11 up in thousands of dollars of debt because
12 they'd never had any financial literacy
13 training in the schools.

14 Can you let us know what's going to be
15 done with that? Can we get that done? I
16 have many groups, nonprofit groups with
17 proven curriculum that's willing to come in
18 and teach the course. Banks, from Citibank
19 to Chase, every national bank is interested
20 in coming in to teach the course to relieve
21 the burden. We wanted to spread it from the
22 ninth grade to the 12th grade so it wouldn't
23 impose on the curriculum. We need to get
24 this done.

1 DEPUTY CMMR. JOHNSON-DINGLE: So thank
2 you for that. And I did share a little bit
3 earlier that as part of the NY Inspires plan,
4 which comes through the Blue Ribbon
5 Commission grad measures work, that we do
6 intend to require instruction in financial
7 literacy for all students, beginning with the
8 2026-2027 school year.

9 We will release some information and
10 guidance for districts that outline the
11 topics and things that need to be addressed
12 in those when that instruction takes place.
13 However, we will allow it to be flexible so
14 that way it can be either a stand-alone
15 course as part of their high school
16 experience, or built in through their normal
17 classes, whether it begins down in
18 kindergarten all the way up through middle
19 school.

20 As far as individual vendors or
21 companies that would like to work with
22 schools, that decision is made at the local
23 school level because local boards of
24 education make the decision about who would

1 be coming in to help provide that information
2 and instruction to their students. But we do
3 fully intend to support the Blue Ribbon
4 Commission recommendation and will make it a
5 requirement in the coming years, so.

6 SENATOR COMRIE: Does the commission
7 recommend outside vendors, or are they coming
8 up with their own curriculum?

9 DEPUTY CMMR. JOHNSON-DINGLE: I would
10 not -- we typically do not endorse a
11 particular vendor.

12 What I will say is that any vendor
13 that a district picks would be their own
14 choice. All we will look for is that it is
15 aligned to fully uplift the topics and the
16 things that we will say are required as part
17 of that work aligned with our New York State
18 standards.

19 SENATOR COMRIE: Okay, I have a second
20 question regarding the --

21 CHAIRMAN PRETLOW: Thank you very
22 much, Senator.

23 Now I'm going to call on myself for a
24 couple of questions. Commissioner, welcome

1 again.

2 Several school districts throughout
3 the state are hard-pressed for cash, and many
4 of those districts have something called
5 prior claims. And this prior claims add up
6 to tens of millions of dollars, and there
7 never seems to be any effort to repay these
8 districts that actually used -- whether their
9 reserves or whatever, to pay for it. And the
10 state's supposed to reimburse them, and then
11 the state wants to spread it out over 20
12 years or whatever, and it's not really
13 helpful.

14 Can you please just tell me why we do
15 this? Why don't we just make these school
16 districts whole and move on?

17 NYSED CFO COUGHLIN: You are correct
18 that it is a substantial amount of money.
19 And what has happened in the last several
20 years has been that there has not been an
21 appropriation provided in order for us to
22 start to repay those claims. Should that --

23 CHAIRMAN PRETLOW: When you advise the
24 Governor to do her budget you're advising her

1 to do an appropriation, aren't you? Couldn't
2 you have her appropriate X million dollars to
3 school districts that we owe money to?

4 NYSED CFO COUGHLIN: Thank you for
5 that suggestion. That was not in the Board
6 of Regents proposal this year, but it has in
7 fact been identified as a priority of the
8 board in years past. So we recognize that
9 concern.

10 NYSED COMMISSIONER ROSA: Yeah, but it
11 is a concern that we've spoken to at this
12 table. We continue to have separate
13 conversations in saying that if we don't have
14 the money, it is -- you know, the queue is
15 way over --

16 NYSED CFO COUGHLIN: Hundreds of
17 millions at this point.

18 NYSED COMMISSIONER ROSA: Yeah. Way
19 overdue.

20 CHAIRMAN PRETLOW: All right. Well,
21 we do have the money. I mean, we're going to
22 increase school aid by \$1.7 billion. There
23 is money there. It's not that we're broke.

24 And I just think that these are

1 dollars that school districts expended that
2 they may need now and they're not getting,
3 especially some districts that are limited
4 to, say, a 2 percent increase or whatever.
5 Just a thought.

6 My second question --

7 NYSED COMMISSIONER ROSA: Yeah. But I
8 think this is one we can do -- you know, we
9 can also have the Legislature also make, you
10 know. I mean, we know that we need the
11 funding in order to pay. So I think
12 collectively we should advocate for this.

13 CHAIRMAN PRETLOW: Well, I've made a
14 suggestion that funds that the Attorney
15 General gets in some of their lawsuits, those
16 monies be directed -- instead of going into
17 the General Fund, going to pay off school
18 districts that we owe money to. And if you
19 would back me up on that, I would appreciate
20 it.

21 My second question is exactly how a
22 charter school tuition is calculated.

23 NYSED CFO COUGHLIN: There is a
24 formula in statute that essentially

1 establishes an expense per pupil in the
2 district. It takes out certain pieces of the
3 expenditures -- facilities, for instance --
4 but establishes an approved operating expense
5 per pupil. And then that is the tuition that
6 when the pupil is served in a charter school,
7 the district needs to send to that.

8 CHAIRMAN PRETLOW: That's what I
9 figured it was. Now, here's the problem with
10 that as I see it. I know everyone will deny
11 it, but charter schools do cherry pick. And
12 it was mentioned earlier as part of someone's
13 testimony that students are sent back to the
14 district.

15 When a hard-to-teach student, be he or
16 she physically handicapped or mentally --
17 whatever, they send them back. Those are the
18 more expensive students to teach. And what
19 you find or what I see happening is they're
20 taking the easy-to-teach students, sending
21 the hard-to-teach students back to the school
22 districts, which increases the cost per
23 student in that district, which is then
24 calculated to give tuition to the

1 charter school.

2 So the more students the charter
3 schools send back -- and when they send them
4 back they don't send back the tuition that
5 they received from the district. They keep
6 that tuition, which I think is wrong also.
7 But it's making it more expensive for the
8 school district to educate those children.
9 Then we -- the state uses that more expensive
10 cost to give the charter school more money.
11 So the more kids they send back, the more
12 money they make.

13 And there's a problem there. And I
14 think when you're -- I know you had mentioned
15 earlier that you're looking into how the
16 tuitions are calculated. I think that should
17 be taken into effect. If they're going to be
18 using that formula we're using now, it's
19 wrong. What they should do is do a
20 comparison of what the school district is
21 spending to teach the easy-to-teach students
22 and then take a percentage of that and send
23 that to the charter schools. And you'll see
24 a big change in how charter schools operate.

1 And my third is actually a follow-up
2 on Senator Jackson's question regarding
3 Ramapo. You were cut off. Could you
4 continue that, please?

5 NYSED COMMISSIONER ROSA: Sure. So
6 I'm going to ask Jason to pick it up because
7 I think there was some misunderstanding of
8 the issue of the English language learners,
9 which is what my -- what I imposed was based
10 on a very specific reason, and we have shared
11 that information, so.

12 DEPUTY COMM. HARMON: Thank you,
13 Commissioner.

14 So really the issue in East Ramapo, to
15 the commissioner's point, so the order with
16 the additional tax levy funding that was
17 generated was a specific intervention to
18 address, right, a systematic and sustained
19 lack of funding to support English language
20 learner students in the district. Right?

21 I think if you looked at district
22 demographics they would tell you that
23 somewhere right now around 65 percent of the
24 entire public school population in that

1 district is recognized as English language
2 learners. Right? And so the additional tax
3 levy increase was specifically intended to
4 address the lack of services that are
5 mandated both by law and regulation to
6 students as English language learners in that
7 district.

8 The order was not designed in order to
9 address the structural budgetary issues that
10 have been identified by the district and the
11 monitor, nor was it identified to address
12 what had been communicated at the time as a
13 cash-flow issue that was going to hit the
14 district as early as July of 2024 and to
15 manifest again this coming spring.

16 So I think that's a really important
17 distinction here about addressing a
18 longstanding issue from the past and changing
19 the trajectory of a district going forward in
20 order to be able to provide an appropriate
21 education to all of their students, versus
22 some structural issues that had been
23 identified through other issues.

24 I would also just point out here that

1 the budget surplus in East Ramapo from last
2 year, about half of that surplus was
3 generated because of vacancies in staffing
4 positions, the salary and benefit costs that
5 were not paid out, a huge concentration of
6 that savings came as a result of specifically
7 teachers who are working with those English
8 language learner students.

9 Another portion of the savings that
10 generated that balance was the result of
11 intervention and collaboration with us at the
12 department to move costs out of their general
13 fund into some of the federal COVID response
14 dollars in an allowable way. I'm happy to
15 share more details about that specifically.

16 I would just sort of wrap up on this
17 one by pointing out that in December, Moody's
18 came out with their most recent report on the
19 district and specifically cited they've
20 changed the negative outlook of the district.
21 They've not made it a positive outlook,
22 right, their credit rating is still one level
23 above junk-bond status. They do not
24 functionally have access to the borrowing

1 market. And that Moody's pointed out in
2 their study that that cash surplus in the
3 '23-'24 school year, along with the ongoing
4 presence of the two state-appointed monitors
5 under the commissioner's direction, as
6 positive factors in the work that they were
7 doing in evaluating the district in terms of
8 their opportunity to borrow and to be able to
9 re-access those markets sooner rather than
10 later.

11 NYSED COMMISSIONER ROSA: And the
12 thing that's always left out of this equation
13 is that it is one of the districts that pays
14 close to 19, 20 percent in terms of
15 transportation. Versus some of the
16 neighboring districts that pay, you know, 5
17 to 8 percent. They spend an enormous amount
18 of time on transportation.

19 CHAIRMAN PRETLOW: Yeah,
20 transportation is an issue. I look around
21 the state and I think we've made it worse
22 with the mandate for electric buses. I don't
23 know how that's going to work out. The
24 charging stations, I don't think we have the

1 infrastructure right now that's sufficient to
2 do the charging of these buses. And they
3 don't work too well in the winter, and I
4 don't know -- that's another story.

5 But anyway, thank you very much.

6 NYSED COMMISSIONER ROSA: Thank you.

7 CHAIRMAN PRETLOW: Senator?

8 CHAIRWOMAN KRUEGER: Thank you.

9 I thought every question that I wanted
10 to ask had already been covered, but then I
11 went through my list and realized, nope.

12 So I want to talk to you about SED
13 funds for public broadcasting. All right?
14 It's part of your mandate, and there's
15 specific funding. And the funds go to --
16 they are based on a formula that skews to
17 support TV over radio. It's not that I'm
18 opposed to the money going to the public TV
19 stations, and I do understand it's being used
20 very often for educational as well as
21 cultural curricula for children.

22 But we're living in a moment where
23 clearly we are going to be losing federal
24 funds for public radio. I don't think

1 anybody thinks we're not. And frankly, in
2 many parts of the state public radio may be
3 the only outlet for local news coverage for
4 their communities, and they're very well
5 listened to by huge numbers of the public in
6 all the counties of New York State.

7 I know -- I come from New York City;
8 my public radio station, WNYC, has already
9 had to do a round of layoffs. I haven't
10 surveyed the other public radio stations yet,
11 but I suspect they're facing the same story.

12 So my question is because your mandate
13 specifically says you're supposed to use a
14 formula based on previous year's allocations,
15 consideration of the need of results of
16 changing technology and provision of new
17 services or -- and/or emergencies or other
18 exceptional circumstances affecting studio
19 operations and transmission and/or state or
20 federal requirement changes.

21 I'm convinced the federal part is
22 we're going to lose the money.

23 So I'm asking whether we can be
24 discussing some kind of evaluation of the

1 need for education funds to be more broadly
2 shared with public radio, which may require
3 you call for more funds. Because I'm not
4 asking you to tell me, you know, we'll cut
5 public TV stations. I think you fund seven
6 of them. I'm not exactly sure of the number;
7 your people probably know. So I'm not
8 sitting here saying let's cut, cut, cut
9 public TV. But I really think it's a new
10 requirement for our state to look hard at
11 what the loss of independent journalism
12 through public radio would mean for people in
13 the entire State of New York.

14 NYSED COMMISSIONER ROSA: So I would
15 welcome the opportunity, to your point, to
16 revisit the issue in light of the funding and
17 in light of the focus.

18 So absolutely we'll be more than glad
19 to pull our team that really works on and
20 does really good work in this area -- but to
21 revisit it and consider, is this -- you know,
22 what does this look like, the investments,
23 and is there maybe a better way to respond to
24 this. More than glad to do that.

1 CHAIRWOMAN KRUEGER: And have you been
2 spending all of the money? I think there was
3 a special appropriation in the 2023 budget.
4 I think it went all to TV stations. Maybe
5 I'm wrong on that. Maybe some of it went to
6 radio.

7 NYSED COMMISSIONER ROSA: We'll get
8 you the information.

9 CHAIRWOMAN KRUEGER: There's no chance
10 you're not spending the money now or --

11 NYSED COMMISSIONER ROSA: Yeah, we'll
12 get you the information. I'm not sure if
13 we've been, you know, spending -- if we have
14 spent all the money that's been allocated.
15 So we will get you the information.

16 CHAIRWOMAN KRUEGER: Okay. Yes, I
17 would urge you to do so. I'm just finding
18 it's been 14 million for radio stations,
19 58,500 for each license for the past seven
20 years. So they've been flat. And it's a
21 very small amount per radio station.

22 So I'm also making a pitch to my
23 colleagues in both houses, start thinking
24 about the importance of public radio to your

1 constituents. Because it is really
2 important. And we know that we're losing
3 local newspapers so quickly; there are many,
4 many communities that don't have any at all.

5 So that was my one question for today.
6 I'll cede my time back. Thank you very much.

7 CHAIRMAN PRETLOW: Assemblywoman
8 Giglio.

9 ASSEMBLYWOMAN GIGLIO: Good morning,
10 and thank you for being here.

11 So student success is really based on
12 them showing up and getting an education. So
13 do you have truancy officers? And what are
14 you doing to encourage and to incentivize
15 children to come to school, and express that
16 importance to the parents?

17 NYSED COMMISSIONER ROSA: Sure.

18 So the whole issue of attendance,
19 right, and chronic absenteeism and the focus
20 on even working with our schools is enormous
21 in our conversation.

22 DEPUTY COMM. HARMON: Thank you for
23 the question.

24 So from sort of an initial lens of

1 thinking about how the department is
2 leveraging a look at both attendance and
3 chronic absenteeism, that's one of the
4 indicators that we look at when we're making
5 determinations around support models for
6 schools across the state.

7 So we've just received approval and
8 we'll be bringing back to our Board of
9 Regents next month, actually, to move forward
10 with a change to look at a new attendance
11 indicator as part of that system of
12 identifying districts for identical supports.

13 I would just note that we will
14 continue to report out publicly by separate
15 group -- by school, by district -- where
16 there are rates of chronic absenteeism as
17 well. So rather than just sort of swapping
18 one measure out for the other, we will
19 continue to leverage both of those.

20 In a lot of cases those data end up
21 driving, at the local level, school
22 improvement plans to focus on addressing the
23 needs of students and families, where they
24 can identify really specific root causes. I

1 think this is an issue -- there's a recent
2 Comptroller's report from October that
3 highlighted really just how complex this
4 issue is for individual family dynamics as
5 well as larger system issues.

6 And so those efforts are also
7 supported not just by a single office in the
8 department, but a collaboration across
9 multiple offices. So offices in
10 accountability, offices in student support
11 services, to be able to provide resources,
12 best practices for schools and districts in
13 their communication and outreach to parents
14 and families to make sure that students are
15 there, to your point, so that they are able
16 to learn from the high-quality teachers that
17 are working with them day in and day out.

18 DEPUTY CMMR. JOHNSON-DINGLE: And I
19 would just like to highlight that getting to
20 the core of why students are not in school --

21 ASSEMBLYWOMAN GIGLIO: Thank you.

22 DEPUTY CMMR. JOHNSON-DINGLE: -- is --
23 is probably from the student support side of
24 things where we're trying to get -- and yes,

1 we were grateful for the RECOVS grant to be
2 able to open up mental health clinics even
3 within our schools, understanding that while
4 we're grateful for that 50 million that we're
5 able to turn around and give to schools,
6 there is a greater need for mental health
7 supports and for schools to be able to
8 establish collaborations and partnerships
9 with clinics to be able to provide those
10 supports to children and their families.

11 Thank you.

12 ASSEMBLYWOMAN GIGLIO: Thank you for
13 your thoughtful answers.

14 CHAIRWOMAN KRUEGER: Thank you.

15 All right, we're up to three-minute
16 second rounds for the chairs.

17 Shelley Mayer, three minutes.

18 SENATOR MAYER: Thank you,
19 Madam Chair.

20 I think I have three questions. One
21 is additional funding was given to SED last
22 year to update your Holocaust materials. Can
23 you give us an update on that?

24 Second is we don't have a lot of

1 details on the dual enrollment issues
2 proposed in the Governor's budget, if there's
3 anything specific you could share on that.

4 Thirdly, I'd like your comments on the
5 challenges facing the Mount Vernon school
6 district where three of their elementary
7 schools are slated to be closed and they have
8 significant fiscal issues.

9 And fourth, the wait time for teacher
10 certification applications and what you can
11 do to reduce that wait time.

12 NYSED COMMISSIONER ROSA: Sure. So
13 I'm going to start with the work that we've
14 been doing, as you know, with the Holocaust.
15 That's been amazing work that we've been
16 involved with. And as recent as I think last
17 week we had a discussion about how this
18 spring we're going to be providing not only
19 resources but some of the relationships that
20 we're building in this space.

21 DEPUTY CMMR. JOHNSON-DINGLE: So with
22 the funding that we were provided -- and
23 we're grateful for it -- we were able to
24 partner with the Holocaust and Human Rights

1 Education Center in addition to the New York
2 State Archives Partnership Trust.

3 And we are in the works of building
4 out an open source material where teachers
5 and schools will be able to access lesson
6 plans of video clips, primary sources, to
7 assist them in teaching about the Holocaust,
8 as uplifted throughout our social studies
9 framework and our current New York State
10 standards.

11 We look forward to bringing that to
12 the public this spring, I want to say
13 sometime around May that we will be able to
14 release those materials in addition to
15 providing some professional learning
16 opportunities from us at the state in
17 collaboration with those partners to make
18 sure that teachers understand how to utilize
19 them.

20 SENATOR MAYER: Thank you.

21 NYSED CFO COUGHLIN: If I could speak
22 to the Mount Vernon question.

23 SENATOR MAYER: Yes, Mount Vernon.

24 NYSED CFO COUGHLIN: I know the

1 commissioner and many of my colleagues have
2 been working with the district and the
3 district leadership to try to provide support
4 to the district as it moves through a very
5 challenging fiscal place.

6 I would note that because of
7 significant enrollment losses, Mount Vernon
8 is actually on save harmless in Foundation
9 Aid, despite the poverty of the student
10 population. So they're one of those
11 districts that's in the position where costs
12 are increasing faster than their funding is.

13 And with their enrollment losses,
14 those three buildings -- you know, it is a --
15 it's a local decision in order to decide to
16 close a school building, and we know it's
17 very challenging for the communities. But
18 the save harmless concern that many of your
19 colleagues have raised today plays a role
20 there too.

21 SENATOR MAYER: Thank you.

22 NYSED COMMISSIONER ROSA: We'll get to
23 the other two.

24 SENATOR MAYER: My time is up. Thank

1 you.

2 CHAIRWOMAN KRUEGER: Thank you.

3 CHAIRMAN PRETLOW: Thank you.

4 Assemblyman Magnarelli for three
5 minutes.

6 ASSEMBLYMAN MAGNARELLI: Thank you.

7 I'm going back to the question that I
8 had a couple of hours ago, okay? The
9 Executive proposal includes establishing a
10 new statewide policy for tracking success of
11 dual enrollment, otherwise known as College
12 in High School. And you were giving me, you
13 know, why we needed to do that. And my
14 question to you was like, how many students
15 have complained?

16 There's been problems like this for
17 25, 30 years they've been going on. Some of
18 those programs -- you know, people know
19 whether those hours are transferable or not
20 transferable. This has been there forever.
21 Now we're going to do a mandated reporting
22 requirement on the schools. To me, that has
23 some kind of a chilling effect on even
24 bothering to do it. That's number one.

1 Number two, it also has a bigger
2 question that I ask. Okay? How many
3 mandates do we put on our schools in terms of
4 reporting? I'm sure there are some that are
5 absolutely necessary. And then there are
6 others that are mandated by the federal
7 government or something else, you know, for a
8 grant or things like that. But has anybody
9 done a study -- I've heard a lot of studies
10 today, a lot of studies going on. Any
11 studies about reducing the number of
12 requirements and mandates placed on every one
13 of our school districts and the costs of
14 doing those mandates?

15 SR. DEP. COMMISSIONER MATTESON: Okay,
16 so I'll start at the beginning with the
17 College in High School piece and the data
18 piece. That is only for those that are going
19 to participate. Right now one of the issues
20 with, like, P-TECH --

21 ASSEMBLYMAN MAGNARELLI: Talk into the
22 mic again, please?

23 SR. DEP. COMMISSIONER MATTESON: I'm
24 sorry.

1 -- P-TECH, Smart Scholars, Early
2 College High School is we have to manually
3 then pull data together if we haven't created
4 a system to collect data about who's doing
5 what when it comes to the space of dual
6 enrollment.

7 We have had concerns from the public
8 that in some places in the state it costs
9 money to get the dual enrollment credit.
10 Some places they're not charging for the dual
11 enrollment credit.

12 We have the data that 2 percent of our
13 students actually have access to the robust
14 early college experiences rather than the
15 one-offs. So we have a lot of students doing
16 the one-offs and having money spent and it
17 doesn't lead to anything for their college
18 education.

19 We're trying to reinforce the system
20 where at least the minimum base 12 credits
21 that's transferable between all of our
22 colleges and universities can be available to
23 students, and spread that around the state.
24 It's not --

1 ASSEMBLYMAN MAGNARELLI: So why isn't
2 that done on a state level rather than
3 mandating that contracts be entered into on a
4 local level? It -- again, it's just adding
5 more requirements that have to be fulfilled.
6 That's the way I look at this stuff.

7 CHAIRMAN PRETLOW: Thank you.

8 Senator?

9 CHAIRWOMAN KRUEGER: Senator John Liu,
10 three-minute second round for the chair.

11 SENATOR LIU: Thank you, Madam Chair.

12 You know, I know the Regents and the
13 department have been working on the
14 graduation requirements for a long time. I
15 still have strong reservations about
16 eliminating the requirement for passing
17 Regents exams, which, you know -- I mean,
18 I've said to you these are not the most
19 robust exams to begin with. So I know we're
20 still several years or at least a couple of
21 years away from the rollout of this.

22 NYSED COMMISSIONER ROSA: Right.

23 SENATOR LIU: But, you know, is this
24 the plan? Is this plan now set in stone?

1 NYSED COMMISSIONER ROSA: So let me
2 start, Senator, by saying that, you know --
3 to your point, we're not eliminating, so
4 that's number one. I think there's still the
5 conversation about what we're --

6 SENATOR LIU: I know --

7 NYSED COMMISSIONER ROSA: No, no, no,
8 we're --

9 SENATOR LIU: I know that's the line.

10 NYSED COMMISSIONER ROSA: What it is
11 not -- what we're shifting on is that it has
12 been the barrier, the one sole thing that has
13 kept children from graduating. So what we're
14 saying, it's more --

15 SENATOR LIU: Graduating with a
16 Regents diploma.

17 NYSED COMMISSIONER ROSA: Yeah. But
18 most -- okay, so most kids who go to SUNY
19 from out of state do not come in with a
20 Regents diploma, because that state doesn't
21 require them to have a Regents diploma. Nor
22 does SUNY say, Now you've got to take the
23 Regents exam in order to be part of the
24 cohort coming in. So --

1 SENATOR LIU: So is the implication
2 that the Regents diploma -- I'm sorry, the --
3 yeah, the New York State Regents diploma was
4 not meaningful to begin with?

5 NYSED COMMISSIONER ROSA: No, the
6 implication is that just as we trust
7 Connecticut sending their children with a
8 Connecticut diploma, without a Regents
9 diploma, and New Jersey and any other place,
10 then we have what's called a New York State
11 diploma. And in essence, those students are
12 accepted into our higher ed institutions
13 without any of that.

14 Now I'll go one step further.
15 Senator, many of the people sitting here, if
16 you've come from different places, you're
17 very successful, you didn't even take the
18 Regents exam, and here you are. So my thing
19 is you're correct that it's an exam --

20 SENATOR LIU: Well, we can use
21 different words, but it is removing the
22 requirement to take the Regents exams.

23 But let's talk about this portrait of
24 the graduate. I mean, how is that going to

1 be achievable in a place like New York City
2 where we still have overcrowded class sizes?
3 Who's going to draw that portrait of the
4 graduate?

5 NYSED COMMISSIONER ROSA: We have met
6 with New York City, right, and there's such
7 enthusiasm because believe it or not,
8 Senator, a lot of school districts are
9 related doing this work, because of the fact
10 that they're preparing students with critical
11 thinking skills, they are doing
12 project-based, they're taking the standards
13 and applying them, they're doing internships.
14 It is a much more deep --

15 SENATOR LIU: I think it will be that
16 much more difficult when the class sizes are
17 a little too excessive, particularly in
18 New York City.

19 Thank you.

20 NYSED COMMISSIONER ROSA: Thank you.
21 Thank you, Senator.

22 CHAIRMAN PRETLOW: Senate, do you have
23 another?

24 CHAIRWOMAN KRUEGER: No, the Senate is

1 closed.

2 CHAIRMAN PRETLOW: And the Assembly is
3 closed -- oh, I'm sorry, Bobby.

4 Assemblyman Carroll for his ...

5 ASSEMBLYMAN CARROLL: Assemblymember
6 Pretlow, I'm offended.

7 Commissioner Rosa, I was glad to hear
8 you say that you support decodable texts and
9 decodable readers for our early readers. Has
10 SED done an accounting of our school
11 libraries to see if they have access to
12 decodable texts?

13 DEPUTY CMMR. JOHNSON-DINGLE: While we
14 have not done a specific study to say, what I
15 can say is that for all of our schools that
16 do have -- we do have processes in place to
17 have an understanding of the different
18 catalogs and types of books that exist within
19 school libraries.

20 However, that is to say while we have
21 not done an official study, we do have some
22 data that we can look at to get an idea.

23 ASSEMBLYMAN CARROLL: I would
24 recommend you do that accounting, because I

1 will foreshadow a question I have for the
2 New York City Public Schools chancellor,
3 which is that though we have made changes in
4 our literacy curriculum and we are moving
5 towards the science of reading and
6 evidence-based practices, we still have so
7 many leveled readers that are rooted in poor
8 pedagogy and asking children to guess and
9 look at pictures.

10 I have a school in my own district
11 that's a wonderful school, that's trying to
12 make this shift, but every evening they send
13 home leveled texts to their students even
14 though they are trying to do structured and
15 sequential phonics in the classroom in the
16 morning. It makes no sense.

17 So I urge you to do that accounting,
18 because what you will find is that my guess
19 is because we did 20 years of whole language,
20 that most of our public school libraries are
21 filled with leveled readers and have no
22 decodable texts. And we need to change that.

23 NYSED COMMISSIONER ROSA: Thank you.

24 CHAIRMAN PRETLOW: Thank you,

1 Assemblyman Carroll.

2 And that does close this hearing.

3 Commissioner and staff, I --

4 CHAIRWOMAN KRUEGER: It doesn't close
5 the hearing.

6 CHAIRMAN PRETLOW: Oh, I'm sorry.
7 Your portion of the hearing. We have another
8 39 groups.

9 (Laughter.)

10 NYSED COMMISSIONER ROSA: I thought we
11 were all done for the entire week. But no,
12 thank you for the opportunity.

13 And for those who did not get their
14 questions, I'm more than glad to meet with
15 you to absolutely set up private and separate
16 meetings, because the communication and the
17 sharing of information is extremely important
18 for our total advocacy.

19 So thank you.

20 CHAIRMAN PRETLOW: Thank you.

21 The New York City Department of
22 Education, you're next.

23 (Pause.)

24 CHAIRMAN PRETLOW: Can we take the

1 outside conversations outside so we can
2 proceed, please?

3 (Pause.)

4 CHAIRMAN PRETLOW: Are we ready?

5 Okay. Good afternoon. I guess you can
6 introduce yourselves, and then we'll start.

7 NYC SCHOOLS CHANCELLOR AVILES-RAMOS:

8 Good afternoon, everyone. My name is Melissa
9 Aviles-Ramos, and I am the chancellor of New
10 York City Public Schools.

11 CHAIRMAN PRETLOW: Can you speak a
12 little louder, please, or bring the
13 microphone closer?

14 NYC SCHOOLS CHANCELLOR AVILES-RAMOS:

15 Of course.

16 Good afternoon. My name is Melissa
17 Aviles-Ramos, and I am the chancellor of
18 New York City Public Schools.

19 FIRST DEP. CHANCELLOR WEISBERG: Good
20 afternoon. I'm Dan Weisberg. I'm the first
21 deputy chancellor of New York City Public
22 Schools. Great to be here.

23 DEP. CHANCELLOR VADEHRA: Good
24 afternoon. Great to be here. I'm Emma

1 Vadehra, deputy chancellor for operations and
2 finance, New York City Public Schools.

3 NYC PUBLIC SCHOOLS CFO SCOTT: Good
4 afternoon I'm Seritta Scott. I'm the chief
5 financial officer here at New York City
6 Public Schools.

7 CHAIRMAN PRETLOW: A pleasure.

8 Ms. Ramos, go.

9 NYC SCHOOLS CHANCELLOR AVILES-RAMOS:
10 Good afternoon. Thank you to Senator
11 Krueger, Assemblymember Pretlow, Senator Liu,
12 Assemblymember Benedetto, Senator Mayer, and
13 members of their respective committees. I
14 appreciate the opportunity to testify on the
15 proposed 2026 New York State Education
16 Budget, and I also want to wish everyone a
17 Happy Lunar New Year.

18 My name is Melissa Aviles-Ramos. I
19 have the honor of serving as chancellor of
20 New York City Public Schools. I have
21 dedicated my career to the education of
22 New York City's children, first as a
23 high school English teacher back in 2007,
24 then as a principal, deputy superintendent,

1 acting superintendent, chief of staff, and
2 deputy chancellor. In my nearly two decades
3 of service, I have pushed the boundaries on
4 what seemed possible.

5 When I became a principal in 2016, for
6 instance, only about a quarter of the senior
7 cohort was on track to graduate. Quite
8 simply, I was told that only 23 percent of my
9 students would graduate that year. By June
10 of that same year, 66.7 percent had earned
11 their diplomas. The following year, my team
12 and I raised that graduation rate even
13 further, to nearly 82 percent.

14 Later, when the pandemic hit, I
15 transitioned my school to remote instruction
16 and then stepped up to serve at the district
17 level as the deputy superintendent, and then
18 acting superintendent, for Bronx high
19 schools.

20 When I came to our central office, I
21 led the launch of Project Open Arms, working
22 across our department and city to support
23 tens of thousands of migrant students. As
24 chief of staff to the former chancellor, I

1 continued coordinating this work alongside
2 other key initiatives such as NYC Reads, the
3 Gun Violence Prevention Task Force, our
4 bilingual teacher pipeline, and our mindful
5 breathing initiative.

6 In all this time, through moments of
7 challenge and change, my focus has never
8 wavered. I have always worked tirelessly to
9 provide children with the opportunities and
10 support they need to thrive.

11 Today I'd like to share some updates
12 on our progress. In the Adams
13 administration, we are cultivating bold
14 futures for our young people. I am proud
15 that NYC Reads, our signature initiative to
16 adopt the science of reading in our
17 classrooms, is now reaching our youngest
18 learners citywide, including all 840-plus
19 elementary schools. NYC Solves, our
20 transformative approach to math instruction,
21 has launched in over 400 high schools and
22 approximately 100 middle schools. All in
23 all, through NYC Reads and NYC Solves, over
24 half a million students are benefiting from

1 high-quality curricula and research-driven
2 pedagogy.

3 I'm also thrilled that our reimagined
4 college and career pathways initiatives
5 continue to flourish, equipping students with
6 the skills and experiences to be successful
7 in college and in the rapidly changing
8 workplace. For example, our FutureReadyNYC
9 program has expanded to serve 15,000
10 students, and with Memorial Sloan Kettering
11 Cancer Center as our newest anchor partner,
12 we are making even greater inroads into the
13 fields of healthcare, technology, business,
14 and more. Just last school year, our
15 students earned over \$10 million in wages
16 from work-based learning.

17 As someone who played a key role in
18 shaping these foundational programs in my
19 previous roles, I am proud to now continue
20 these initiatives as chancellor and show how
21 they align with my three commitments to our
22 community: Ensuring safety and wellness for
23 all students; supporting educators; and
24 empowering families and communities.

1 My first commitment takes a
2 comprehensive approach to safety and
3 wellness. In addition to our existing
4 initiatives, we are ramping up supports for
5 our newest New Yorkers to ensure that our
6 schools are safe spaces for students and
7 families, no matter their immigration status.

8 Over the past few months, we have led
9 extensive training across our community for a
10 wide range of stakeholders, from principals
11 to guidance counselors, reiterating our
12 long-standing protocols for access to our
13 buildings. New York City Public Schools is
14 committed to protecting the right of every
15 student to attend public school, regardless
16 of immigration status, national origin, or
17 religion. Likewise, we are committed to
18 supporting our LGBTQ+ students, and in 2021,
19 as just one example, we updated our
20 guidelines on gender inclusion to enshrine
21 this support in policy.

22 Secondly, I am committed to uplifting
23 our educators. Now that we have completed
24 the initial launch of NYC Reads and NYC

1 Solves, the next phase is to focus deeply on
2 both implementation and intervention, so that
3 no students slip through the cracks. It is
4 essential that we support our educators in
5 these areas, and I am proud to announce today
6 that we are investing in an additional year
7 of job-embedded coaching and support for our
8 NYC Reads educators.

9 My third commitment is to empowering
10 our families and communities. This
11 commitment really came into focus for me
12 personally a few years ago, when my daughter
13 entered New York City Public Schools. I, as
14 a parent who works for our school system,
15 still struggle to navigate it at times. If
16 that's true for me, what does that mean for
17 other parents? I realized how much further
18 we must go to truly involve our families in
19 their children's education. And to that end,
20 I hosted a five-borough listening tour at the
21 end of last year, with over a thousand
22 students and families in attendance.

23 I will continue to champion programs
24 that are beloved by our families. For

1 example, I am glad to share that our
2 comprehensive academic- and enrichment-based
3 Summer Rising program will be back this year,
4 with applications opening in early March.

5 I want to thank the Governor for
6 proposing a fiscal year '26 budget that
7 places children and families front and
8 center. The Governor's priorities align with
9 so many of ours. She outlined universal free
10 breakfast and lunch, which we have been
11 implementing here in New York City for years.
12 She is planning a "bell-to-bell" ban on
13 cellphones, which we have been studying and
14 considering -- approximately 800 of our
15 schools already have policies in place to
16 keep cellphones out of the classroom. And
17 she proposed an expansion of early college
18 credit opportunities for high schoolers,
19 which we currently offer via one of the
20 largest and most successful programs in the
21 country. We are grateful for and look
22 forward to state support on these shared
23 priorities.

24 I also want to be clear and direct

1 about our concerns related to the Governor's
2 proposed budget as it stands currently.

3 There is no question that the Foundation Aid
4 formula needs a revamp, but the Governor's
5 proposed changes to the formula would
6 actually result in nearly 350 million fewer
7 dollars to New York City Public Schools than
8 we'd be entitled to under the current
9 formula, disproportionately impacting our
10 system compared to many other districts.

11 As we have testified previously, this
12 formula, which took about two decades to
13 fully fund, is by now long out of date. It
14 does not address the realities of providing a
15 high-quality education today to nearly
16 1 million students, especially our most
17 vulnerable populations -- students in
18 temporary housing, multilingual learners, and
19 students with disabilities.

20 As a result, New York City is
21 contributing more than its fair share of the
22 cost of running our school system. In 2002,
23 the state and New York City contributed
24 equally to our schools, but today, 57 percent

1 of our funding comes from New York City and
2 only 36 percent from the state. Last school
3 year, we also rolled out a new weight in
4 New York City's funding formula for students
5 in temporary housing, which the Foundation
6 Aid formula does not currently consider.

7 We strongly request that the state
8 consider the recommendations we made last
9 summer to the Rockefeller Institute of
10 Government, including updating the regional
11 cost metrics to better take into account the
12 cost of living in New York City and updating
13 and enhancing support for our high-needs
14 students. Incorporating these
15 recommendations will ensure Foundation Aid
16 can provide the services and resources our
17 students and families deserve.

18 In addition, I'd like to comment on
19 the proposed cellphone ban. I am in strong
20 agreement with the Governor that access to
21 cellphones during the school day distracts
22 from learning, divides attention, and worsens
23 students' mental health. That's why, back
24 when I was a principal, we were a

1 cellphone-free school.

2 While it is reassuring to see there is
3 funding attached to the Governor's proposal,
4 the current dollar amount is inadequate.
5 Implementing an effective cellphone ban is a
6 major undertaking, and funding is also
7 critical when it comes to addressing parents'
8 concerns about communicating with their
9 children in emergencies.

10 Next I want to thank the Governor for
11 her early college proposals, including the
12 launch of the College in High School program.
13 We think even more funding in this area would
14 be beneficial, especially as New York City
15 Public Schools works towards the goal of
16 ensuring that by 2030, 100 percent of
17 graduating students will have access to
18 college credit. We hope legislators will use
19 the budget process to enhance this important
20 investment and ensure it is allocated to
21 districts fairly, based on student need.

22 Before I close, I'd like to update
23 this body on our progress toward meeting the
24 state class-size mandate. This school year,

1 over 46 percent of classes are at or below
2 the class-size caps prescribed by the law,
3 well above the 40 percent requirement for
4 '24-'25. To achieve this, we worked closely
5 with the UFT, CSA, and our superintendents;
6 supported school budgets with hundreds of
7 millions of additional dollars designated for
8 class-size reduction; and incorporated
9 recommendations from our class-size working
10 group.

11 We are also implementing a new plan to
12 ensure compliance in the upcoming school
13 year. Over 750 schools submitted class-size
14 reduction plans, which we are reviewing
15 alongside our union partners, for dedicated
16 funding. We are making good progress. But
17 to reach full compliance by 2028, as the law
18 requires, we will require significant
19 additional resources.

20 As we look to the future, and as
21 New York City Public Schools empowers the
22 next generation of New Yorkers, I am grateful
23 for the meaningful engagement and partnership
24 with all of you, our state legislators. I

1 look forward to continuing our collaboration
2 over the coming months and years.

3 CHAIRMAN PRETLOW: Thank you.

4 Assemblymember Carroll.

5 ASSEMBLYMAN CARROLL: Thank you,
6 Chair Pretlow.

7 Good afternoon, Chancellor. It's very
8 nice to meet you. First let me commend you
9 and your team and your predecessor,
10 Chancellor Banks, on the NYC Reads program.
11 As somebody who worked with Chancellor Banks
12 hard on that project, I know how difficult it
13 was to get it on its feet and how difficult
14 it will continue to be to make sure that not
15 only do we give evidence-based instruction to
16 our children, but we do it with fidelity and
17 continually so that all our children can
18 become fluid and fluent readers.

19 I would like -- I asked the previous
20 panel this question, so I will ask it to you.
21 As New York City has changed its pedagogy and
22 approach to early childhood literacy, has
23 New York City gone to its school libraries
24 and removed leveled readers from those

1 libraries and replaced them with decodable
2 texts?

3 NYC SCHOOLS CHANCELLOR AVILES-RAMOS:

4 Thank you so much, Assemblyman Carroll. And
5 I also want to thank you for the work that
6 you did in partnership with New York City
7 Public Schools to make NYC Reads a success.
8 Your story and your support really inspired
9 this work.

10 What I will say is that NYC Reads is
11 not only a literacy initiative, it is
12 addressing a curricular and instructional
13 inequity that we have seen across New York
14 City for many, many years. A parent should
15 not have to worry about sending their child
16 to a school in the South Bronx and worry
17 about the kinds of instruction and curriculum
18 that they're getting, versus when they are
19 sent to a school in another district that is
20 not quite so poor and challenged.

21 And so what we did in the first phase
22 was really focus on learning the actual
23 curriculum. Our teachers, making --

24 ASSEMBLYMAN CARROLL: Chancellor, I

1 understand that. I'm deeply familiar with
2 what the previous chancellor and what you are
3 doing about implementing NYC Reads. My
4 question is, have you done an accounting --

5 NYC SCHOOLS CHANCELLOR AVILES-RAMOS:
6 I understand your question, Assemblymember.

7 ASSEMBLYMAN CARROLL: So have you done
8 an accounting and are there -- are we
9 removing leveled readers and replacing them
10 with decodable texts?

11 NYC SCHOOLS CHANCELLOR AVILES-RAMOS:
12 If you would allow me to just explain to you
13 a summary of the journey for Phase 2, then we
14 will get to your answer.

15 ASSEMBLYMAN CARROLL: Sure.

16 NYC SCHOOLS CHANCELLOR AVILES-RAMOS:
17 And so part of that is taking inventory of
18 the interventions that are also supporting
19 our students in our Tier 2 and Tier 3
20 instruction -- meaning the students who are
21 still struggling despite the curriculum that
22 is front of them.

23 As part of that, we are also taking
24 inventory of the resources. It is important

1 that we take inventory of the interventions
2 before we get to the resources. I
3 understand -- and I heard you as I was
4 sitting here in the audience, that there are
5 texts that are not aligned with NYC Reads.
6 The team immediately took note of that, and
7 we are going to work with our Division of
8 School Leadership.

9 But to answer you quite directly, we
10 have not gotten to a massive systemwide
11 inventory of those resources because we are
12 now at the point where we're taking inventory
13 of the interventions.

14 ASSEMBLYMAN CARROLL: Thank you.

15 And look, I look forward to working
16 with you to make sure that we solve that
17 issue.

18 NYC SCHOOLS CHANCELLOR AVILES-RAMOS:

19 As do we.

20 ASSEMBLYMAN CARROLL: Pivoting to --
21 staying on the topic of libraries, school
22 librarians: I believe there's approximately
23 260 school librarians in the New York City
24 Public Schools system right now, down from

1 approximately 1600. There are some rubrics
2 about when a school gets a part-time
3 librarian, when a school gets a full-time
4 librarian. I think schools over 800 students
5 are supposed to have full-time librarians.

6 What is the plan for New York City to
7 get more librarians into our schools so that
8 they can help both students and teachers
9 getting children the materials they so
10 desperately need?

11 NYC SCHOOLS CHANCELLOR AVILES-RAMOS:
12 Yep. School libraries have been a challenge
13 for us for a number of reasons. At this
14 point, 74 percent of schools do not have a
15 library program or a NYSED-certified
16 librarian. One of the challenges is that we
17 don't have enough librarians, and I will
18 speak to the work that we're doing to recruit
19 more.

20 But the second part of it is also that
21 principals have discretion over their budget
22 and if a budget is declining due to declining
23 enrollments, the principal has to make a very
24 difficult decision: Do I hire a librarian or

1 do I hire an extra special education teacher?
2 And so we're also working with our schools to
3 address some of those issues.

4 In terms of pipeline work, though, we
5 have established a partnership with Syracuse
6 University, St. John Fisher University, and
7 New Visions to develop a pipeline. We also
8 have our Teacher 2 Librarian program where
9 we've certified 80 school librarians from --
10 coming from teachers who are already
11 certified.

12 And the other thing that we don't talk
13 enough about is our digital library, which
14 has been very successful. So 64,000 books
15 have been opened, 23,000 hours spent reading.
16 And so as we navigate the challenges to make
17 sure that the schools have functioning
18 libraries and that they have a certified
19 librarian in the library, we are also
20 leveraging these other resources like the
21 digital library to make sure kids have access
22 to age-appropriate texts.

23 ASSEMBLYMAN CARROLL: Thank you.

24 So now I would like to pivot to

1 students with disabilities, specifically
2 children struggling with dyslexia. Though I
3 said previously that I commend you for the
4 successes of NYC Reads, I see, from the
5 outside, NYC Reads as mostly a Tier 1
6 intervention, and a very important Tier 1
7 intervention. But of course students
8 struggling with phonological awareness issues
9 such as dyslexia are still at record numbers
10 suing the New York City Public Schools system
11 because their needs are not being met at
12 their local public school.

13 And the reason that they're suing them
14 is because they are not getting the
15 small-group, intensive, multisensory
16 structured phonics-based instruction that
17 they need. That is what they are seeking,
18 that is what every single one of them is
19 seeking. The private schools that they end
20 up being placed in, that is exactly what they
21 do.

22 Why can't we do that in our local
23 public schools?

24 NYC SCHOOLS CHANCELLOR AVILES-RAMOS:

1 Well, this goes back to what I started
2 discussing earlier around the interventions.
3 When we started conducting this inventory of
4 the interventions at the Tier 2 and Tier 3
5 level, we found that there are almost 40
6 across our schools, and in some cases schools
7 are using multiple ones -- not necessarily
8 with rhyme or reason or any specific dosage.

9 And so that is very difficult for a
10 child to make those leaps and bounds if we do
11 not standardize some of that intervention
12 process. And so we're engaging in that work
13 right now, and we look forward to continued
14 conversations with you on the implementation
15 of that and our progress.

16 ASSEMBLYMAN CARROLL: Well, I agree
17 with you that we need to standardize it in a
18 system that's as big as New York City. What
19 I hope that New York City realizes is that
20 the parents who are put through this, and the
21 children who are put through this, would like
22 an option at their local public schools.
23 That is what they prefer. That is why they
24 keep trying and failing, trying and

1 failing -- and when they realize they will
2 never get the services that they so
3 desperately need for their son or daughter,
4 that they turn to suing the New York City
5 Public Schools system.

6 And it is very clear, there are number
7 of world-class institutions in New York City
8 that have for the last 40, 50, 60 years
9 remediated issues around dyslexia sitting at
10 our doorstep. David Banks, the first thing
11 he did was go to the Windward school with me.

12 The sad thing is, three-plus years
13 later we have not gone to a place like the
14 Windward School and said, Let us figure out
15 what you're doing in your classrooms. None
16 of it's with technology. None of it is
17 newfangled. All of it they've been doing for
18 the last 50 years. We need to do this in our
19 schools. I get that it won't happen in all
20 840 elementary schools tomorrow. But it is
21 crazy that it is not happening at some of our
22 local public schools today.

23 NYC SCHOOLS CHANCELLOR AVILES-RAMOS:

24 Well, and I would just say yes, more needs to

1 be done. I'm never going to sit here and say
2 that our job is done and that we've
3 accomplished this grand mission a hundred
4 percent, because that would be false. And it
5 also wouldn't be true to the values I have as
6 an educator as well as the mother of a
7 struggling reader in New York City Public
8 Schools.

9 What I will say is that we have taken
10 your lead, Assemblymember, and as I mentioned
11 in my remarks, we are grateful to you for
12 your partnership. It's the reason why there
13 is a South Bronx Literacy Academy that is
14 dedicated to supporting students with
15 dyslexia. It is the reason why we are
16 doubling down on the interventions and doing
17 another year of teacher support. Because to
18 your point, if the teachers do not have the
19 resources they need to implement the
20 curriculum and to intervene appropriately,
21 students will not advance.

22 ASSEMBLYMAN CARROLL: Thank you,
23 Chancellor. And I look forward to continued
24 partnering with you. And thank you for your

1 work.

2 NYC SCHOOLS CHANCELLOR AVILES-RAMOS:

3 Likewise. Thank you.

4 CHAIRMAN PRETLOW: Senator?

5 CHAIRWOMAN KRUEGER: Thank you.

6 We're going to start with the chair of
7 the New York City Education Committee, John
8 Liu, 10 minutes.

9 SENATOR LIU: Thank you, Madam Chair.

10 Congratulations, Chancellor. I was
11 sorry to see David Banks go, but I'm happy
12 that you're there.

13 NYC SCHOOLS CHANCELLOR AVILES-RAMOS:

14 Thank you.

15 SENATOR LIU: And I know it's only
16 been, what, four months? Probably feels like
17 four years.

18 NYC SCHOOLS CHANCELLOR AVILES-RAMOS:

19 Three, but no one's counting.

20 (Laughter.)

21 SENATOR LIU: Okay, three months.

22 You are in a difficult spot, and so
23 you're going to be on the spot for difficult
24 questions. Right?

1 In New York City for hundreds of
2 years, and certainly in modern times, we have
3 recognized a need to protect everyone in
4 New York City. And that means our health
5 policies look to make everybody healthy.
6 because when some people are sick or unwell,
7 it makes potentially the entire city sick or
8 unwell.

9 Similarly, we try to educate everybody
10 because whether the family's been here for
11 generations or for two weeks, educating
12 people is always the best investment. We
13 make a windfall profit on everybody that goes
14 through the New York City education system.

15 So let me start off with this. Has
16 there been any kind of identification of a
17 drop-off in attendance in the last month?

18 NYC SCHOOLS CHANCELLOR AVILES-RAMOS:
19 Thank you for the question, Senator Liu. And
20 I --

21 SENATOR LIU: You don't have to thank
22 me for the questions. There will be plenty
23 more.

24 (Laughter.)

1 NYC SCHOOLS CHANCELLOR AVILES-RAMOS:

2 Well, at some point I'll stop thanking you
3 for them, but we're early on, so thank you
4 for this one.

5 (Laughter.)

6 NYC SCHOOLS CHANCELLOR AVILES-RAMOS:

7 So since the inauguration, we saw an
8 attendance between 84 and 89 percent. And
9 when we look at the same week last year, that
10 range was from 89 to 92 percent.

11 Now, there are additional factors. We
12 know that we had a very, very cold week and
13 the temperature does often impact our
14 attendance. While that drop in attendance
15 isn't egregious, there is a drop since last
16 year at the same time.

17 SENATOR LIU: I mean, that's a -- I
18 would think that's a pretty substantial drop.
19 A 4 to 7 percent, that's significant.

20 And while you're saying some of that
21 might be due to cold weather -- I mean, it is
22 January, right. Is it -- would it be safe to
23 conclude that a large portion of that
24 drop-off in attendance is due to fear by

1 immigrant families and parents?

2 NYC SCHOOLS CHANCELLOR AVILES-RAMOS:

3 I think what we can safely say is that it is
4 one of several factors.

5 SENATOR LIU: Okay. So I think -- I
6 think it's a big factor.

7 And my next question for you is, are
8 the school principals clear on how they're
9 going to respond to anything that they are
10 partially expecting already? Do they have
11 clarity? Because I'll be very honest, I've
12 heard from a lot of principals they're not
13 sure what they're going to do.

14 NYC SCHOOLS CHANCELLOR AVILES-RAMOS:

15 They're not sure what they're going to do in
16 terms of what, Senator? In terms of
17 supporting with attendance and making sure
18 families feel safe to come in?

19 SENATOR LIU: No, in terms of who they
20 open the door for.

21 NYC SCHOOLS CHANCELLOR AVILES-RAMOS:

22 Understood. So our policies around law
23 enforcement entering the building remain the
24 same. Without a judicial warrant, we cannot

1 have members of law enforcement just walk
2 into a building and take children.

3 We have communicated our policies to
4 our principals. We have hosted a number of
5 trainings, and I will pass it over to Deputy
6 Chancellor Emma Vadehra to get more into the
7 details.

8 But we know that there is fear amongst
9 our families, and we also know that
10 principals have a very heavy lift in not only
11 understanding the policies themselves, but
12 also communicating them to their stakeholder
13 groups.

14 So one of the things that we did is
15 those same trainings, we actually offered
16 them to our school counselors and we offered
17 them to our parent coordinators. Very
18 important that our parent coordinators are
19 part of this process, because they are often
20 the first lines of defense.

21 SENATOR LIU: Okay. And so is it the
22 DOE or our public schools' policy that they
23 do not let -- that the principals, including
24 the entire team, including the school safety

1 agents, they do not allow entry for law
2 enforcement without judicial warrants?

3 NYC SCHOOLS CHANCELLOR AVILES-RAMOS:
4 That is correct.

5 SENATOR LIU: Or is it that they don't
6 have to? They cannot, or they don't have to?

7 NYC SCHOOLS CHANCELLOR AVILES-RAMOS:
8 They cannot.

9 SENATOR LIU: They cannot. All right,
10 thank you. All right.

11 And what about communications to
12 parents?

13 NYC SCHOOLS CHANCELLOR AVILES-RAMOS:
14 Yes, we've also hosted a number of workshops
15 for our families as well.

16 So Deputy Chancellor, if you could
17 talk a little bit about the details.

18 DEP. CHANCELLOR VADEHRA: Thank you
19 very much for the question. Sorry to thank
20 you, but we do appreciate this question.

21 So just to be clear -- the chancellor
22 touched on this, but, you know, we of course
23 started hearing about this the day after the
24 election, and the chancellor owned and

1 continues to drive this work vitally,
2 essentially.

3 So we actually pushed out the guidance
4 we have in terms of non-local law enforcement
5 in our schools back in December out to our
6 principals -- all of our principals -- as
7 well as some other reminders about students'
8 rights to education, about not asking about
9 immigration status -- sort of the set of
10 policies we have in place, as you said, to
11 make sure we're educating all of our
12 students.

13 So the guidance got pushed out in
14 December. Since then, starting in January,
15 we've hosted a number of trainings. We had
16 over 1500 people on our principals training.
17 We did trainings for parent coordinators,
18 school counselors, guidance counselors. We
19 also worked with NYPD to do trainings with
20 school safety and to make sure they
21 understand that actually the protocol for
22 them is the same as the protocol for us,
23 which is they call the principal and our
24 principal engages with our lawyers here.

1 So we have done those --

2 SENATOR LIU: Can you just describe
3 briefly what a valid judicial warrant would
4 be? And who would know what a valid judicial
5 warrant looks like?

6 DEP. CHANCELLOR VADEHRA: So I will
7 just -- I'll take the second part, because
8 it's a piece of our protocol that I think is
9 worth flagging, and then Dan, the lawyer, I
10 will turn to on the first part.

11 So part of this -- this is actually
12 sort of part of the question in terms of our
13 protocol, which is what we say to our
14 principals is we don't expect you to make
15 this determination on your own. You will
16 call your lawyers.

17 And so that's the protocol they're
18 given. SSAs are told to call their
19 principals, so the principals can call
20 New York City Public Schools' lawyers, who
21 will be the ones making those determinations.

22 SENATOR LIU: Thank you.

23 On a different subject, I share your
24 concern with the Foundation Aid formula

1 changes as proposed by the Executive Budget.
2 Are there any suggestions that New York City
3 would have in terms of how to reshape the
4 Foundation Aid formula, particularly with
5 regard to the poverty definition or possibly
6 adding the additional weight for students in
7 temporary housing?

8 And, you know, perhaps do you have a
9 sense as to how much that additional weight
10 in the Fair Student Funding formula is
11 costing?

12 DEP. CHANCELLOR VADEHRA: Yes, thank
13 you very much. And we heard the earlier
14 conversation on this as well --

15 SENATOR LIU: You're quite welcome!

16 (Laughter.)

17 DEP. CHANCELLOR VADEHRA: It's like a
18 tic of some sort.

19 So as the chancellor flagged in her
20 testimony, we think the poverty change --
21 poverty set of changes in the Governor's
22 budget proposal would impact us to the tune
23 of almost \$350 million for New York City
24 alone.

1 SENATOR LIU: Yeah, but how would you
2 change that?

3 DEP. CHANCELLOR VADEHRA: Yes, getting
4 there.

5 So I will say, because I noticed SED
6 commented on this as well. Updating the
7 poverty rate in some way makes sense. We
8 agree that that makes sense. When both the
9 Regents and Rockefeller recommended something
10 like that, they did recommend pairing it with
11 a regional cost shift as well, which gets
12 into why the poverty rate change alone
13 impacts New York City in a negative way.

14 So again, both the Regents and
15 Rockefeller propose those two things
16 together. And we do think that's one way to
17 look at updating the poverty rate, but also
18 update the related pieces of the formula.

19 We also have recommended a students in
20 temporary housing weight, as we've done in
21 New York City Public Schools. Our current
22 weight across New York City Public Schools is
23 about \$80 million this year across our school
24 system, just for students in temporary

1 housing. Which is itself more than the
2 McKinney-Vento money we get. It's a far more
3 substantial investment in our students in
4 temporary housing.

5 We also do think it's worth the state
6 taking a look at how the weights work for
7 English learners and students with
8 disabilities as well. We think there could
9 be both more substantial and more nuanced
10 ways of looking at that, which is what we do.
11 And Rockefeller actually pointed to our
12 formula as a good way of looking at students
13 with disabilities.

14 SENATOR LIU: Okay. And since you're
15 appreciating my questions so much, I have one
16 last one for you since you're the chief
17 financial officer.

18 You know, the NYC Reads program -- was
19 I wrong about that?

20 DEP. CHANCELLOR VADEHRA: No, no.

21 SENATOR LIU: Okay. The NYC Reads
22 program has been widely praised. At this
23 point, is there now some kind of idea as to
24 how much it costs?

1 NYC SCHOOLS CHANCELLOR AVILES-RAMOS:
2 Senator, this is actually our chief financial
3 officer (pointing to CFO Scott).

4 SENATOR LIU: I'm sorry about that.

5 NYC PUBLIC SCHOOLS CFO SCOTT: Because
6 of the mistake, I won't thank you for the
7 question.

8 (Laughter.)

9 NYC PUBLIC SCHOOLS CFO SCOTT: It's
10 roughly 55 million to support the program.

11 SENATOR LIU: I'm sorry, what was
12 that?

13 NYC PUBLIC SCHOOLS CFO SCOTT: Sorry.
14 It's roughly 55 million to support the
15 program.

16 FIRST DEP. CHANCELLOR WEISBERG: Just
17 to be clear, Senator, that -- you know,
18 that's the current cost. Our plan is to
19 continue to scale. So the chancellor's
20 vision is ultimately we're going to have
21 high-quality instruction, well-supported
22 teachers, pre-K -- actually, 3-K all the way
23 through 12 in ELA and math. We're not close
24 to that yet, so the cost will continue to

1 rise as we expand and deepen.

2 CHAIRMAN PRETLOW: Thank you.

3 Assemblyman Smith.

4 ASSEMBLYMAN SMITH: Thank you, Chair.

5 And thank you, Chancellor, for being
6 here with us. Congratulations. And hearing
7 your biography -- this is our first time
8 meeting -- I'm very excited to hear that you
9 have experience in every field, every part of
10 the educational system from being a classroom
11 teacher to being a parent and involved in
12 that way.

13 So a few topics right now. You
14 mentioned the cellphone ban and the success
15 and challenges you've had in New York City.
16 Can you speak to that a little bit more about
17 what you think, as the budget proposal
18 continues, regarding the implementation?
19 obviously maybe it's not enough money
20 specifically. But can you speak a little bit
21 more about that?

22 NYC SCHOOLS CHANCELLOR AVILES-RAMOS:
23 I can. And thank you so much for giving me
24 the opportunity to speak about it, because

1 it's something that I feel very strongly
2 about.

3 When I was a principal I only had
4 around 400 children in my school, so I
5 actually collected our cellphones in bubble
6 bags. The cellphone pouches that can open
7 with a magnet, they are very expensive, but
8 they are the ideal model because children can
9 keep them on their person. And in the event
10 of an emergency, they can open them up with a
11 magnet that is strategically placed
12 throughout the building.

13 I was broke, I didn't have that kind
14 of money. So when I had an emergency and
15 needed to evacuate, I needed to get 400
16 cellphones back into the hands of high school
17 students. That was very, very challenging.

18 And so when I think about families
19 having the fear -- and again, as the mother
20 of a New York City public school student
21 myself, I want to make sure that our schools
22 have clear communication plans so that in the
23 event of an emergency they can reach their
24 families directly. So that's one part of the

1 funding that we would need.

2 The second piece is the logistical
3 piece. If a school does not have the funds
4 for one of those magnetic pouches, they would
5 need to designate additional personnel to
6 collect the cellphones, to distribute them,
7 to guard them to make sure that they are not
8 stolen, they are not broken. That costs a
9 lot of money. You sometimes have to have an
10 additional school aide or two who are just
11 dedicated to that work.

12 And thirdly, because we want to make
13 sure that we offer the option of those
14 pouches, those magnetic bags, those are
15 roughly \$30 a child. And that's an annual
16 fee. Those bags are not -- you know, you
17 can't use them for more than one year. And
18 we're not even talking, you know, like the
19 Gucci/Prada version, we're talking about just
20 the standard bag. And so we want to make
21 sure that the models that are available to
22 schools, that they can afford them.

23 The other thing is that roughly 800 of
24 our schools have already signed up to do this

1 work. And what we don't want to tell them is
2 continue to self-fund while we pay for
3 schools to get on the bus. Particularly if
4 the Foundation Aid formula does not adjust,
5 then there's going to be a decrease in the
6 funding that they get and we're potentially
7 looking at federal cuts that contribute to
8 \$2 billion of our budget.

9 ASSEMBLYMAN SMITH: I think you bring
10 up a good point. You know, these items are a
11 thousand dollars each, so to put that on the
12 employees and on the school, it's a lot. And
13 then even as you mention, to put it on every
14 period -- I was a high school teacher, you
15 know, and I'm a parent as well.

16 There's also an emotional side of
17 this. So as I'm going throughout my district
18 and speaking with parents the first thought
19 and concern they have is, Well, if there's an
20 emergency, I want to be able to reach my kid.
21 But I -- and maybe you can speak to this a
22 little bit. I've kind of urged them and
23 said, You know, if there's an emergency, we
24 really want the students listening to the

1 adult in the room, taking direction.

2 And everybody I've spoken to in
3 emergency services has said kind of the same
4 thing, that they want to know that the
5 students are not distracted when they could
6 be in harm's way.

7 Can you speak to that?

8 NYC SCHOOLS CHANCELLOR AVILES-RAMOS:

9 A hundred percent.

10 But we're also thinking about children
11 who travel on their own in many cases, and so
12 it's not necessarily of the emergency in the
13 building, it's also what happens at
14 dismissal. Right? And so we need to make
15 sure that if there is an emergency -- and we
16 don't want to sit here and imagine that there
17 would be one, but if there is, while the
18 school is communicating, at some point the
19 child is going to have to be in touch with a
20 caretaker and make sure that they are having
21 the conversation around where do we meet, can
22 I get myself home. So it's not just about
23 that school piece.

24 ASSEMBLYMAN SMITH: Okay, thank you.

1 I think you've addressed some of those
2 issues. And it's news to me, that \$30 per
3 item. That's very cost-prohibitive, that
4 could be for your schools and schools across
5 the state.

6 But you do believe that that's the
7 preferable way, instead of having kind of
8 like the thing on the back of the door where
9 you put it in every period?

10 NYC SCHOOLS CHANCELLOR AVILES-RAMOS:
11 I absolutely do believe that that is the
12 best. That is the best way.

13 And if I may just say one more thing.
14 We know that taking away cellphones during
15 bell-to-bell instruction is going to keep
16 instruction sacred. We know that. But the
17 reason why we are also coupling this with
18 huge supports in mental health is because we
19 know that taking away cellphones from bell to
20 bell is not necessarily going to cure the
21 mental health issues that are happening once
22 they get their cellphones back. Cellphones
23 are an instrument to express your
24 frustrations, your loneliness, your

1 depression. But that doesn't mean that if we
2 take them away during the school day those
3 things are going to disappear.

4 ASSEMBLYMAN SMITH: Thank you for
5 recognizing it. Thank you.

6 CHAIRMAN PRETLOW: Thank you.

7 Senate?

8 CHAIRWOMAN KRUEGER: Thank you.

9 Next, Shelley Mayer, 10 minutes, chair
10 of Education.

11 SENATOR MAYER: Good afternoon,
12 Chancellor, and thank you for really taking
13 on a tough assignment at a tough moment.

14 If the Legislature or the Governor
15 doesn't fix the initial proposal that really
16 reduces what you thought you would get by
17 350 million, have you come up with a
18 contingency plan? What would it look like
19 for the New York City Public Schools to lose
20 \$350 million of anticipated funds?

21 NYC SCHOOLS CHANCELLOR AVILES-RAMOS:
22 Thank you so much. So, Senator, I first of
23 all appreciate the question because it gives
24 us an opportunity to really talk to you not

1 only about the dollar amount, but just to
2 paint a picture of the kinds of programs that
3 we're talking about.

4 We had to self-fund several
5 after-school programs. We know that we need
6 a lot of additional academic support for our
7 multilingual learners, our students with
8 IEPs. So those are just some of the areas
9 that we are concerned about.

10 But I'm going to ask our CFO and our
11 deputy chancellor to talk more about the
12 details.

13 NYC PUBLIC SCHOOLS CFO SCOTT: Sure.
14 So one, we have rolling costs across the
15 city, right, inflation --

16 SENATOR MAYER: Can you get closer to
17 the microphone?

18 NYC PUBLIC SCHOOLS CFO SCOTT: I'm
19 sorry. Is that better?

20 SENATOR MAYER: Yes.

21 NYC PUBLIC SCHOOLS CFO SCOTT: Yup, so
22 we have rolling costs across the city,
23 inflation, everything is rising for us. But
24 essentially we have the funds pay for our

1 mandated services. We have special
2 education, we have things for our general
3 education that supports that.

4 And also to the chancellor's point --
5 sorry, I'm totally losing my train of thought
6 here. But there are a number of things that
7 we -- a majority of our funding goes into
8 schools, right? We've been holding schools
9 harmless, that's the point that I wanted to
10 make, from any enrollment loss. And so we've
11 been holding schools stable. We won't be
12 able to do that without having this essential
13 funding -- and, again, helping us to pay for
14 our mandated costs such as special education.

15 SENATOR MAYER: Thank you.

16 What is the change in enrollment in
17 the New York City Public Schools over the
18 last year?

19 FIRST DEP. CHANCELLOR WEISBERG: So
20 it's been about flat, Senator. So it's about
21 905,000 -- or 908,000. So it inched up the
22 prior year, and then it's about flat this
23 year.

24 SENATOR MAYER: Okay. And what's the

1 current graduation rate of New York City
2 Public Schools?

3 FIRST DEP. CHANCELLOR WEISBERG: It's
4 about 83 percent or so.

5 SENATOR MAYER: Has that changed in
6 the last few years?

7 FIRST DEP. CHANCELLOR WEISBERG: It's
8 increased slightly. And we're just waiting
9 for the state to report out graduation rates
10 for the most recent cohort. But it's
11 increased slightly.

12 COVID -- not to get too deep into the
13 weeds, but, you know, some of the graduation
14 requirements were waived during COVID, and so
15 that had an impact. And now those
16 requirements are being imposed again, so
17 we'll see what happens with graduation rates.

18 SENATOR MAYER: Okay. I see that the
19 USOMB just rescinded yesterday's order. But
20 that being said, that doesn't mean something
21 like that isn't going to come back. If the
22 New York City Public Schools were to lose
23 funding under the Project 2025 proposal,
24 either Title I or IDEA funding, what is the

1 dollar value of the federal funding that the
2 New York City Public Schools receive?

3 DEP. CHANCELLOR VADEHRA: We receive a
4 bit over \$2 billion from the federal
5 government.

6 SENATOR MAYER: Two billion?

7 DEP. CHANCELLOR VADEHRA: Two billion.
8 And just to give a sense of the other big
9 ones, because they're not all Department of
10 Education and some others are named in
11 Project 2025, Head Start is another big one,
12 childcare and development block grants, and
13 also school food is another major funding
14 stream from the federal government.

15 SENATOR MAYER: Can you provide us an
16 itemized list of where those federal funds go
17 by program, so that we can understand and
18 make the case that this loss of federal funds
19 has a concrete impact on the students and the
20 families in New York City Public Schools?

21 DEP. CHANCELLOR VADEHRA: Thank you
22 very much for that request, and we can
23 absolutely send that as a follow-up.

24 SENATOR MAYER: Okay, good. You don't

1 have to thank me either.

2 DEP. CHANCELLOR VADEHRA: I will for
3 that one, though.

4 SENATOR MAYER: Okay, thank you.

5 On the dual enrollment issues that the
6 Governor proposed, I saw in your testimony
7 you're favorable but not very specific. And
8 frankly the proposal isn't very specific
9 either. How many students in the New York
10 City Public Schools are enrolled in some kind
11 of dual enrollment program? And what is your
12 preferred way for a dual enrollment program
13 to work best for students?

14 FIRST DEP. CHANCELLOR WEISBERG: I
15 don't have the -- I don't have the specific
16 number. We'll get that for you maybe as we
17 sit here, Senator, and we'll be able to
18 report to you about it by the end of the
19 hearing. I can say the number of our
20 students -- and this is a core part of
21 our Future Ready program of making sure our
22 kids graduate ready for the workforce -- has
23 increased. The percentage of students who
24 are getting early college credit has

1 increased by 10 percent just over the last
2 two years. This is a big piece.

3 Very importantly, and this gets to
4 your second part of your question, the
5 percentage of students who are passing those
6 courses so they can get credit when they go
7 to college, that's increased as well by
8 5 percent. That's a really important
9 indicator. It's not just taking a college
10 class, we actually want our kids to pass it
11 and get credit, get an A or a B or a C.

12 And, you know, in terms of our
13 preferred structure, dual enrollment is
14 really important where very concretely our
15 teachers, our high school teachers are
16 designated as adjuncts by our higher ed
17 partners, CUNY or other higher ed partners.
18 Why is that important? That means while the
19 student is in high school taking a class,
20 it's from a teacher who's teaching at a
21 college level, and they're getting credit
22 there.

23 It's great for our kids to go to
24 college campuses, but it's a burden as well.

1 So kids who are in early college programs,
2 very often they go to their high school in
3 the morning and then they've got to go
4 someplace, sometimes to another borough --
5 they've got to jump on a train, skip lunch,
6 go to another borough to get to the college
7 campus to take college-level courses. Much
8 better for us if we can have true dual
9 enrollment where they're getting college
10 credit for courses that are being taught by
11 our teachers.

12 We want some of both, but we want the
13 choice.

14 SENATOR MAYER: Have you communicated
15 that in any kind of formal way that your
16 preference is for the teachers to be
17 certified as adjuncts, as opposed to, for
18 example, like in P-TECH where in the
19 afternoon they go into an internship?

20 FIRST DEP. CHANCELLOR WEISBERG:
21 Right. So that conversation is one that
22 we're having right now with the Governor's
23 folks.

24 SENATOR MAYER: Okay. Okay.

1 And then lastly I know -- in the first
2 place, you have a very impressive civics
3 curriculum that you shared with me and I was
4 glad to go to school with you. Can you just
5 briefly describe whether there are additional
6 costs associated with your quite aggressive
7 civics curriculum and efforts in the New York
8 schools?

9 NYC SCHOOLS CHANCELLOR AVILES-RAMOS:
10 Yes, we are very proud of our civics program.
11 Thank you for joining us on that great school
12 visit.

13 So I'm going to ask our CFO and deputy
14 chancellor to talk a little bit about the
15 costs associated.

16 NYC PUBLIC SCHOOLS CFO SCOTT: I'll
17 get back to you on the costs for the civics
18 program.

19 SENATOR MAYER: Thank you. Okay.

20 Last is you talked about NYC Reads,
21 NYC Solves, your math enrichment or
22 intentional math improvement -- which is a
23 statewide problem, frankly, math scores.
24 Have you seen tangible results as a result of

1 that? And if so, what are they, and can you
2 share them?

3 NYC SCHOOLS CHANCELLOR AVILES-RAMOS:

4 So we have not seen the results yet, to be
5 completely honest with you. And in fact I
6 have to really thank our partners at the UFT
7 because they have been working closely with
8 us, monitoring this on the ground.

9 It's a great idea. We have great
10 intentions. But the shift to conceptual math
11 has been a bit of a challenge for some of our
12 teachers and many of our children.

13 And so we are now in the process of
14 working with the UFT. We've identified
15 excellent model teachers across the city who
16 are actually modifying the pacing and taking
17 out some of the units and adding additional
18 units to better support the students. So
19 we're not veering away from the new
20 curriculum. We want to make sure that we're
21 not saying, well, it doesn't work and we just
22 need to take it out, but how can we adjust it
23 and give a longer runway for success.

24 But it was important for us to listen

1 to our teachers and the UFT and to
2 acknowledge the challenges and make those
3 adjustments. We're confident now, Senator,
4 with those adjustments that we've made --
5 that we are making -- that we will see more
6 impact.

7 SENATOR MAYER: Okay. And the last
8 question is you mentioned -- I think the CFO
9 mentioned you are picking up the costs of
10 some after-schools. Is that because they
11 were not funded under the LEAPS program?

12 NYC PUBLIC SCHOOLS CFO SCOTT: Yup,
13 that's correct. So that grant expired. And
14 what we had to do was work with the state,
15 who picked up 3 million of the cost. And the
16 city picked up 5 million to support those
17 schools who would have otherwise lost
18 funding.

19 SENATOR MAYER: And in those schools
20 does it cost the families to participate? Or
21 is it --

22 NYC PUBLIC SCHOOLS CFO SCOTT: No,
23 it's free for the families.

24 SENATOR MAYER: It is free.

1 NYC PUBLIC SCHOOLS CFO SCOTT: Yes.

2 SENATOR MAYER: But that's -- is that
3 because you applied and you did not get the
4 LEAPS funding that continued?

5 NYC PUBLIC SCHOOLS CFO SCOTT: So the
6 LEAP funding is actually allocated to CBOs,
7 who then partner with our schools.

8 SENATOR MAYER: Yes.

9 NYC PUBLIC SCHOOLS CFO SCOTT: We
10 didn't have the lists of the CBOs who would
11 actually be awarded, so what we did was just
12 provide the funding directly to the schools.

13 SENATOR MAYER: And what's the amount
14 that you --

15 NYC PUBLIC SCHOOLS CFO SCOTT: It's a
16 total of 8 million. Again, the state picked
17 up three and the city picked up five.

18 SENATOR MAYER: Okay. Thank you very
19 much. Appreciate that.

20 CHAIRWOMAN KRUEGER: (Mic off.)

21 CHAIRMAN PRETLOW: Assemblyman De Los
22 Santos.

23 ASSEMBLYMAN DE LOS SANTOS: Good
24 afternoon. Thank you, Mr. Chair. And thank

1 you, Chancellor Aviles-Ramos, for your
2 leadership and for, you know, stepping up
3 during this challenging time that we're
4 facing in our city and our state.

5 Community school I believe is a great
6 model. In fact, I believe that every school
7 in New York City should become a community
8 school. Community schools and CBOs play a
9 critical role in providing wraparound
10 services that support students beyond the
11 classroom, particularly in high-needs areas.

12 What is your take on the expansion of
13 community schools?

14 In addition to that, what is the
15 Department of Education currently doing to
16 expand parental engagement?

17 NYC SCHOOLS CHANCELLOR AVILES-RAMOS:
18 So we'll start with the community schools
19 piece. I agree with you. I was a community
20 school campus when I was a principal and
21 greatly benefited from the resources. My
22 dream would be to see every single school
23 have a community school model.
24 Unfortunately, the funding, the cost that is

1 attached to that is exorbitant. And so we
2 would need support to be able to make that
3 happen.

4 What I will say is that we know there
5 have been a number of issues. Partially it's
6 that the initial expansion of community
7 schools was under stimulus dollars. And when
8 that expired, we then stepped up and we
9 funded them again for another year. But
10 again, that does cost a great deal of money.

11 So I'm going to pass it over to my
12 deputy chancellor to talk a little bit more
13 about the actual numbers, and then I'm happy
14 to come back to your parent empowerment
15 question.

16 ASSEMBLYMAN DE LOS SANTOS: Thank you.

17 DEP. CHANCELLOR VADEHRA: I will just
18 say we have about 420 community schools in
19 the city right now. A small amount of that
20 money comes from the Foundation Aid
21 set-aside, but most of that is now city
22 funding that we are putting into those
23 schools. We used federal dollars to expand;
24 that went away, and we stepped up with city

1 funding. But we have about 420 currently.

2 NYC SCHOOLS CHANCELLOR AVILES-RAMOS:

3 And in terms of family empowerment, it is one
4 of the reasons why it is one of my
5 commitments. We've talked a lot about
6 engagement, but when we empower families, we
7 want to make sure that they're at the
8 decision making table with us, talking about
9 what are their children's best needs and how
10 we can meet them.

11 And so we have our newly appointed
12 deputy chancellor for family, community and
13 student empowerment. We are working closely
14 with our Division of School Leadership
15 partners to make sure that we're
16 strengthening the relationships between our
17 CECs and our district superintendents,
18 because we know that family empowerment does
19 start there.

20 We are also working to create a
21 program where we are training family leaders
22 across the city on what are their resources,
23 from knowing their rights to accessing
24 resources across New York City, so that way

1 they can train other families. And this
2 includes the IEP process, getting your child
3 evaluated. We want to make sure that some of
4 these very difficult -- very difficult tasks
5 that families face, that they understand step
6 by step on how to do that work.

7 And I open it to the team if they want
8 to add anything else.

9 ASSEMBLYMAN DE LOS SANTOS: Thank you.

10 The deputy chancellor alluded to the
11 graduation rate being 83 percent. If we were
12 to convert every school in New York City,
13 would that number go up?

14 CHAIRMAN PRETLOW: Thank you.

15 Senator?

16 CHAIRWOMAN KRUEGER: Thank you.

17 Senator Brisport.

18 SENATOR BRISPORT: Thank you,
19 Madam Chair.

20 And thank you, Chancellor. Appreciate
21 you being here today. Welcome to Albany.

22 I have some questions about early
23 childhood education, because we are in the
24 midst of a statewide childcare shortage and

1 Mayor Adams' budget proposal cuts
2 \$112 million from 3-K. News also recently
3 broke that his administration is currently in
4 the process of closing at least five
5 childcare centers -- one of them is in my
6 district -- despite high enrollment and
7 demand for them.

8 So given the extreme need for
9 additional childcare centers in New York
10 City, not fewer, do you feel as though the
11 Governor's budget proposal provides the city
12 enough funding to regrow the childcare
13 sector?

14 NYC SCHOOLS CHANCELLOR AVILES-RAMOS:
15 We have been working very, very hard at
16 making sure that we are rightsizing our early
17 childhood program so that taxpayer dollars
18 are actually funding seats for the right age
19 groups in the locations that have the most
20 need.

21 And I want to go directly to the
22 question around the leases, the closures that
23 you referenced, which was not an easy
24 decision. But that was borne out of the

1 exorbitant costs that we were paying for
2 these leases, leases that are either expired
3 or up for renewal. Those locations have been
4 closed. There is a runway of approximately
5 six months to be able to support the
6 providers and the families, particularly the
7 families finding seats in locations that are
8 very, very close by.

9 But we do need to rightsize our seats.
10 We do need to make sure that those seats are
11 in places where there is need. In some of
12 the cases where you mentioned one of the --
13 there were three criteria that we used to
14 identify those locations, and one of them is
15 underutilization. And so while some of the
16 sites have 80, 90 kids, it's still under
17 95 percent of their utilization.

18 I'm actually going to pass it to our
19 CFO to talk more about the dollars and cents,
20 but I just wanted to lead with that opening.
21 These are not easy conversations, Senator,
22 and I really want to thank you for lifting
23 them and I want us to work in partnership
24 around some of these decisions. But I do

1 want to be forthcoming and say that the work
2 that it takes to rightsize these seats across
3 New York City has been a challenge.

4 NYC PUBLIC SCHOOLS CFO SCOTT: So to
5 answer your question, around 112 million.

6 We're very much still in the early
7 process of our budget process, and so we --
8 essentially the money was put in, it was only
9 put in for fiscal year '25. We are having
10 ongoing conversations about having that
11 funding baselined in our budget. So it
12 doesn't mean that our commitment that's tied
13 to that funding is actually being reduced.
14 We just need to have the conversations with
15 our partners at the city about baselining
16 those funds in our budget.

17 SENATOR BRISPORT: Thank you.

18 And just with my last 15 seconds I do
19 want to respectfully push back at Grand
20 Street Settlement, one of the locations that
21 is being rightsized. The CEO says that they
22 are fully enrolled.

23 And I would also say -- I just do ask
24 that you check, you know, rightsizing, that

1 the centers have enough funding, enough staff
2 to be fully enrolled.

3 NYC SCHOOLS CHANCELLOR AVILES-RAMOS:
4 Thank you.

5 CHAIRMAN PRETLOW: Thank you.
6 Assemblyman Ra, ranker.

7 ASSEMBLYMAN RA: Thank you,
8 Chancellor. Just a question with regard to
9 Foundation Aid numbers for the city.

10 In particular you talked about, you
11 know, expecting, under the current formula,
12 \$350 million additional. So that, I assume,
13 is not necessarily because of the new measure
14 but more so the update in the census numbers.
15 Am I correct?

16 DEP. CHANCELLOR VADEHRA: It's the
17 combination of the changes to poverty that
18 the Governor proposed. So there's two
19 separate changes, and the combo of those
20 comes to that reduction.

21 ASSEMBLYMAN RA: Okay. And last year
22 your predecessor talked about the overall
23 enrollment numbers in New York City, and I
24 believe he had told us, you know, after about

1 five years of enrollment decline, you know,
2 it had gone from I believe over a million to
3 somewhere around 900,000, or maybe a little
4 below that. That there was then, because of
5 an influx of many migrant families, that that
6 had started to tick the student population up
7 once again.

8 Do you have updated numbers just in
9 terms of what your enrollment numbers look
10 like?

11 FIRST DEP. CHANCELLOR WEISBERG: You
12 know, again, 3-K to 12, Assemblymember, is
13 about 908,000. So we -- a year where we saw
14 a slight uptick and then this year we saw
15 basically it being flat.

16 ASSEMBLYMAN RA: Okay. Would it be
17 fair to say that, though, under the current
18 formula that that might drive additional
19 Foundation Aid dollars to the city given
20 that, you know, many of these are going to be
21 English language learners and they're going
22 to have -- you know, need additional
23 resources under the formula?

24 DEP. CHANCELLOR VADEHRA: Yes. So to

1 the extent our enrollment stays stable --
2 since of course that's a core piece of the
3 formula, and the English language learner
4 piece, those both do input into how the
5 current formula supports our students.

6 And just to touch on before, we did
7 recommend last year updates to both the
8 English learner and the students with
9 disabilities weights within the formula
10 because they actually don't keep up with the
11 costs of actually providing those additional
12 services you're talking about. But they are
13 both there in the formula, yes.

14 ASSEMBLYMAN RA: Sure. And that was
15 going to be the next piece. Obviously, you
16 know, when we undertook this study -- and
17 we've all had some time to digest it, but we
18 all kind of were like, okay, if we pick and
19 choose pieces of it, it may not create the
20 most fair possible outcome.

21 And I know with regard certainly to
22 special education costs, English language
23 learners -- you know, if you can comment more
24 comprehensively about those issues and how,

1 you know, if we were doing maybe some form of
2 a lot of the other recommendations, whether
3 that would -- would your numbers look more
4 like what you were expecting?

5 DEP. CHANCELLOR VADEHRA: Yes. So of
6 course it would depend how you all decide to
7 implement those recommendations. And even
8 Rockefeller had a number of different things.

9 But when we look at the costs of the
10 services we're providing in our schools and
11 the students we're enrolling, we do think one
12 big one is change to regional costs in
13 particular. It costs more to live in
14 New York City, and that's also a metric in
15 the formula that hasn't been updated in a
16 long time and therefore hasn't kept up with
17 the rising costs in the city, including the
18 costs of our teachers, our schools.

19 So that regional cost piece is a big
20 one for us. Students with disabilities,
21 English learners -- thinking about how to
22 increase and create a little more nuance
23 around the weights the formula already
24 includes for those students. We have

1 disproportionate and growing numbers of
2 English learners, as you flagged. So those
3 are really important to us as well.

4 Students in temporary housing, as the
5 Senator mentioned earlier, we've worked a
6 weight for them into our formula so we can
7 provide additional funding there. We think
8 that would help as well. And the specifics
9 would depend on the numbers you touched on.

10 ASSEMBLYMAN RA: Thank you.

11 CHAIRMAN PRETLOW: Senate?

12 CHAIRWOMAN KRUEGER: Senator
13 Sepúlvel-da. Sepúl-vee-da, excuse me.

14 SENATOR SEPÚLVEDA: Say that three
15 times in a row.

16 CHAIRMAN PRETLOW: Sepúlveda.

17 SENATOR SEPÚLVEDA: Good afternoon,
18 Madam Chancellor. As a fellow Bronxite --
19 where you hail from -- as a fellow Latino, I
20 am very proud to have you as the chancellor
21 of the New York City school system.

22 But beyond that, your experience as a
23 teacher, a principal, a deputy
24 superintendent, an acting superintendent, a

1 chief of staff -- I can't think of any person
2 in the State of New York who's in a better
3 position to handle our school system, our
4 public school system than you. And I offer
5 you my cooperation for everything you do for
6 the kids in our school system.

7 But with that in mind, I want to know,
8 as the chancellor, what are your priorities
9 for the schools?

10 NYC SCHOOLS CHANCELLOR AVILES-RAMOS:
11 Senator, thank you for your ongoing support.
12 Ever since I was a deputy superintendent, a
13 superintendent in your district, we have had
14 a great partnership, and I want to thank you
15 for that.

16 My priorities quite simply are what I
17 want for my own child as she's being educated
18 in our public school system. I want access
19 to an amazing instructional program. I want
20 access to resources that are going to get her
21 not only to, but through college. I want our
22 children to be able to go to college
23 confidently with the soft skills that they
24 need to be successful in university but also

1 beyond.

2 I myself, as a young person who made
3 it to college, once I got there I had no idea
4 what I was doing. I didn't know how to
5 manage my time. I didn't know how to manage
6 my money. I didn't know how to study
7 properly. I was taught to regurgitate facts
8 and to take tests and to not think on my own.

9 And when I think about the -- when I
10 think about the issues that plague education,
11 it is because the system has been set up to
12 create robotic, compliant children who then
13 become adults. And then we say, here's the
14 21st century and we want you to think
15 creatively and lead creatively. Well, how
16 can we have those expectations if we do not
17 think outside of the box?

18 And the work that we are doing with
19 Future Ready schools, through our Pathways
20 program, is so important. Because for many
21 of our students -- not all of them, but many
22 of them -- they have to negotiate between
23 their basic needs and their aspirations. And
24 so it is very hard for me to enjoy an

1 enrichment program that's going to get me
2 ready for the SAT or the ACT when I have to
3 work and take care of my younger siblings or
4 I have to help my family put food on the
5 table.

6 Putting \$10 million in wages in our
7 students' pockets while they are in high
8 school and saying, Here is a tangible,
9 concrete career that is waiting for you if
10 you complete this coursework, makes them go
11 all the way. And that, to me, gives me pride
12 in New York City Public Schools.

13 But what I will say is the foundation,
14 the instructional foundation has to be
15 wonderful as well. And with NYC Reads, it's
16 step one, that implementation of that
17 curriculum across New York City is important.
18 But again, it goes back to the interventions
19 and making sure that all students have access
20 to that instruction.

21 Thank you, Senator.

22 SENATOR SEPÚLVEDA: If I had more
23 time, I would ask you about the issue of
24 mental health, but I'll catch you later.

1 CHAIRMAN PRETLOW: Assemblywoman
2 Catalina Cruz.

3 ASSEMBLYWOMAN CRUZ: Thank you,
4 Chancellor, and your team.

5 I want to refer to one of the
6 questions that was already answered where
7 I -- I'm not exactly sure where we were going
8 with this, the after-school program and the
9 money that was cut. Your team answered that
10 the families were getting this after-school
11 for free. I've had families, the PTA
12 president from at least two of my schools who
13 are paying anywhere between 300 to 500 a
14 week, and this is in a community where folks
15 can't afford what is basically a car payment.
16 So I'm trying to understand when we're saying
17 that they're getting it for free and when I
18 have families paying. So that's my first
19 question.

20 And then my second question is the
21 prior panel talked about the policy that has
22 been distributed statewide about how schools
23 should interact with ICE should they show up
24 at their door. Your team has also discussed

1 it as policy, that I actually believe that
2 both policies would be in compliance with
3 FERPA to ensure if this was a law enforcement
4 agency.

5 But I think what people are failing to
6 see is that it is a law enforcement agency
7 possibly carrying a civil nature enforcement.
8 Because if it is not a judicial order, we
9 have a separate conversation. And so my
10 question for that is, is this only based on
11 regulation, interpretation of the law, or is
12 there actual city or state law that dictates
13 how your teachers and your principals should
14 be acting?

15 And then the last is a comment. You
16 know, in the era of possible ICE showing up
17 to school in ICE raids, and uncertainty, I
18 want you to consider how this would interact
19 with the cellphone ban when it comes to
20 implementing it.

21 Thank you.

22 NYC SCHOOLS CHANCELLOR AVILES-RAMOS:
23 Assemblywoman, thank you so much. And I
24 actually remember personally working with you

1 on the after school.

2 ASSEMBLYWOMAN CRUZ: Oh, yes, thank
3 you for that.

4 NYC SCHOOLS CHANCELLOR AVILES-RAMOS:
5 And you're absolutely right, that there are
6 pockets of places where it is not free. We
7 are getting the details, so that way we can
8 share that with everyone. I think it's --
9 that's many fewer cases, but nonetheless
10 "few" still means too many.

11 So I just want to acknowledge that we
12 appreciate your advocacy, because I do
13 remember us working with your office on that.

14 And so to address your second
15 question, I want to be clear that our policy
16 remains intact. And you're absolutely right
17 around -- you know, in terms of law. But our
18 policy, I just want to reiterate for everyone
19 that it has been imperative for us to train
20 our principals and our families around that
21 existing policy.

22 That being said, there is federal law
23 that requires us not to admit law enforcement
24 without a judicial warrant pursuant to the

1 Fourth and Tenth Amendments of the
2 Constitution and Supreme Court precedent. So
3 the requirement is not specific to ICE, it is
4 just the general responsibility of schools to
5 ensure protection of their students' legal
6 constitutional rights.

7 ASSEMBLYWOMAN CRUZ: And then my last
8 16 seconds, so it's interpretation by the
9 city of existing federal law. It is not in
10 state law, and it is not in city law,
11 correct?

12 NYC SCHOOLS CHANCELLOR AVILES-RAMOS:
13 Correct.

14 ASSEMBLYWOMAN CRUZ: Thank you.

15 CHAIRMAN PRETLOW: Thank you.

16 Senate?

17 CHAIRWOMAN KRUEGER: Thank you.

18 Senator Leroy Comrie.

19 SENATOR COMRIE: Thank you.

20 I want to echo Senator Sepúlveda. I
21 had a chance to see you at Black Spectrum a
22 couple of weeks ago; I was very impressed. I
23 want to thank you for taking this on. And
24 whatever I can do to be helpful, please count

1 on me.

2 Three quick questions. IEPs, I
3 understand you're drowning in issues with
4 IEPs. Have you come up with a solution to
5 deal with that? Because I know IEPs are
6 starting to cost the Board of Education
7 over -- I think I saw a report -- millions of
8 dollars, because people are asking for being
9 placed to other schools and creating a major
10 problem.

11 Second question, specialized classes.
12 For wood shop and tech and business
13 management, are you seeing a drop off of
14 teachers that are being able to teach those
15 specialized classes? And what can you do to
16 try to encourage people to come back, like
17 music teachers? I've been requesting them to
18 do more music in schools. How can we help
19 you make that happen?

20 And the third question is a request.
21 The STEAM program, that we don't have any
22 STEAM schools in Queens. Councilmember
23 Williams has come up with a plan. Speaker
24 Adrienne Adams has a plan. We need all three

1 schools. Also Superintendent {inaudible} has
2 a plan. We don't have any STEAM schools in
3 Queens. We're losing parents to the private
4 schools or other schools because we don't
5 have enough specialized programs in Queens.

6 Thank you.

7 NYC SCHOOLS CHANCELLOR AVILES-RAMOS:

8 Thank you, Senator. And I want to thank you
9 so much for your support, and it was great
10 seeing you at the BE-U event the other night
11 and the work that you're doing to support our
12 relaunch of the Black Studies curriculum.

13 SENATOR COMRIE: Thank you.

14 NYC SCHOOLS CHANCELLOR AVILES-RAMOS:

15 And so I want to -- I want to begin with the
16 teacher recruitment piece. You mentioned --
17 I just want to be clear, the question is
18 around recruiting for arts? Or are you
19 saying for myriad license areas?

20 SENATOR COMRIE: For specialized

21 areas: Arts, music, workshops, wood -- you
22 know, those basic skills, things that we used
23 to have and we're losing teachers in. How
24 can we help restore that?

1 NYC SCHOOLS CHANCELLOR AVILES-RAMOS:

2 Yes, absolutely. And before I pass it over
3 to first deputy chancellor to talk about some
4 of the specifics in our teacher recruitment
5 work, it is important that we have teachers
6 who are invested in the communities -- not
7 only in the licensing areas, but that they
8 actually understand and appreciate the
9 communities that they are going to teach in,
10 and that children see people who look like
11 them, speak like them. And so our teacher
12 pipeline programs are recruiting more men of
13 color in our system.

14 Our paraprofessional-to-teacher
15 pipeline is also extremely important. These
16 are people who are already working in
17 schools, they know schools really well,
18 nothing's shocking them, nothing's scaring
19 them, and they're still happy to be there, so
20 why not help them become teachers.

21 But there are a few other specific
22 things that I just want to mention really
23 quick before I pass it over to first deputy
24 chancellor. Also our essential work to

1 uplift the arts has been -- that was a
2 priority that started under Chancellor David
3 Banks, and that continues with me. We
4 understand that for our students, arts is
5 also a motivating factor that contributes to
6 better attendance.

7 CHAIRMAN PRETLOW: Thank you.

8 Assemblywoman Jackson.

9 ASSEMBLYWOMAN JACKSON: Thank you,
10 Chair.

11 Hi, Chancellor, good to see you.

12 NYC SCHOOLS CHANCELLOR AVILES-RAMOS:
13 Hi, Assemblywoman.

14 ASSEMBLYWOMAN JACKSON: All right, so
15 just on the whole cellphone ban -- I know
16 that you've spoke enough about it. Those
17 magnets are probably going to be able to be
18 purchased from Glamazon. So we want to be
19 mindful of those things. I worked in high
20 schools just like you did, and we know how
21 creative we can get when we want what we
22 want.

23 NYC SCHOOLS CHANCELLOR AVILES-RAMOS:
24 Yes.

1 ASSEMBLYWOMAN JACKSON: So I don't
2 know if it's foolproof, but it's something to
3 think about.

4 And I'm clear that you said that the
5 staff should know about needing a judicial
6 warrant to enter schools. And I'm just
7 wondering, when it comes to ACS visits, are
8 staff still on the same page? Does there
9 need to be training? Do we need to pay for
10 training? Because it seems to be
11 problematic.

12 When I was a school social worker, no
13 one knew what the guideline was, and they act
14 as if they're police as well when they're
15 entering our schools.

16 So is there any guidelines when ACS is
17 coming into our schools to visit students?

18 NYC SCHOOLS CHANCELLOR AVILES-RAMOS:
19 Absolutely. So our Office of Community
20 Schools, our chief, Flavia Puello-Perdomo,
21 she has done a number of trainings both
22 internally and I believe also with our CBOs
23 around ACS.

24 And I mentioned our family navigator

1 program that we're looking to launch, where
2 we would train our family leaders. That's
3 super-important.

4 I will just say, if I may, personally
5 I know that there are some families who are
6 reluctant to get information around these
7 resources and their rights from schools,
8 because they still see us as authoritative
9 figures. And so that's why training parent
10 leaders, these trusted validators in the
11 community, to share this information and the
12 guidelines around ACS, preventive services --
13 all the things that you and I have spoke
14 about before -- is very important.

15 ASSEMBLYWOMAN JACKSON: Got it. And
16 what borough has the lowest graduation rate?

17 NYC SCHOOLS CHANCELLOR AVILES-RAMOS:
18 Which borough has the -- unfortunately, I
19 cannot give you the most up-to-date data on
20 that.

21 ASSEMBLYWOMAN JACKSON: You can get
22 back to me.

23 NYC SCHOOLS CHANCELLOR AVILES-RAMOS:
24 I do know that historically our -- we know

1 that the Bronx has had some very low
2 graduation rates. And when you disaggregate
3 that by student population, such as our
4 multilingual learners and students with IEPs,
5 that that does drop as well.

6 ASSEMBLYWOMAN JACKSON: Now that we
7 know that, and we know that community schools
8 are an exorbitant cost, why is it that we're
9 not spending more money creating community
10 schools within our lowest-graduating-rate
11 borough? Just to put that thought out there.

12 One of my schools, Urban Scholars
13 Community School, lost their LEAP grant or
14 21st-Century -- one of them -- and they told
15 the students to go to their neighboring
16 community center, which there is not one. So
17 I just want to know -- I know you said there
18 was \$8 million. How is that money maybe
19 allocated -- how are people chosen? How can
20 my schools go out and get it?

21 CHAIRMAN PRETLOW: Is that it?

22 ASSEMBLYWOMAN JACKSON: No, no, no.

23 NYC PUBLIC SCHOOLS CFO SCOTT: So for
24 the loss of the funds from the LEAP grant,

1 there were 57 schools that were partnering
2 with CBOs that received funding from that,
3 and so we gave it to those 57 schools.

4 ASSEMBLYWOMAN JACKSON: Our school
5 didn't get it. Okay, we'll chat. We didn't
6 get it.

7 NYC PUBLIC SCHOOLS CFO SCOTT: Yes,
8 please.

9 CHAIRWOMAN KRUEGER: Okay. Senator
10 Roxanne Persaud.

11 SENATOR PERSAUD: Thank you.

12 Thank you, Chancellor. It's great
13 seeing you, and I know I'll see you again
14 tomorrow.

15 I just have a couple of questions.
16 And first is to touch on funding for public
17 schools. I was at a school last week -- I go
18 visit all my schools -- and the principal is
19 dependent on her colleagues from other
20 schools to help her with resources in our
21 school, because her school is underfunded.
22 Why is that -- how is it possible that a
23 school is underfunded? She said she gets
24 whatever allocation. By the time she's paid,

1 you know, the teachers that she needs to keep
2 there, she has no money. How is that
3 possible?

4 NYC SCHOOLS CHANCELLOR AVILES-RAMOS:
5 I'm happy to give you a few factors that
6 contribute to that.

7 So one is there is an average teacher
8 salary, and in schools that have managed to
9 maintain their teachers for a very long
10 period of time -- which isn't something we
11 want them to be punished for, it's a great
12 thing -- their average teacher salary is
13 significantly higher.

14 The other thing is the most obvious:
15 It is tied to enrollment. If a school has
16 lower funding, it's because they are
17 underenrolled. This administration has
18 actually put more money into schools and
19 districts than any other administration --
20 and I have lived that, because when I was a
21 principal, that was not the case.

22 And so even with that, though, if the
23 enrollment is dropping, then that means that
24 schools will get lower funding. So just to

1 give you a concrete example, I was one of
2 those schools at first.

3 When I took over my school, my
4 enrollment was declining very quickly, and I
5 was on a shared campus and so my colleagues
6 were kind enough to provide me with
7 resources. They allowed me to pay part of a
8 social worker so that way I had access to a
9 social worker. I wouldn't have them five
10 days a week, but if I had students in crisis,
11 I was able to access the social worker.

12 Again, this was before the great work
13 that our City Council did to make sure that
14 there were more social workers in schools.

15 SENATOR PERSAUD: That being said, how
16 do we change the formula? Because you want
17 schools to retain teachers. You want to
18 encourage them to remain in the school. So
19 if you have a teacher staying there, you want
20 to make sure you're paying them. But you
21 also want to make sure you have the resources
22 so that the students receive the best.

23 NYC SCHOOLS CHANCELLOR AVILES-RAMOS:
24 You're a hundred percent right, Senator. And

1 this is why we've been so vocal around the
2 updating of the Foundation Aid formula. We
3 need that additional money. And most
4 importantly, we cannot sustain a cut.

5 The other thing is we are actively
6 working with our schools to support with
7 enrollment. We need to make sure that we're
8 getting the message out there that New York
9 City Public Schools is doing great things and
10 trying our best to boost enrollment. So it's
11 a multipronged approach to bringing kids back
12 into New York City Public Schools, but also
13 that funding is critical.

14 SENATOR PERSAUD: Okay. And with the
15 few seconds I have left, we have to have a
16 conversation about collocations, particularly
17 with the charter schools and public schools
18 that are collocating. We still have this
19 inequity. We still have charter schools
20 being given preferential -- where our public
21 school students are not receiving the same
22 kinds of treatment, the same kinds of
23 resources that the charter schools are
24 receiving in collocated public spaces.

1 CHAIRMAN PRETLOW: Thank you, Senator.

2 NYC SCHOOLS CHANCELLOR AVILES-RAMOS:

3 Thank you.

4 CHAIRMAN PRETLOW: Assemblywoman

5 Pheffer Amato.

6 ASSEMBLYWOMAN PHEFFER AMATO: Hi, nice

7 to meet you. Welcome.

8 NYC SCHOOLS CHANCELLOR AVILES-RAMOS:

9 Nice to meet you. Thank you.

10 ASSEMBLYWOMAN PHEFFER AMATO:

11 Commissioner -- Chancellor, I'm sorry, first,

12 before I even get started, plus-one on the

13 STEAM for Southeast Queens. We need our

14 share of schools like that. We have

15 brilliant students and they need that

16 opportunity.

17 For me I'm going to pivot a little bit

18 on my question earlier, so you were here.

19 There are several thousand children in

20 New York City with IESPs who have not been

21 receiving mandated services during this

22 recent school year. As it's been reported,

23 the New York City DOE appeared to develop or

24 establish new requirements that were not

1 properly conveyed to parents and set an
2 arbitrary June 1st deadline. Many parents
3 were shockingly informed that their request
4 for their child to get special-needs services
5 were denied.

6 My question is, why were the new
7 requirements not sent out or distributed or
8 sort of given in advance? And what has the
9 city done to make this mistake or change the
10 approach that the kids are getting the
11 services? As you say, it's about serving our
12 children.

13 In addition, we're asking parents to
14 sign a waiver that they won't sue the city if
15 they accept the special-needs services at
16 this time.

17 So what can we do about this? Because
18 there are parents who are paying for these
19 services out of pocket or the kids are not
20 getting their services.

21 NYC SCHOOLS CHANCELLOR AVILES-RAMOS:
22 Assemblywoman, thank you so much for that
23 question.

24 Before I pass it over to first deputy

1 chancellor to really go into the IESP work
2 that you're discussing, I do want to address
3 quickly, because I didn't get to address it
4 with Senator Comrie. We are very much
5 enjoying working with Councilmember Williams
6 and hearing about her ideas around a Queens
7 STEAM Center. Obviously these are not easy
8 things to launch, but we are in conversation
9 with her and we're also excited about the
10 revitalization of August Martin -- which are
11 two separate things, but nonetheless bringing
12 a lot of great stuff to Southeast Queens.

13 And I'll ask first deputy chancellor
14 to talk about IESPs.

15 ASSEMBLYWOMAN PHEFFER AMATO: But
16 before you go there, so she's called -- you
17 know, we had a conversation and she's pulling
18 in us to help in this effort. So whatever
19 you need from us, if it's a discussion
20 about -- you can't have a borough that does
21 not have their fair share.

22 And for a person who represents the
23 Rockaway Peninsula, we never get our fair
24 share on the peninsula, so I'm happy to have

1 my kids on the peninsula feed into these
2 Southeast Queens schools, because they do
3 travel. So we have to address this inequity
4 for our district.

5 NYC SCHOOLS CHANCELLOR AVILES-RAMOS:
6 Thank you so much.

7 ASSEMBLYWOMAN PHEFFER AMATO: Yup.
8 Willing to work with you in any way possible.

9 NYC SCHOOLS CHANCELLOR AVILES-RAMOS:
10 Fantastic, thank you.

11 FIRST DEP. CHANCELLOR WEISBERG: I've
12 got to make a pitch, if we're talking about
13 Southeastern Queens, for a new school that
14 we're so happy is coming to Southeastern
15 Queens, which is HBCU Prep, where our
16 students will get to earn an associate's
17 degree from Delaware State while they're in
18 high school. So just want to say that -- I
19 know it doesn't address the STEAM Center,
20 but --

21 ASSEMBLYWOMAN PHEFFER AMATO: I want
22 one on the peninsula. Now that you have two
23 that -- you know, all to yourself, you could
24 put one on the peninsula because it's hard

1 for our kids to get there, so they --

2 (Overtalk.)

3 FIRST DEP. CHANCELLOR WEISBERG: We
4 are -- and just to say I know we have some
5 friends from the Bronx and we have a great
6 STEAM Center in Brooklyn, my borough. But we
7 are now focused on opening in the Bronx.

8 Queens is next.

9 (Overtalk.)

10 CHAIRMAN PRETLOW: Thank you.

11 FIRST DEP. CHANCELLOR WEISBERG:

12 Queens is next.

13 CHAIRMAN PRETLOW: Clock reset.

14 Senate?

15 CHAIRWOMAN KRUEGER: Hi. I believe

16 I'm the last Senator, unless we have some

17 three-minute follow-ups. So 10 minutes,

18 thank you. But I won't need 10 minutes.

19 So, one, I already enjoyed our

20 conversation earlier, and I know you're

21 coming to my district to check one of my

22 fascinating school campuses on Friday, so I'm

23 looking forward to that.

24 People keep asking me what the city's

1 policies right now on the Gifted & Talented
2 programs are. I know there's always been
3 some controversy around making sure that
4 there's diversity and that they're in all
5 communities. I know from my own experience I
6 have several in elementary schools that are
7 literally on the border of districts, one on
8 the border of East Harlem and the Upper
9 East Side. And I just want to say having the
10 Gifted & Talented has made the whole school
11 stronger because parents actually felt much
12 more secure about sending their kids to a
13 school that they were a little worried about
14 in history, but now is really such a nice
15 blending of the socioeconomics and racial
16 differences between East Harlem and the
17 Upper East Side. And I think it's really
18 proved to be a plus for all the kids and what
19 we should be aiming for.

20 So I'm just curious what current
21 policy is, because I get a little confused.

22 NYC SCHOOLS CHANCELLOR AVILES-RAMOS:
23 Senator, thank you. Before I pass it over to
24 first deputy chancellor to get into the

1 details, I just want to say that in this
2 administration our philosophy has really been
3 to respond to the needs of the community.

4 So on top of working through the
5 challenges with Gifted & Talented programs,
6 also making sure that we are opening new
7 schools with great programs -- as an example,
8 Bronx and Brooklyn Bard, but also the HBCU
9 school that is opening as well. So it's a
10 combination of things that we are doing. But
11 we respond to the needs of the community.
12 And so that's one thing that I just want us
13 to know before passing it to first deputy
14 chancellor.

15 FIRST DEP. CHANCELLOR WEISBERG:

16 Thanks so much, Chancellor. And thank you,
17 Senator. Good to see you.

18 So the first thing we did in this
19 administration -- I think you alluded to it,
20 was -- because we would see that there were
21 G&T programs in some parts of the city but
22 not every district in the city. And we heard
23 from at least some parents -- not all
24 parents, but some parents wanted to have a

1 Gifted & Talented program close to home.

2 So the first thing we made sure is
3 there was at least one Gifted & Talented
4 program in each district. That was the first
5 thing.

6 Beyond that, we expected our
7 superintendents, who are really there, they
8 work for the chancellor to make sure they are
9 listening to the community and understanding
10 the demands in the community. Not for us to
11 make an ideological decision or a Tweet and
12 say, We think there should be more of this
13 and less than this. It's really about what
14 are the families asking for. It's great to
15 hear that you have some really successful
16 Gifted & Talented programs in your district.
17 Would love to talk to the superintendents who
18 operate in your district to talk about how we
19 can expand those.

20 And exactly right, when they work
21 well, they don't just help the kids who are
22 in that particular program, they really
23 improve the quality of instruction and the
24 rigor in the entire school. That's what

1 we're looking for.

2 There are some schools that are
3 adamant, they don't want Gifted & Talented
4 programs. Terrific, that's great. You can
5 have a wonderful school without Gifted &
6 Talented. But we want to provide that
7 option. And so we're seeing a steady
8 increase in the number of these programs
9 because what's happening is parents' voice is
10 being filtered through the superintendents
11 before them bringing it to us.

12 CHAIRWOMAN KRUEGER: Thank you.

13 I know I have one school that's an
14 elementary school, plus Gifted & Talented,
15 plus a huge number of migrant children. And
16 visiting there, it all seems to be blending
17 in a wonderful way for everyone. And the
18 parents are supportive, the teachers are
19 great, the principal's great. I'm happy to
20 have you come take a look. It's on East 97th
21 Street; you can probably look up the address
22 easily. And it's really I think a model for
23 so many other schools.

24 FIRST DEP. CHANCELLOR WEISBERG: It

1 absolutely is. And if you go to places like
2 Luperon High School, you will see that
3 students who are English language learners
4 are doing the absolute most rigorous,
5 highest-level academic work. So this old
6 idea that students who have particular
7 challenges -- they have an IEP or what have
8 you, or they're just learning English --
9 can't do gifted programs is incorrect. And
10 I'm glad that you're seeing that myth go away
11 in your district.

12 CHAIRWOMAN KRUEGER: Great, thank you.
13 I'm not going to give up -- I'm not going to
14 use any more of my time because I will talk
15 to the chancellor again on Friday.

16 Thank you.

17 CHAIRMAN PRETLOW: Thank you, Senator.

18 Assemblywoman Simon.

19 ASSEMBLYWOMAN SIMON: Thank you.

20 Thank you, Chancellor, for your
21 testimony and for speaking with me about --
22 and really engaging on some of these issues.

23 So I just want to say I'm very pleased
24 to -- very encouraged by some of the

1 additions, including additional coaching for
2 teachers in rolling out NYC Reads. It's a
3 big endeavor, and it wasn't going to happen
4 overnight, and I'm glad to see that we're
5 focusing on that and being realistic.

6 I also wanted to -- because I know
7 this is also about libraries. We've talked
8 about school libraries, both classroom
9 libraries as well as within the schools. And
10 that is the opportunity we have to get rid of
11 some of these leveled readers, but also to
12 bring in decodable texts. Right? That's
13 going to be very aligned with NYC Reads as
14 well as the science of reading and everything
15 that we know we need to start doing
16 differently.

17 So I want to encourage you, as you
18 start refilling those books and making new
19 purchases, start phasing out some of these
20 things and bringing in decodable texts.

21 And also, because I'm now chairing
22 Mental Health, is social workers in the
23 schools. How many do we need? What would it
24 take to provide the number of social workers

1 in our schools to really adequately serve our
2 students? And what might that cost?

3 NYC SCHOOLS CHANCELLOR AVILES-RAMOS:

4 Thank you, Assemblywoman. And it was really
5 great having our instructional conversation
6 with you. I don't get to have those that
7 often.

8 And so I just want to point out,
9 though, data that I didn't have before and
10 the team pulled for me. We actually did
11 purchase \$4 million worth of decodable books.

12 ASSEMBLYWOMAN SIMON: Wonderful.

13 NYC SCHOOLS CHANCELLOR AVILES-RAMOS:

14 So while we are investing in those decodable
15 books, to Assemblyman Carroll's earlier
16 point, we still need to do an overhaul of the
17 ones that are still there, make sure they're
18 not being used. Again, part of a phased
19 inventory. So thank you for your patience,
20 and thank you for pointing out.

21 And in terms of the social worker
22 piece, again, we know that we have increased
23 a great deal in the number of social workers
24 over the last few years. And I'm going to

1 pass it over to first deputy chancellor to
2 tell you those numbers, and then what it
3 would take in terms of expansion.

4 FIRST DEP. CHANCELLOR WEISBERG: I'll
5 say right at the beginning, good to see you,
6 Assemblymember. It's not enough, but just in
7 terms of progress, over the last 10 years
8 we've increased the number of school social
9 workers by 70 percent. So we're making
10 progress. Even in the last three years,
11 we've increased it by over 7 percent. So
12 we're continuing to see more social workers,
13 which is a huge plus.

14 In terms of, you know, what is the
15 total need, it's a great question. And I
16 don't think we have that answer. And, you
17 know, the cost is easier. We can certainly
18 break down what it costs to, you know, pay a
19 social worker. That is a known fact.

20 You know, what is the optimal number?
21 I'm not sure. Part of -- you know, part of
22 what I think bears being said here,
23 principals have a lot of discretion. The
24 chancellor was alluding to that from when she

1 was a principal. We try to put money out to
2 schools in a way that doesn't have strings
3 attached. So they make these decisions very
4 often about whether to put money towards a
5 social worker.

6 CHAIRMAN PRETLOW: Thank you.

7 Assemblywoman Mitaynes.

8 ASSEMBLYWOMAN MITAYNES: Thank you.

9 I'm Assemblywoman Marcela Mitaynes. I
10 represent the 51st Assembly District.

11 CHAIRMAN PRETLOW: Will you speak into
12 the mic, please? I can't hear you.

13 ASSEMBLYWOMAN MITAYNES: I'm
14 Assemblywoman Marcela Mitaynes, and I
15 represent the 51st Assembly district, and
16 that's South Brooklyn along the waterfront.
17 I have a very large immigrant community, and
18 up until even a couple of hours ago I'm still
19 getting notices about possible ICE in our
20 community.

21 But my question to the DOE is
22 currently about employed teachers and support
23 staff or other staff. Are any of those that
24 are employed DACA recipients?

1 NYC SCHOOLS CHANCELLOR AVILES-RAMOS:
2 So anyone who is working in New York City
3 Public Schools, we make sure that they are
4 legally authorized to work.

5 ASSEMBLYWOMAN MITAYNES: So if,
6 hypothetically, ICE or some other agent
7 wanted to come and remove an employee or a
8 volunteer or a parent?

9 NYC SCHOOLS CHANCELLOR AVILES-RAMOS:
10 Our policy is there to protect everyone in
11 the school building. Without a judicial
12 warrant, they cannot enter the building.

13 ASSEMBLYWOMAN MITAYNES: What if they
14 have a judicial warrant?

15 NYC SCHOOLS CHANCELLOR AVILES-RAMOS:
16 Then unfortunately they are permitted to
17 enter.

18 ASSEMBLYWOMAN MITAYNES: That's your
19 stance on what you're going to do?

20 NYC SCHOOLS CHANCELLOR AVILES-RAMOS:
21 That is what the policy dictates.

22 ASSEMBLYWOMAN MITAYNES: Right. And
23 so we're going back to there's policy, but
24 there's no law.

1 Can you talk about trauma-informed
2 educational practices?

3 NYC SCHOOLS CHANCELLOR AVILES-RAMOS:

4 Absolutely. Trauma-informed practices, it's
5 a host of strategies used to support students
6 who are experiencing or have experienced
7 traumatic events in their lives. Our -- we
8 can get you the data on the number of
9 teachers that have been trained. But it has
10 been a priority for us to make sure that our
11 teachers and our counselors are trained in
12 trauma-informed care.

13 These include deescalation, coping
14 mechanisms. This is also part of the work
15 that I did when I was chief of staff and
16 leading mindful practices through the UFT.
17 We have a partnership with Mind Up where
18 teachers and students are getting training on
19 mindfulness. All of -- these are a host of
20 practices that are both restorative in nature
21 but also addressing trauma that children and,
22 quite frankly, sometimes teachers bring into
23 these spaces.

24 ASSEMBLYWOMAN MITAYNES: Would you

1 identify ICE coming to a school to interview
2 a child consistent with trauma-informed
3 educational practices?

4 NYC SCHOOLS CHANCELLOR AVILES-RAMOS:

5 It is not. And we know that with everything
6 our families are experiencing and the fear
7 that they are experiencing, as well as our
8 educators, we know that we have -- there is a
9 social/emotional component here where we need
10 to make sure that we are attentive to their
11 needs. We have plans to continue to offer
12 trauma-informed care practice training to our
13 staff, especially during this critical time.

14 ASSEMBLYWOMAN MITAYNES: At a time

15 where folks are very sensitive and we're
16 seeing -- I'm getting calls from schools
17 about the dropping numbers. To say that this
18 isn't directly connected --

19 CHAIRMAN PRETLOW: Thank you,

20 Assemblywoman.

21 ASSEMBLYWOMAN MITAYNES: -- it feels

22 like a disservice to the people that are
23 bringing -- are giving you their children to
24 take care of.

1 CHAIRMAN PRETLOW: Thank you.

2 ASSEMBLYWOMAN MITAYNES: Thank you.

3 CHAIRMAN PRETLOW: Assemblyman

4 Pirozzolo.

5 ASSEMBLYMAN PIROZZOLO: Good

6 afternoon. Welcome, Chancellor. Thank you

7 for being here.

8 I'm Sam Pirozzolo from Staten Island,

9 and I'd like to say that this is my third

10 hearing, but probably the first time I can

11 recall that anyone's reached out to me on

12 your behalf to ask if I had any questions

13 that could possibly be answered. So I'd like

14 to thank Brandon Bloomfield, who helps you

15 with that. And he's a good guy; if we had

16 more like him, it would certainly be good.

17 Unfortunately, I just thought of a

18 question I really didn't -- I didn't discuss

19 with him, so please don't take it the wrong

20 way. But it would lead to the IESP, the

21 I-E-S-P situation. I know that really wasn't

22 you, that kind of got dropped in your lap.

23 But we checked this morning to see what the

24 current situation was, and apparently about

1 notification I guess on a website, it says
2 about 70 percent of parents have reenrolled
3 in the program.

4 Would you have any numbers that might
5 detail more Staten Island, District 31, more
6 specifically?

7 And then what's being done for the
8 parents who haven't signed the waiver yet?

9 FIRST DEP. CHANCELLOR WEISBERG: Thank
10 you for working with us, Assemblymember, on
11 this issue. And it is a tough issue.

12 We have been able to arrange
13 services -- I'm not sure -- I want to make
14 sure I understand your question correctly. I
15 don't have Staten Island-specific numbers,
16 but we'll get those for you right away.

17 ASSEMBLYMAN PIROZZOLO: Great.

18 FIRST DEP. CHANCELLOR WEISBERG:
19 Overall, we've had about 80 percent, plus
20 percent, of the families that weren't able to
21 file the notice on time get services, get
22 their P4 voucher, which we're pleased about.
23 And hopefully that number will continue to go
24 up citywide. So that's about 80-plus

1 percent.

2 But we'll check and see what it is in
3 District 31.

4 ASSEMBLYMAN PIROZZOLO: Okay, great.
5 And anytime you'd like to have a conversation
6 about Gifted & Talented, that would be great.

7 FIRST DEP. CHANCELLOR WEISBERG: Oh,
8 yes. Absolutely.

9 ASSEMBLYMAN PIROZZOLO: I'd certainly
10 like to participate in that.

11 And I have to say, Chancellor, it was
12 a bit of a breath of fresh air to hear what
13 you said before about teaching students how
14 to take standardized tests, just one question
15 after another, and turning them into robots.
16 My son was home-schooled all through middle
17 school, and actually my daughter in her last
18 three years of high school. And when we
19 decided to return my son back into high
20 school, all of his teachers came up to us
21 during the PTA meeting -- not PTA, but
22 through the visits for report cards -- and
23 every one of them wanted to know where he
24 went to school because of his level of

1 knowledge of subjects and topics.

2 So just to say again, I mean, being
3 diverse in your teaching will take care of
4 taking the test. Because he still did well
5 on his test, as so did my daughter.

6 So thank you for not, you know, being
7 afraid to break away from that model. But I
8 think the diversity in teaching, and not
9 teaching to the test, is a very, very
10 important thing. Thank you so much.

11 NYC SCHOOLS CHANCELLOR AVILES-RAMOS:
12 Thank you, Assemblymember.

13 CHAIRMAN PRETLOW: Assemblywoman
14 Hooks, three minutes.

15 ASSEMBLYWOMAN HOOKS: Hello. Thank
16 you, Chancellor, for your testimony today.

17 So I have a real concern that parents
18 of students in schools have. And I went to
19 several schools in my district, and it seems
20 to be the general concern for everyone. And
21 the question I have is the Governor put new
22 funding in the budget to support the
23 universal school lunch and breakfast program,
24 which is absolutely phenomenal. How are you

1 assuring that the meals are healthy but not
2 absent of quality, taste and appearance, to
3 control the amount of waste from food being
4 thrown away by the students? Or that parents
5 have to still give money to their children
6 for lunch because they do not like the food?

7 NYC SCHOOLS CHANCELLOR AVILES-RAMOS:

8 Thank you so much, Assemblymember, for that
9 question. And as a parent of a New York City
10 school student, she came to me on Friday and
11 she said, I really love the PB&J, but you
12 have to do something about the vegan nuggets.

13 (Laughter.)

14 NYC SCHOOLS CHANCELLOR AVILES-RAMOS:

15 And so we have done a ton of work. And
16 before I pass it over to Deputy Chancellor
17 Vadehra to talk about the details -- but
18 there are a couple of pieces to this.

19 One is that we are not wasting food.
20 That is so important. As someone who grew up
21 with food insecurity issues herself, and not
22 knowing where her next meal would come from,
23 we pride ourselves on our Shared Table
24 Initiative where food that can safely be

1 repurposed and shared with families,
2 connecting them to food pantries, is
3 something that we've expanded across the
4 state.

5 And we've also had taste tests with
6 students themselves, and they give us
7 feedback. I tell you, as much as you all
8 give us very clear feedback, there is nothing
9 like receiving feedback from students. It
10 can be a little harsh sometimes. Your skin
11 needs to be thick. But they are really
12 guiding the menu for us. We're not all the
13 way done, but that work has commenced and
14 grown.

15 So I'm going to pass it to Deputy
16 Chancellor Vadehra to talk more about it.

17 DEP. CHANCELLOR VADEHRA: I just took
18 notes on her vegan nugget point in terms of
19 taking immediate feedback.

20 So I do want to say one thing just
21 broadly. We are excited for the Governor's
22 proposal. It's also something we've been
23 doing in New York City for years now. We
24 already have universal free breakfast and

1 lunch. We are serving roughly 800,000 meals
2 a day across the system currently.

3 We do everything we can to take
4 feedback, and we are continuing trying to get
5 better. And we're happy to come do a visit
6 with you to a school to hear directly from
7 students.

8 We make an effort -- you know, every
9 day there are multiple options available for
10 students. We think that is important. We've
11 taken some aggressive feedback on some of the
12 vegan options, and we're continuing to work
13 to improve those. We do do student taste
14 tests. We do do student surveys. I spent
15 90 minutes yesterday with some student food
16 advocates who were giving us very specific
17 feedback on some of the specific menu
18 options, but also on things like "How do you
19 make sure we have the condiments, in case
20 that's what we need?" So I will say we're in
21 a constant feedback cycle there and are happy
22 to take more.

23 The one other thing I will note, just
24 because -- or I will not.

1 ASSEMBLYWOMAN HOOKS: I would like a
2 survey.

3 CHAIRMAN PRETLOW: Thank you.

4 Senator?

5 CHAIRWOMAN KRUEGER: Thank you.

6 Second round for Chair John Liu,
7 three minutes.

8 SENATOR LIU: Thank you, Madam Chair.

9 Thanks for taking all these questions,
10 and thank you for thanking us for the
11 questions. You're quite welcome.

12 You know, I don't know if this is
13 going to be a question. You can respond to
14 any of it. But, you know, the Department of
15 Education or New York City Public Schools
16 continues to say for the last two years that
17 you're in compliance with the class-size
18 reduction law, which is actually enshrined in
19 the New York State Constitution, 46 percent
20 at this point, even though the law requires
21 40 percent.

22 But the reality is that the department
23 has done virtually nothing to achieve that.
24 In fact, when we passed the legislation it

1 was already at 58 percent compliance.

2 So there has been very little done,
3 Chancellor. So I do have a question for you.
4 And the question is, is it necessary to
5 reduce class sizes in New York City? And do
6 you consider the law an unfunded mandate?

7 NYC SCHOOLS CHANCELLOR AVILES-RAMOS:
8 Senator, I want to go back to the idea that
9 we've done virtually nothing and respectfully
10 disagree.

11 When we met earlier in my time in
12 Albany a few weeks ago, one of the things
13 that we pointed to is the work that we've
14 done with UFT and CSA -- it was also part of
15 my testimony -- in terms of giving schools an
16 opportunity to submit proposals that would
17 allow for them to make adjustments to meet
18 the class-size mandate on their own.

19 SENATOR LIU: All right, so --

20 NYC SCHOOLS CHANCELLOR AVILES-RAMOS:
21 That is incredibly important, Senator,
22 because we know that when we give principals
23 the autonomy to make the program shifts and
24 the space shifts necessary to comply, it's

1 better than us swooping in and doing those
2 mandates. So that's one.

3 The second thing is you and I also
4 discussed the need for new schools. And I
5 know that the first deputy chancellor has
6 that data in terms of the schools that we
7 have already opened and the schools that we
8 have, quite a few are in your district --

9 SENATOR LIU: It's reflected in the
10 school construction plan. And I think you
11 told me that the total amount offered to the
12 750 schools that have applied for this
13 class-size reduction funding is about
14 \$80 million -- all right, how much was it,
15 then? Dan is -- Dan's head's going to fall
16 off.

17 DEP. CHANCELLOR VADEHRA: So -- so
18 first of all, we put \$200 million in last
19 year dedicated to class size and other C4E
20 purposes. We also asked all of our
21 superintendents to make progress in their
22 districts. We do think that's how we got to
23 46 percent. We don't think it was from doing
24 nothing.

1 For this year we actually haven't put
2 out a number in terms of what funding will be
3 available to schools yet. We're in the
4 possess of reviewing the 750-plus
5 applications, as are our UFT and CSA
6 partners. We are looking to put --

7 SENATOR LIU: All right, I'm running
8 out of time here, so let me say that --

9 DEP. CHANCELLOR VADEHRA: -- city and
10 state funding in.

11 SENATOR LIU: -- two hundred, maybe
12 \$300 million is what the department's
13 offering up. And the chancellor's saying
14 it's going to cost \$1.5 billion.

15 DEP. CHANCELLOR VADEHRA: That's what
16 we offered up last year. That money is
17 maintained in school budgets this year, and
18 we expect to put in more for the 750.

19 SENATOR LIU: I will simply add
20 that --

21 CHAIRMAN PRETLOW: Thank -- thank you.

22 SENATOR LIU: I will simply add that
23 the New York City Public Schools in
24 Foundation Aid is getting \$1.8 billion --

1 CHAIRMAN PRETLOW: I said thank you,
2 Senator.

3 (Overtalk.)

4 SENATOR LIU: -- annually, more than
5 the Adams administration -- than how much the
6 schools got before the Adams administration.

7 Thank you.

8 CHAIRWOMAN KRUEGER: Do not answer the
9 question.

10 SENATOR LIU: Thank you.

11 CHAIRWOMAN KRUEGER: Thank you,
12 Senator Liu.

13 CHAIRMAN PRETLOW: Okay, thank you,
14 Senator Liu.

15 SENATOR LIU: Thank you.

16 CHAIRMAN PRETLOW: Thank you,
17 Chancellor. And thank you, staff of
18 chancellor. This actually concludes this
19 portion or this phase of the hearing.

20 UNIDENTIFIED ASSEMBLYMEMBER: Can I
21 ask something?

22 CHAIRMAN PRETLOW: You're not on my
23 list. You didn't get me -- sorry. Next
24 time.

1 CHAIRWOMAN KRUEGER: Thank you.

2 You're done.

3 CHAIRMAN PRETLOW: Anyway, you're

4 done. Thank you.

5 And so the next phase we're going into
6 will consist of panels. There will be from
7 four to seven individuals on a panel. Each
8 person presenting will be limited to
9 three minutes. All legislators will also be
10 limited to three minutes. I really don't
11 want to sound obnoxious and talk over people
12 when the buzzer goes off, but we have 38 more
13 individuals to present before us today.

14 So I will call the first panel up, and
15 it consists of United Federation of Teachers,
16 New York State United Teachers, Council of
17 School Supervisors and Administrators, and
18 School Administrators Association of New York
19 State.

20 Please take any conversations outside
21 while the next panel gets set up.

22 Ms. Pheffer and Mr. Carroll, I'm referring to
23 you. And you're not listening to me, Ms. --

24 (Overtalk.)

1 CHAIRWOMAN KRUEGER: Bobby -- Bobby,
2 take it outside.

3 (Laughter.)

4 CHAIRMAN PRETLOW: Tell Stacey, come
5 on.

6 (Laughter; off the record.)

7 CHAIRMAN PRETLOW: Before we start, my
8 suggestion would be since we already have
9 your written testimonies, rather than just
10 read the testimony to us, summarize it and
11 you can get more of your editorializations
12 in. But we only have three minutes each,
13 so -- how do you want to start?

14 (Inaudible.)

15 MS. PERSON: Well, good afternoon, it
16 is great to be back here again testifying
17 before all of you. I want to start by saying
18 something that I don't think we celebrate
19 enough in New York State. Great things are
20 happening in New York State's public schools.
21 Our schools are some of the best in the
22 nation, and that is no accident. It is
23 largely because of the commitment by many of
24 the people in this room, and our educators,

1 and all of the people in our school buildings
2 who every day put our students first.

3 Our student population is one of the
4 most diverse in the nation and has some of
5 the highest needs. More than half of our
6 students qualify for free or reduced-price
7 lunch and speak over 200 languages in
8 New York City --

9 MR. MULGREW: Two hundred and thirty.

10 MS. PERSON: Two hundred and thirty.

11 But from leading the nation in
12 advanced placement courses and scores to
13 fostering creativity through innovative
14 career and technical programs to closing the
15 achievement gap to increasing graduation
16 rates, we are succeeding.

17 I also want to say, looking at the
18 Executive Budget, our support immediately for
19 universal school meals and for the Governor's
20 proposed distraction-free learning policy.

21 The thing that I want to focus on
22 today is career and technical education. CTE
23 programs are the future of our schools and
24 our state workforce. These programs align

1 hands-on experiential learning with workforce
2 needs in fields from cybersecurity to
3 healthcare to advanced manufacturing. It is
4 no secret that kids love these programs, and
5 they actually make them want to come to
6 school.

7 But the funding formula for BOCES and
8 for Special Services Aid, the category that
9 funds these programs in the Big 5 school
10 districts have not been updated since the
11 early '90s. This caps instructor aid levels,
12 limiting expansion of these programs. Every
13 BOCES that I have visited has long waiting
14 lists for programs like health careers, areas
15 where we have severe workforce shortages in
16 the state.

17 And by correcting and updating these
18 funding formulas we can begin to address
19 these needs and refocus us on the extremely
20 successful program of Career and Technical
21 Education.

22 I also want to mention Foundation Aid.
23 We've begun the process of updating the
24 formula. We need to continue to look at

1 regional cost, how we are paying for English
2 language learners. The current weighting is
3 insufficient. It does not cover the breadth
4 of services that our students require, and
5 needs to be looked at as well.

6 I also want to mention the extreme
7 needs of our students around mental health.
8 Right now 94 percent of our districts have
9 expanded the provision of services, and over
10 the last two decades, we've seen the need for
11 services more than double. We need to make
12 sure that we're investing in providing those
13 services because our kids are truly -- they
14 truly need these services in order to be
15 ready to learn.

16 CHAIRMAN PRETLOW: Thank you.

17 MR. MULGREW: Thank you. Thank you,
18 everyone. My name is Michael Mulgrew. I'm
19 the president of the United Federation of
20 Teachers of New York City.

21 And I would like first to start with
22 "Gung Hei Fat Choi" to you all, which if you
23 don't know is Happy New Year. And we're
24 happy that there's children across our state

1 having this day off, but always we have to
2 get our work done.

3 So I want to then be clear with
4 everyone, because I heard some of the
5 questions, and my phone is ringing off the
6 hook constantly at this moment. We are doing
7 everything, and we have clarified all of the
8 policies to our school communities in terms
9 of what needs to be done and what the process
10 should be, if there is any, which we have no
11 evidence that a single one has happened yet
12 in terms of ICE trying to enter a school.

13 And we've sent out the state
14 regulations, but we also sent it out in
15 English so actually people could understand
16 it. So they now have that.

17 I want to start with Foundation Aid.
18 Foundation Aid is very important right now in
19 New York City. You discussed class size.
20 Foundation Aid is now directly tied to the
21 class size law for New York City. And we
22 appreciate what the Governor has done in the
23 initial budget in terms of Foundation Aid,
24 and we appreciate also that you added in --

1 not added in, but you updated the poverty
2 index. But we need to update other indexes
3 also because just updating that one has
4 caused somewhat of an inequity in terms of
5 Foundation Aid when it comes to New York City
6 compared to the rest of the state. And I
7 look forward to making that happen.

8 I also want to make you all aware that
9 when you clarified the law last year we were
10 very -- we were very serious about making
11 sure it was followed. We have filed an
12 official complaint with SED about OMB of New
13 York City supplanted \$10 million of education
14 funding. We will come up here. Your money
15 that you send for education needs to get to
16 the children. It should not be supplanted by
17 the local municipalities.

18 When it comes to the workforce issues
19 we're all facing, we're facing them both in
20 education and in healthcare. We're
21 floundering, folks, just floundering. We
22 have to come up with a better way, and we
23 have to come up with better programs where we
24 can attract and retain both educators and

1 people who want to work in schools, as well
2 as nurses. And with the shortages that we
3 continue to have, especially with
4 paraprofessionals and people in special
5 education, it is now becoming a crisis and we
6 need to get that fixed.

7 As Melinda also spoke to, the CTE
8 component I want you all to understand that
9 the teachers of this state were the ones who
10 constructed the first microchip manufacturing
11 curriculum, and that is being taught in parts
12 of Syracuse as well as New York City. And it
13 is already a certified program.

14 And I cannot stop to say if we're
15 going to really do it with the healthcare --
16 with the workforce shortage, this is not
17 going away. Every public-sector worker in
18 the State of New York understands that Tier 6
19 with the age 63 is not helping us at all.
20 And it needs to be fixed. No way teachers
21 are going to stay, when they start at 21, to
22 the age of 63. We need this fixed.

23 Thank you.

24 CHAIRMAN PRETLOW: Thank you.

1 MR. RUBIO: Good afternoon, and thank
2 you for the opportunity to speak with you
3 today. My name is Henry Rubio. I am the
4 president of the Council for School
5 Supervisors and Administrators. And as many
6 of you know, we represent 6500 in-service
7 school administrators and about 11,000
8 retired school administrators from New York
9 City, along with four conversion charters.
10 And I also represent nearly 200 early
11 childhood directors who are subsidized by
12 New York City's Early Childhood Education
13 Centers.

14 I'm here in partnership with our state
15 affiliates, the School Administrators
16 Association of New York State, and appreciate
17 the opportunity to be here.

18 We're grateful for all that the
19 Governor's proposals do for students, and we
20 thank her for fully funding the Foundation
21 Aid formula and for the robust conversations
22 we've having the last couple of months due to
23 the needed changes we all recognize.

24 We fully support the Governor's vision

1 to achieve both universal childcare and
2 universal school meals.

3 School leaders know the excessive use
4 of cellphones can have harmful effects on
5 children, and we support the Governor's
6 efforts to limit the use of cellphones during
7 school hours. And we will continue to work
8 with you and her team to refine that
9 legislation that would allow for some
10 flexibility.

11 Student health and safety and
12 well-being are the guiding priorities of our
13 union members, and we commend the Governor
14 for her proposal for investments in
15 school-based health centers and additional
16 investments in extended day and after-school
17 programs, which we know are so important for
18 our families.

19 However, we must do more before you
20 finalize this budget, and we look forward to
21 working collaboratively with each of you in
22 the coming weeks to ensure that our schools
23 have everything that they need.

24 And while we support the intention

1 behind the Governor's proposed changes to the
2 Foundation Aid formula, replacing the poverty
3 factor will have a disproportionate impact on
4 New York City schools and New York City
5 children -- you've heard that many times
6 today already -- without considering the
7 other recommendations in the testimony that
8 we submitted today, which includes weights
9 for ELLs, special-needs students, and
10 temporary housing, et cetera.

11 And let me be clear. CSA, I as the
12 union president, fully support smaller class
13 sizes, but far too many of our schools and
14 districts don't have enough space, and the
15 funding coming to New York City must reach
16 the classroom. We must hold the system
17 accountable, and it must reach the school and
18 the classroom. Just remember that by 2028,
19 New York City schools will need a billion
20 dollars for construction, approximately 900
21 additional new teachers, and the additional
22 supervisors to adequately support and
23 supervise our newest colleagues joining the
24 profession.

1 Now, safety remains a pressing issue
2 for us. We've seen more violence, weapons,
3 assaults in schools but mostly outside of
4 schools in our communities. Every school
5 needs an appointed assistant principal to
6 ensure proper safety, proper staffing, and
7 support for both students and teachers alike.
8 So we urge you all to support S1396 and
9 A2605, legislation that requires an appointed
10 assistant principal for the issues of safety
11 in every school.

12 Thank you for the opportunity to be
13 here. Happy New Year, and Happy Lunar
14 New Year.

15 CHAIRMAN PRETLOW: Thank you.

16 CHAIRWOMAN KRUEGER: Thank you.

17 MS. GALLAGHER: Honorable Chairs and
18 distinguished colleagues, I'm Cynthia
19 Gallagher, and I'm representing the school
20 administrators of New York State. I would
21 like to highlight six particular areas of the
22 Governor's budget as a response of our 22,000
23 members and 8,000 retirees.

24 First, the Foundation Aid amount, the

cornerstone of the Foundation Aid formula, needs to reflect the scope and amount of work that schools are doing currently. Certainly the amount of work and the type of work that our school districts are required to do to meet the needs of students is not the same as when the formula was crafted in 2007.

Secondly, in regards to disruption-free zones, aka cellphone policy, SAANYS last week sent out a survey to all of our members, and we had a very robust response. Seventy percent of our members responded back that they did in fact support a cellphone policy that limited the use of cellphones or other internet-enabled devices, but 70 percent also said that they supported a policy that would provide local discretion as to the policy and the implementation. Seventy percent said that they already had cellphone policies, and 50 percent said that that would change the best practices and policies that they already felt were working for their school climate.

Third, the salary cap waiver needs to

1 be extended. The shortage in many areas has
2 continued to be acute, even more so than last
3 year, and the retirees fill positions in a
4 way that the current pool of candidates does
5 not.

6 Fourth, COLA. Our retirees need to
7 have pensions that keep pace with
8 accelerating costs. It is important for
9 their own well-being, but it is also
10 important to acknowledge the roles that they
11 play in many of our young families. They
12 often provide the daycare -- and in fact,
13 about 22 percent nationally of retirees
14 provide that daycare -- over \$10,000 for
15 their families, direct monetary support, and
16 many are head of households for their
17 grandchildren.

18 Fifth, the Governor introduced the
19 concept of universal daycare. It will be
20 important to assure that the promise of
21 universal pre-K is not lost and that we do
22 not continue to exacerbate an already
23 fragmented early childhood system.

24 And lastly, we would respectfully

1 request that there be additional money for
2 professional development for our building
3 administrators. In the current budget there
4 is money for our teachers to receive such
5 professional development, and we would
6 likewise like to see some additional funding
7 go to our leaders.

8 Thank you very much for your time, and
9 I'm sure we will be entertaining your
10 questions as we go.

11 CHAIRMAN PRETLOW: Thank you.

12 Mr. Magnarelli?

13 ASSEMBLYMAN MAGNARELLI: Again, I'd
14 like to say thank you all for being here. I
15 appreciate it. I know everybody up here
16 appreciates your testimony and your being
17 here.

18 Just a general question. My -- you
19 know, I'm from Syracuse, okay? So my mindset
20 is what's happening in the Syracuse area, not
21 only the Syracuse City School District, but
22 the districts around it. The one thing that
23 I hear that most people -- and I don't say
24 just students or parents, but also teachers

1 and everybody has a concern about, is safety
2 in the schools. Okay? It's kind of like I
3 don't understand how we can have schools
4 function if in fact they are not safe. Okay?

5 And this does not mean only making
6 sure there aren't guns there, but just the
7 protocols and what is needed to make sure
8 that students aren't in fights with students,
9 that other people aren't getting into the
10 school. Just had a news article yesterday, a
11 woman was -- pled to assaulting a teacher and
12 sending the teacher to the hospital, and now
13 is going to be serving two years in jail,
14 which I don't know how that helps her or her
15 family at all.

16 But, you know, the bottom line is
17 people are concerned about safety. Can
18 somebody talk to me about your thoughts --
19 not just more money, but what are we going to
20 do about that?

21 MS. PERSON: Well, I can say it was
22 just last year that the Workplace Violence
23 Prevention Act was passed by this body, by
24 both houses, and signed by the Governor, to

1 finally include schools as a workplace that
2 would be protected and would be able to bring
3 in the Department of Labor when we believe
4 that there was a workplace violence concern.

5 And that law has been slowly beginning
6 to be implemented, so we are hopeful that it
7 is going to make a difference in our school
8 buildings. But what it has done already is
9 given our members, working every day in our
10 school buildings, the opportunity to bring to
11 their administration concerns around staffing
12 levels, which are often a challenge when
13 there are training problems, where people
14 have not received the training necessary to
15 do their jobs, and when there are compliance
16 issues, when a student is being promised a
17 certain level of service and that student is
18 not getting that level of service and care.

19 So we hope that this law will begin to
20 make a difference and put a dent in the
21 safety issue that you're describing.

22 ASSEMBLYMAN MAGNARELLI: I have some
23 more questions, but I think I ran out of
24 time.

1 CHAIRMAN PRETLOW: You certainly did.
2 Senate?

3 CHAIRWOMAN KRUEGER: Senator Shelley
4 Mayer.

5 SENATOR MAYER: Thank you.

6 First is a question on CTE -- Melinda,
7 really for you particularly. As I think you
8 know, the Senate one-house last year -- and
9 in fact the last few years that I've been
10 here, we have really tried to invest more
11 significantly. And the Governor doesn't have
12 anything additional for CTE in the budget
13 this year. Have you engaged in conversations
14 with the Governor's office to impress upon
15 them the importance of CTE both for job
16 development and workforce development
17 generally, and as an alternative to sort of
18 college-driven requirements on students?

19 MS. PERSON: Yes, we have been in
20 regular conversation with the Governor's
21 office about this issue. In particular,
22 given her and her administration's commitment
23 to the work we've done already with Micron,
24 we know that she recognizes the importance of

1 this work. I think there has historically
2 been a resistance to making other adjustments
3 to these formulas because of outyear costs,
4 et cetera. But I think this is the year that
5 we are going to be able to get it done.

6 SENATOR MAYER: Well, I'm glad to hear
7 that, but I would just say Micron is not the
8 only game in town. And for so many
9 districts, including the City of New York,
10 you know, the opportunity to have jobs in
11 their communities matters. And I hope you
12 can change that.

13 The other is on the mental health
14 front, for all of you, we fought to get the
15 RECOVS money allocated. Most of it has gone
16 out the door. Have you see any improvement
17 in mental health services within your schools
18 as a result of the funds?

19 MR. MULGREW: I can say that yes, we
20 have. We've also seen a massive increase,
21 thankfully, we still don't have enough social
22 workers and psychologists being in the
23 schools themselves. We understand there was
24 a tsunami headed at us. We had a problem, we

1 had a crisis before COVID and after COVID,
2 clearly, we knew a greater crisis was headed
3 at us.

4 The social workers and psychologists
5 inside of the schools have really done a
6 phenomenal job, but there's always more that
7 needs to be done. We also need to streamline
8 their paperwork.

9 SENATOR MAYER: Yup.

10 MR. MULGREW: The paperwork is insane.
11 A lot of it is redundant, it doesn't need to
12 be there. They are constantly saying, We are
13 clinicians, that means we want to work with
14 our patient. We don't want to spend more
15 than 50 percent of our work time on a
16 computer clicking all of these different
17 forms that need to be done.

18 So I would appreciate if the state
19 looked at that, because we are -- it's real
20 simple. This is their labor. If you choose
21 to waste -- have them spending more than half
22 of their time doing things that are not what
23 you really hired them for, then we need to
24 look at that.

1 MS. GALLAGHER: If I could add --

2 SENATOR MAYER: Yeah, go ahead.

3 MS. GALLAGHER: For our building
4 administrators this is the third year in a
5 row where mental health remains their
6 number-one priority. So yes, we are
7 appreciative of the mental health funding,
8 but no, there's much more. Thank you.

9 SENATOR MAYER: Thank you.

10 CHAIRMAN PRETLOW: Thank you.

11 Assemblymember Carroll.

12 ASSEMBLYMAN CARROLL: Thank you,
13 Chair Pretlow.

14 And thank you for your testimony.

15 In last year's budget the Governor
16 allocated \$10 million to a back-to-basics
17 professional development program. Can anyone
18 tell me if any teacher has received any
19 professional development because of that
20 \$10 million allocation?

21 MS. PERSON: Yes, I can speak to that.

22 To be clear, the law required us to
23 collaborate with the State Education
24 Department in the creation of this

1 professional learning program. And we've
2 been working very well with the department,
3 but the department just gave us in January
4 the final instructional practices guidance
5 that we needed.

6 So we have been beta testing our
7 course and have invested significantly. So
8 far we have not received a dollar yet from
9 the state. So just mind you, that 10 million
10 hasn't actually been given to us.

11 And I also want to note --

12 ASSEMBLYMAN CARROLL: So understood
13 that it's --

14 MS. PERSON: -- that there have
15 been --

16 ASSEMBLYMAN CARROLL: I only have two
17 minutes. It's no one has gotten it yet.
18 Why?

19 MS. PERSON: Oh, no, I'm not done.
20 There are thousands of members have received
21 the training through beta testing at our
22 expense, and through the New York City
23 Teacher Centers.

24 MR. MULGREW: Correct.

1 MS. PERSON: So the training is being
2 delivered at our cost.

3 ASSEMBLYMAN CARROLL: Understood.

4 When do you plan to finish, then, the
5 professional learning program?

6 MS. PERSON: The course is ready to
7 run. We have several hundred people enrolled
8 in the course right now. We are training the
9 entire Niagara Falls School District this
10 month. And we are ready to launch completely
11 as soon as it gets state approval.

12 ASSEMBLYMAN CARROLL: And how many
13 hours is the course?

14 MS. PERSON: It's a 25-hour course.

15 ASSEMBLYMAN CARROLL: Fantastic.

16 Thank you so much.

17 MS. PERSON: You're welcome.

18 MS. GALLAGHER: And if I may, this is
19 an extensive effort, as you know,
20 Assemblyman. When we talk to our principals,
21 there was funding last year for the teachers
22 in that \$10 million but nothing really for
23 building administrators, who are the ones to
24 make sure that that program is sustained.

1 And it is a massive schoolwide effort to do
2 that kind of program, so --

3 ASSEMBLYMAN CARROLL: I would love to
4 give you more money to do more professional
5 learning in the science of reading. So
6 please ask, and you shall receive.

7 MR. MULGREW: I just want to be clear,
8 because we're also heavily involved in this.
9 We appreciate what you just said, but
10 nobody's given us any money. We've actually
11 been paying for all the instructors out of
12 our own budgets. Let me clear: No one has
13 given us any money. We have paid for all of
14 these instructors out of our own budgets.

15 ASSEMBLYMAN CARROLL: Presumably you
16 will be eventually reimbursed by the State of
17 New York.

18 MR. MULGREW: Well, who knows these
19 days? I mean, anything could happen.

20 (Laughter.)

21 ASSEMBLYMAN CARROLL: Are we that
22 derelict as -- thank you.

23 MR. MULGREW: Thank you.

24 CHAIRMAN PRETLOW: Senator?

1 CHAIRWOMAN KRUEGER: Let's see.

2 We have Senator Liu first.

3 SENATOR LIU: Thank you, Madam Chair.

4 Thank you all for your continuing
5 leadership in education.

6 Henry, good to see you. The
7 chancellor before just -- not too long ago
8 testified that all the principals know what
9 to do in case somebody rings the doorbell for
10 their school. Is that true?

11 MR. RUBIO: I think the chancellor
12 spoke accurately in that there were two
13 webinars that principals were invited to.

14 We had urged to provide principals
15 with more training than that. Picking two
16 random days for 1700 principals and an
17 additional 3500 or so assistant principals,
18 who are the right and left hand of
19 principals, is not going to be enough.

20 And I think that her team is going to
21 respond. We asked that they be continuing
22 training during the month of January and
23 February. Every January and February
24 principals are mandated to have one

1 professional development meeting with their
2 superintendents. So they're a captive
3 audience, and that would be the perfect time
4 to both go to the training, ask those
5 pertinent questions, and make sure that you
6 have everyone.

7 So yes, they've been invited to
8 professional development. I don't think
9 everyone has actually participated yet. But
10 I think we're working on a plan to make sure
11 we get there.

12 My team specifically is -- like Mike,
13 was ringing off the hook constantly all day
14 long on this one issue. School leaders are
15 concerned. We wake up every day and the
16 number-one thing we think about is our child
17 safety. Parents are dropping them off to us;
18 we want to make sure they're safe. So we're
19 working with the department to make sure we
20 can get that done.

21 SENATOR LIU: And the department is
22 working with you on that to make sure
23 everything gets the proper training and
24 guidance.

1 MR. RUBIO: Yes. I have to say that
2 we flagged this before the election, and they
3 came to the table. And we wanted to make
4 sure that principals had clear guidance.
5 We're not lawyers. But we got clear
6 instructions about what to do if non-local
7 law enforcement came to the school. And we
8 have that, but we've just got to make sure
9 it's communicated widely to everyone.

10 SENATOR LIU: Okay, thank you.

11 And hey, Michael, what's up?

12 MR. MULGREW: Hey, how are you, John?

13 SENATOR LIU: All right.

14 MR. MULGREW: Happy New Year.

15 SENATOR LIU: I feel bad -- yeah,
16 thanks for the Happy New Year. I felt bad
17 that I didn't have a chance to give the
18 chancellor and her team a full opportunity to
19 respond on the class size issue.

20 But are the teachers generally happy
21 with what the city's doing to reduce class
22 sizes?

23 MR. MULGREW: Let me be clear. This
24 administration for the first two years after

1 this law -- and this is why what you did was
2 so important last year -- they definitely
3 were not what you would call a motivated
4 group during -- about lowering the class
5 sizes of New York City.

6 What you did last year made a
7 significant impact. It wasn't an "if." It
8 wasn't a "if you choose to." And that was
9 all taken away. It was -- those words were
10 added: New York City must. And that was it.

11 So since then, we've seen this. And
12 it was -- over 750 schools did apply once we
13 did the training. The principals needed to
14 be assured that the money was actually going
15 to get to the school and it would be
16 recurring. And I understand why they didn't
17 believe that that would happen until we had
18 it clarified in the law. And once that
19 happened, the applications started flying in.

20 Thank you.

21 SENATOR LIU: Thank you.

22 CHAIRWOMAN KRUEGER: Thank you.

23 Assembly.

24 CHAIRMAN PRETLOW: Thank you.

1 Assemblyman Smith.

2 ASSEMBLYMAN SMITH: Thank you, Chair.

3 And good to see everyone.

4 I want to spend some time talking
5 about cellphones and distraction-free
6 learning. I know it's been an initiative for
7 NYSUT and UFT and everyone to bring this to
8 light. Teachers and people who work in the
9 classroom have been talking about this for
10 many years, what can be done. A lot of
11 schools across the state are taking actions.

12 Do you feel that so far what has been
13 proposed, is that -- you know, the funding,
14 \$13 million, does that satisfy what you're
15 hearing in the classrooms? Or can we build
16 on that? What are your thoughts?

17 MR. MULGREW: We won't know till the
18 applications come in, because some schools,
19 there are some plans that schools can follow
20 that won't require additional funding. But
21 not all schools will be able to do that. So
22 we won't know until the applications
23 themselves come in.

24 And remember for us, this is not --

1 this is something that is much more serious.
2 I mean, it's spoken about in a very light way
3 at times, but since we now have so much
4 medical documentation and research that this
5 is actually harming the mental wellness of
6 our students -- we are educators. Once we
7 get that, this shouldn't be a debate to us.
8 This is harming our students. We're all
9 screwed, we're done.

10 (Laughter.)

11 MR. MULGREW: Okay? But we have to be
12 able to help them get to a better place. And
13 I can tell you, every school that has done
14 this, it's the same process. We have parents
15 who are against it at times, we have students
16 who are adamantly against it. Once you have
17 it put into place, it's also uniform --
18 whether it's in upstate New York, it's in
19 central Brooklyn, it's in Staten Island or
20 it's in the Bronx -- the students after a
21 year say, I don't want the cellphones back.
22 And life is better.

23 MR. RUBIO: If I can jump in, I know
24 there was some conversation -- I can't

1 remember from who -- this morning. I think
2 for us it's really important for school
3 leaders to know that this is going to be a
4 process for us to engage students and staff
5 and get by in an understanding that the
6 science is already there, the data is already
7 there, and come to a place where, you know,
8 the cellphone is not using our children but
9 actually teaching -- and as a father of four,
10 how do we effectively use this as a tool and
11 not that our children are tools, right?

12 And so that's part of the flexibility
13 we want, especially depending on school
14 level. We might want some more discretion at
15 the high school level, perhaps, where kids
16 are going to -- they're going to use these --
17 you heard the chancellor say they're going to
18 use this right after 3:15 or 4 o'clock.
19 Right? So how do you use it effectively and
20 efficiently after that?

21 I think Melissa and I have had many
22 conversations around the cost. I'm seriously
23 concerned about the cost and not being an
24 unfunded mandate for schools. We're talking

1 about \$30 per pouch if we go that way. I
2 think that is the way I would prefer to go as
3 well.

4 And there's a human capital cost, I
5 think, to this as well that we need to
6 consider as well. So I really appreciate
7 that question, Assemblyman.

8 ASSEMBLYMAN SMITH: Yeah, I agree with
9 you on the science part. You're talking
10 about the mental health of our students, the
11 bullying aspect. Now, again, we can't
12 control what happens after school hours,
13 although your members are often pointed to as
14 some obligation, you know, that you may have
15 them for 40 minutes a day but that they
16 control what goes on. Thank you.

17 CHAIRMAN PRETLOW: Thank you.

18 Senator?

19 MR. MULGREW: Thank you for that
20 recognition.

21 CHAIRWOMAN KRUEGER: Thank you.

22 Next is Senator Murray.

23 SENATOR MURRAY: Thank you,
24 Chairwoman. And thank you.

1 I'm going to kind of piggyback on
2 Assemblyman Smith in a second, but I want to
3 first start by saying thank you in particular
4 to Melinda for all of the effort towards the
5 universal healthy meals. That is so very
6 important, so thank you. And thank you all
7 for being advocates there and pushing so hard
8 to get that done.

9 I also couldn't agree with you more on
10 the Tier 6. Couldn't agree with you more on
11 that. It is absolutely hurting hiring,
12 retention, recruitment --

13 (Applause from panel.)

14 SENATOR MURRAY: Agreed.

15 And then also the CTE, the importance
16 of that. We must continue to invest in this,
17 because that is the future. These jobs are
18 our future.

19 So I also agree with the cellphone ban
20 or distraction-free, whatever you want to
21 call it. But I do -- I've been getting
22 questions, and that's where I'm going to talk
23 about the cost. So you have some that are
24 saying, Is 13.5 million enough? Others are

1 saying, Why do we need 13.5 million to put a
2 policy in place? Can you kind of elaborate
3 on what the money will go for? How will that
4 be used?

5 MS. PERSON: I can say that right now
6 there are a variety of different policies in
7 place that are working. In some places they
8 are able to do things simply saying: All
9 kids must keep their phone for the entire
10 duration of the school day in their locker.
11 Right? And so that might work in one
12 particular setting.

13 In other places, they don't have
14 lockers. Right? In other buildings. And I
15 think that's why this proposal includes local
16 discretion with regard to people deciding
17 what works for our community, what works for
18 our school.

19 What is not -- where there isn't
20 discretion is that the Governor and others
21 are saying right now we are saying it is a
22 priority for us to protect the mental health
23 of our students for seven hours a day, and
24 that during that time they're going to be

1 distraction-free where they will not be
2 exposed to gaming, to social media, to all
3 the other things that take them away from the
4 reason that they're at school in the first
5 place, which is to learn.

6 SENATOR MURRAY: Right. Would you say
7 this is kind of just -- the 13.5 million, is
8 this just kind of a starting-point gauge to
9 say we think this is what, but it could be
10 adjusted later? Up or down.

11 MS. GALLAGHER: We've heard from our
12 members a concern, though, that this would be
13 just the initial funding, and what would
14 happen in consecutive years when such a
15 policy is fully implemented.

16 So there is concern by our building
17 administrators as to the continuity of
18 funding.

19 MR. MULGREW: And it comes down to
20 actually grade levels are very important
21 here. Elementary schools, they basically --
22 the student just puts -- they just walk in
23 and they pop it into a little pocket that's
24 hanging on a door. And it's very simple.

1 You can imagine that's not going to be
2 that simple with middle schools and high
3 schools. So if we have lockers, we can get
4 them into lockers. If not, then we're
5 talking about the pouches. That I do -- I do
6 believe that there is now a second company.
7 So if there's two companies, we're not paying
8 \$38 for a pouch.

9 SENATOR MURRAY: Right. Right.

10 MR. MULGREW: All school districts
11 should say no. And I would band together
12 multiple school districts -- multiple school
13 districts should band together to say,
14 Unh-unh, give us a better price.

15 CHAIRMAN PRETLOW: Thank you.

16 Assemblyman Ra.

17 ASSEMBLYMAN RA: Thank you.

18 So yes, on the same topic, that was my
19 question. And you just mentioned because
20 somebody gave me the example yesterday of,
21 you know, some type of thing hanging on the
22 door that has a bunch of, you know,
23 basically, I don't know, it's like a shoe
24 rack you have on the door, you can put --

1 MR. RUBIO: Exactly.

2 ASSEMBLYMAN RA: So my question
3 basically is this proposal as written, do you
4 feel it has enough flexibility so that if a
5 district is doing something like that and
6 it's working, they'll be able to continue to
7 do that?

8 MS. GALLAGHER: We do not. Our
9 members were pretty strong in their opinions
10 that the idea of a bell-to-bell-only
11 statewide policy doesn't allow for discretion
12 for schools who have layered it, as Michael
13 said, elementary, secondary, middle school,
14 for juniors, for seniors who are going to be
15 using that six months into their freshman
16 year.

17 MR. RUBIO: The reality is that, you
18 know, there are instances -- my wife's a
19 teacher as well, where she wants her students
20 in high school to use the device for
21 instructional purposes in some way, right?
22 At other times, you don't want it; it's a
23 distraction.

24 So there's got to be some flexibility

1 there, and prioritizing, again, our students'
2 mental health and funding it.

3 MS. PERSON: The proposal as drafted
4 does include flexibility for the use of
5 phones for instructional purposes, for
6 translation services, for -- if a child is
7 monitoring their insulin. And we believe
8 that it makes sense to give educators and
9 principals and districts the flexibility to
10 say, everybody can use their phone for this
11 purpose if they need to.

12 I think the important thing about the
13 bell-to-bell is that it includes time passing
14 in the hallways, it includes study hall, it
15 includes lunch hour. And at first I thought,
16 you know, this is not our concern, what
17 happens in the lunchroom per se, because we
18 really care about instructional minutes, our
19 time with our kids to teach. But what the
20 research has shown is that that time in the
21 hallway, that time in the lunchroom, is
22 critical developmental learning for our
23 students. That is where they learn to be
24 together, to communicate, to have human

1 connection, to look people in the eye.

2 Right?

3 And our students aren't getting that
4 right now. Because in the hallways of a
5 school, go visit a school, they're all
6 starting down at their phone in the hall.
7 They are in the lunchroom not talking to each
8 other. This is not okay. It's not okay.
9 And the bell-to-bell policy is going to fix
10 this.

11 MR. MULGREW: And before -- and I
12 understand and absolutely agree with the
13 parents' concern on their ability to get in
14 touch with their child.

15 But when -- we did have these policies
16 when you were all in school.

17 (Laughter.)

18 MR. MULGREW: Okay? So let's just be
19 realistic about this. And, you know, I don't
20 want the distraction. Remember, we are the
21 only state right now with a law on the books
22 that says no predatory algorithms for minors.
23 We're the only state that has it. And I
24 think this says even more if we move this

1 forward. Thank you.

2 ASSEMBLYMAN SMITH: Thanks.

3 CHAIRMAN PRETLOW: Senator?

4 CHAIRWOMAN KRUEGER: Thank you.

5 Senator Bynoe.

6 SENATOR BYNOE: Thank you,
7 Madam Chair. Good afternoon to the panel.

8 MR. MULGREW: Good afternoon.

9 SENATOR BYNOE: I'm Siela Bynoe,
10 hailing from Nassau County's 6th Senate
11 District. And it's home to communities like
12 Westbury, Hempstead, Roosevelt, Freeport,
13 Baldwin. And it's a community where there's
14 a proliferation of charter schools. And
15 those communities, school communities, are
16 sending upwards of \$120 million to charter
17 schools in this moment. And they're
18 projected to send upwards of 140 million in
19 the coming year.

20 So I understand, parents wanted
21 alternatives and options, and we respect
22 that. And what I'm seeking is to hear from
23 you today as I think we need to move forward
24 in finding some level of a balance where

1 public schools and these charter schools that
2 exist can coexist without creating a
3 disparate impact on the public school
4 education.

5 And so this district, as I already
6 stated, is oversaturated and there's yet
7 another school, charter school, scheduled to
8 come in that was just approved by --

9 MR. MULGREW: SUNY.

10 SENATOR BYNOE: -- SUNY -- thank you.
11 Not State Education Department, by SUNY.

12 MR. MULGREW: Of course.

13 SENATOR BYNOE: And so I'd like to get
14 your thoughts and hear from you directly on
15 the impacts that school communities, public
16 school communities, are having as a reality
17 of all of this funding leaving the school
18 district in terms of how it's impacting
19 programs, how it's impacting, you know, the
20 public educators and the like.

21 Thank you.

22 MS. GALLAGHER: Some of the concerns,
23 as you've heard today, I would say were
24 reflected in the building administrators'

1 position, and that is in terms of the
2 migratory issue of some of the students
3 coming back and forth between charter schools
4 into public schools.

5 The other piece of it is the
6 accountability. Many of our members will
7 talk to us about how there needs to be the
8 same accountability in charter schools as
9 there are for the public schools. That is
10 important for our membership.

11 MS. PERSON: And I would say the
12 saturation issue is a particular problem.
13 We've supported legislation that would cap
14 saturation at 5 percent of any given
15 district, sponsored by Senator Mayer.

16 When a district has more than
17 5 percent of their kids and loses more than
18 5 percent of their funding to a charter
19 school, it's destabilizing for the district.
20 It's destabilizing for the community. And
21 the current funding structure does not
22 account for that loss in a way that does --
23 that leaves the public school district whole.

24 And so addressing that saturation is

1 critically important, as well as the
2 transparency issues, the lack of a public
3 vote on the creation of new charter schools,
4 and we also -- I'm sorry.

5 (Buzzer sounding; laughter.)

6 CHAIRMAN PRETLOW: Thank you.

7 Assemblywoman Cruz.

8 ASSEMBLYWOMAN CRUZ: Thank you for
9 being here today. As a Tier 6er myself and
10 having many of your members who are in the
11 same boat, I'll be fighting right along with
12 you to make sure this changes.

13 MR. MULGREW: Thank you.

14 ASSEMBLYWOMAN CRUZ: Completely
15 different topic, but it impacts your schools.
16 The implementation of our decriminalization
17 of cannabis, and licensing, has impacted some
18 of your schools because there is a loophole
19 in the law that allows for some of these
20 locations to be in or near schools that
21 happened to not be completely a building that
22 is just a school. So if you happen to have a
23 school that has partially some sort of other
24 entity, they actually can put it within the

1 500 feet.

2 So I'm going to come to you -- this is
3 a heads up saying my colleagues and I are
4 working to close that loophole. We will be
5 coming to you. It's not that many schools,
6 but some of them are in my district, so we'll
7 be coming to you for official support on
8 this. Again, completely unrelated, but just
9 a heads up.

10 Mr. Mulgrew, thank you for your
11 statement earlier today on UFT's position on
12 the enforcement of civil immigration law as
13 well as your public statement earlier in the
14 week. When you were speaking about it, I saw
15 several of your colleagues nodding in
16 agreement, and I suspect that you all feel
17 the same way.

18 A public statement often goes a long
19 way for your members. I hear from you,
20 Henry, that there is training taking place
21 for the administration, but have any of you
22 also made public statements that your members
23 are to follow these regulations and that this
24 is the stance of the union? Because

1 leadership at a time like this is extremely
2 key. Thank you.

3 MR. MULGREW: For us at the UFT, we
4 sent out specific guidelines, state
5 guidelines on Friday. And yesterday I sent
6 out what I call the break it down so
7 everybody can understand it very simply:
8 Ding-dong, who are you, do you have a
9 warrant? Let me see it. Send it to the
10 lawyer. Is it an administrative ICE warrant?
11 Thank you, you can't come in. Have a nice
12 day.

13 Ding-dong. You have a warrant? I
14 have a judicial warrant. Send that to the
15 lawyers right away, make sure you check that.
16 Those are not easy to get, and there are
17 criteria around them.

18 So I want to be clear, when somebody
19 says to us, Well, what happens if they show
20 up with a judicial warrant? That's a whole
21 different level for them to get. They're
22 very rare, especially in -- when -- they are
23 very rare when it comes to entering a school
24 building. Because there has to be violence

1 or possibility of real violence attached to
2 it.

3 So I've sent that out to my members.
4 Usually once I send it out to my members it
5 goes public. But I understand that -- yes,
6 whatever else we need to do on this. Because
7 we need to quell the constant anxiety that
8 we're dealing with right now. We have to get
9 these children back to school. There was --

10 ASSEMBLYWOMAN CRUZ: I don't want to
11 interrupt, but I know we only have 10
12 seconds. I'd love to know if everybody else
13 has done what you were doing. Thank you.

14 MR. RUBIO: On my end, again a lot of
15 anxiety and so actually it's funny you asked,
16 I authorized a statement going out tomorrow.

17 ASSEMBLYWOMAN CRUZ: Thank you.

18 MR. RUBIO: To my members.

19 CHAIRWOMAN KRUEGER: Thank you.

20 Senator Tom O'Mara.

21 SENATOR O'MARA: Good afternoon.
22 Thank you all for being with us.

23 President Person, thank you for
24 starting out strong on CTE. Certainly a

1 strong supporter of that. And interested in
2 your thoughts on working more in conjunction
3 with our community colleges to start the CTE
4 at K through 12 and to continue on for more
5 expertise or a higher level after Grade 12.

6 What do you think is where we are
7 right now, and working? And this is open for
8 anybody, but I'll start with you, Melinda, on
9 that end. How are we working in that
10 cooperation with that next level to community
11 colleges?

12 MS. PERSON: There are a number of
13 collaborations that already exist between the
14 public schools and our community colleges
15 with regard to career and technical education
16 programs. There are a lot of dual enrollment
17 programs that currently exist. We can always
18 do more and increase those partnerships. But
19 it is really important that we align the
20 programs that we are doing in high school
21 with the opportunities that kids are going to
22 have in higher education as well.

23 MR. MULGREW: When I said before that
24 the teachers of the State of New York

1 designed the curriculum for microchip
2 manufacturing, that's where CTE starts. They
3 didn't do it on their own, they did it by
4 working with the industry itself, between the
5 different microchip manufacturing entities
6 that we have in the state.

7 The teachers then can turn it into
8 curriculum when they are actual curriculum
9 developers. That has to go through the
10 community colleges. It cannot be that, Oh,
11 we already have an established program and
12 this is what we want to continue to use. No,
13 it has to be based off what the industry
14 itself wants. That's how you actually come
15 to a real economic development.

16 I just got back, I was two days in
17 Zurich with them in Switzerland, because they
18 have this best -- the best practices on this.
19 And they were very clear, they knew about
20 what was going on in New York State, they
21 knew about CTE. They said, But around your
22 country -- and you need to do more of this --
23 actually the skills that you're training
24 people to do have to be aligned to the

1 industry. They cannot be aligned to what
2 educators think, they cannot be aligned to
3 things that have nothing to do with what we
4 want from the industry.

5 So it's a constant struggle, because
6 for years we tried to develop these programs
7 and thankfully the business side is much more
8 open to doing this. And I'm going to say
9 this as an educator, educators have been very
10 reluctant to really go into this. But you're
11 seeing the leadership here saying we have to
12 go there. Graduation rates are higher, they
13 go to college at a higher rate and graduate
14 at a higher rate. But we need to do more,
15 and we need to fast-track it.

16 MR. RUBIO: I'll turn it over just to
17 say that the vast majority of our kids in CTE
18 in New York City are leading and graduating
19 with industry certification.

20 MS. GALLAGHER: It's a priority whose
21 time has come, like Melinda said, especially
22 as we look towards the graduation measure and
23 issues that State Ed is doing, and it's a
24 pathway coming up.

1 SENATOR O'MARA: Thank you.

2 CHAIRMAN PRETLOW: Thank you.

3 Assemblywoman Pheffer Amato.

4 ASSEMBLYWOMAN PHEFFER AMATO: Good
5 afternoon.

6 So I'm Tier 4, and I don't know what
7 the problem is here today.

8 (Laughter.)

9 MR. MULGREW: Tier 4 will help Tier 6
10 like Tier 1 helped you get better Tier 4.

11 (Laughter.)

12 ASSEMBLYWOMAN PHEFFER AMATO: And you
13 know, as a champion to change this. So, you
14 know, recruitment and retention is a priority
15 for the committee, as chair of Government
16 Employees.

17 And we are going to of course attempt
18 to try and change the other parts of Tier 6,
19 but what else can we do? If we take that out
20 of the mix, what creative ideas are there out
21 there that we could work with you, either
22 recruiting from other states or keep, you
23 know, having folks take on a career?

24 As a former paraprofessional who never

1 wanted to do that but did it out of necessity
2 to raise my kids and have health benefits, I
3 really found it amazing and probably would
4 have changed, maybe, when I was in college
5 knowing what being an educator was like,
6 working with special-needs children all day
7 long. I never thought to be a teacher
8 because I don't want to teach, I like that
9 part of the responsibility.

10 So what could we do more? And what --
11 from your expertise, what could we do more
12 for that recruitment and retention?

13 MS. GALLAGHER: For retention, at
14 least for the building administrators, one of
15 the --

16 ASSEMBLYWOMAN PHEFFER AMATO: Say that
17 again? I'm sorry.

18 MS. GALLAGHER: I'm sorry. For the
19 shortage in retention of building principals,
20 much of it already rests with our mentorship
21 programs and the way that we're conducting
22 our professional development once those folks
23 get into the profession. We want to maintain
24 and make sure that they're staying. And the

1 same would be for our pipeline of our
2 teachers coming through.

3 Very few, when you go down through the
4 hallways of a school, really are aspiring to
5 be building principals. So ours is just a
6 little bit different.

7 ASSEMBLYWOMAN PHEFFER AMATO: Why are
8 they leaving? So we're not getting the
9 retention on the principals? Like why are
10 they leaving?

11 MR. RUBIO: I would say, at least for
12 New York City, it's burnout.

13 MR. MULGREW: Yeah, burnout, yup.

14 MR. RUBIO: It's a burnout issue.
15 It's just the job is not what it was years
16 ago. And they're just leaving the profession
17 before or leaving the city entirely. And
18 once they hit their -- you know,
19 November 18th is my 55th birthday. Before, a
20 principal would stay and finish the school
21 year. Now, they're gone on the next day: I
22 can't take another day.

23 And so our professional development
24 assets and our testimony provides how do we

1 become more effective school leaders, how do
2 we create a pipeline of teachers that become
3 assistant principals, assistant principals
4 that are going to become principals, to lead
5 the system? And with that constant turnover,
6 no matter what reading program we develop, no
7 matter what kind of curriculum, the constant
8 turnover is just really hurting the system.

9 I did some legislation a couple of
10 weeks ago, I can't remember which union it
11 was pushing, about if you're eligible to
12 retire and this is just me -- not to brief
13 anybody on this, but if you're eligible to
14 retire, they know that if they die in
15 service, they lose their pension. Right?
16 Versus if you die in service you get three
17 and a half times your salary. If we make a
18 change there, some people might stay a little
19 bit longer if I knew that my family was not
20 going to be harmed by that.

21 Just something to consider as you're
22 talking about it. I think you're aware of
23 it.

24 ASSEMBLYWOMAN PHEFFER AMATO: We're

1 going to have a big discussion on that. Yup.

2 MR. MULGREW: Yup, it's just -- and we
3 have to look at the people in our profession
4 who are at the low wages, about how we have
5 to fix that. Pattern bargaining has been a
6 disservice to our low-wage workers for years.
7 And for municipalities -- here we go,
8 ding-dong.

9 (Buzzer sounding; laughter.)

10 CHAIRMAN PRETLOW: Thank you.
11 Senate?

12 MR. RUBIO: But if I could just say,
13 we're going to have to pay a premium if we
14 want people to work in person. That's just
15 the reality.

16 CHAIRWOMAN KRUEGER: Thank you all.
17 Thank you and your members for the amazing
18 work you do for all our children, sincerely.

19 So I don't want to ask about the
20 dollars and cents, and I'm not asking about
21 the immigration response, because I'm so glad
22 with what you already said. But I know all
23 of us are in total panic about the next thing
24 that might be coming out of Washington

1 affecting our lives.

2 So I know you talk to people all over
3 the country in education. What are you all
4 worried about from a policy perspective next
5 that might hit us?

6 MR. MULGREW: Tying very essential
7 programs to federal money. That is our
8 biggest worry for us in this industry. And
9 yesterday I'm sure some of you are aware,
10 yesterday was a bit of a rocky day. Forget
11 about the grants program, the Medicaid portal
12 went down, all that was -- payments were
13 being stopped to states.

14 The idea that during the campaign we
15 constantly heard about IDEA will become a
16 block grant program. We are -- the lawyers,
17 multiple states are ready to react to all of
18 this. We're quite sure we can win that. And
19 all the title programs at the same time,
20 block grants. But it's more about using
21 federal dollars to do things to pit children
22 against children and community against
23 community.

24 But, you know, this is a -- this isn't

1 a -- you know, I work across the country and
2 I work across the aisle with so many, across
3 the aisle constantly, all over, and everybody
4 does understand that public school community,
5 for us, is sacred. And it's sacred to both
6 sides of the aisle. So that is what we are
7 hoping for, but we're not putting our heads
8 in the sand. We are constantly coordinating
9 legal strategies and also sorts of other
10 things just in case anything happens.

11 MS. GALLAGHER: Yeah, making sure that
12 that infrastructure is there, especially for
13 the title programs, Title I and Title II-A,
14 for our members are critical. And we've been
15 working with our national associations and
16 our federal colleagues as well.

17 MR. MULGREW: Could you imagine if
18 that happens, if that's allowed, the federal
19 government ever tries to do that and we lose
20 in court? That means every administration
21 would be able to dole out federal dollars in
22 the title programs based off of political
23 needs and not off of the actual count of
24 children in their state. It's a precedent

1 that we cannot allow to happen.

2 MR. RUBIO: The destabilizing effect
3 is too profound and we don't have time to
4 experiment with children's lives. At the end
5 of the day we've got to do what's best for
6 them. So yeah, agreed.

7 CHAIRWOMAN KRUEGER: I think you
8 probably agree with all of your colleagues.

9 MS. PERSON: We're preparing for all
10 sorts of different scenarios. Massive loss
11 of federal funds is -- is a fear. And we
12 just saw yesterday, while at the same time
13 we're talking about universal school meals,
14 the federal government's talking about
15 cutting it. Right? What does that mean for
16 the State of New York?

17 And these are all scenarios that we're
18 preparing for and particularly legal
19 strategies and action to take to make sure
20 that this doesn't happen.

21 CHAIRWOMAN KRUEGER: I think we're all
22 going to be in this fight quite a bit. And
23 yes, it involves smart legal strategies and
24 pushing back over and over again. But

1 hopefully you're right, this is an
2 across-the-aisle issue in every state for
3 everyone who cares about children.

4 Thank you.

5 MR. MULGREW: Thank you.

6 Assembly?

7 CHAIRMAN PRETLOW: Assemblywoman
8 Simon.

9 ASSEMBLYWOMAN SIMON: So thank you for
10 your testimony.

11 So I have questions for the UFT and
12 for NYSUT with regard to this training
13 pursuant to the \$10 million to train 20,000
14 teachers last year in the science of reading.
15 Can you tell me how that's kind of divided up
16 proportionally between the UFT and NYSUT and
17 the city and --

18 MR. MULGREW: Yeah, it's roughly
19 40/60. But we use your -- we also have been
20 using your actual Teacher's Choice support to
21 do that work right now, which is why we have
22 moved so quickly once we had this
23 established.

24 And that's why we always look to your

1 support for that, that teach -- we have
2 professional credits, which you know, you
3 guys passed the law teachers are required to
4 have CTLE credits, a certain number of CTLE
5 credits every year. And by far the Teacher
6 Centers of the State of New York, as an
7 entity, have given thousands and thousands of
8 CTLE credits, way past anybody else. And
9 that has now become the foundational piece
10 for training and support for educators.

11 And thankfully we have grown them, and
12 we've been very entrepreneurial by working
13 with the Department of Ed, working with
14 principals, to figure out how to make these
15 things work.

16 ASSEMBLYWOMAN SIMON: Okay. And about
17 how many teachers have been trained so far?

18 MS. PERSON: We are somewhere around
19 3,000, was my last count.

20 MR. MULGREW: On the Back to Basics?
21 Yeah, on the Back to Basics, yes.

22 ASSEMBLYWOMAN SIMON: And then who's
23 doing a better job?

24 (Laughter.)

1 MR. MULGREW: Hmm? We work in
2 conjunction. We work in conjunction. But
3 you have to -- at the same time, at the same
4 time, on the science of reading, we've
5 trained over -- just this year alone, we've
6 trained close to 40,000 teachers in that part
7 of the Back to Basics. But we were doing
8 that because of the year before.

9 MR. RUBIO: And we really do work
10 together, with our teacher centers, partner
11 with our principals and their scheduling and
12 what we're looking at, and we're training --
13 we're all working for the benefit of our
14 students, exactly.

15 (Overtalk.)

16 ASSEMBLYWOMAN SIMON: That's good to
17 hear. I just was checking. Thank you.
18 All righty, thank you.

19 MR. RUBIO: And we're getting the same
20 level of supports to train school leaders and
21 everyone.

22 CHAIRMAN PRETLOW: Assemblywoman
23 Hooks?

24 (Off the record.)

1 ASSEMBLYWOMAN HOOKS: Thank you all
2 for your testimony today. I have several
3 questions, but I'm going to kind of just
4 piggyback off of what my colleague Pheffer
5 Amato said.

6 I was also wondering as far as what
7 she said about, you know, yes, I'm a strong
8 supporter of Tier 6, and just what's next,
9 what else could we do. And I appreciate your
10 answer, but I have a question.

11 Do you have an average of
12 health-professions positions at school as
13 well as assistant principals at schools that
14 are vacant?

15 MR. RUBIO: Say the question again?
16 Do we have --

17 ASSEMBLYWOMAN HOOKS: Do you have a
18 number, according to our New York City
19 schools, for health professionals as well as
20 assistant principal positions that are
21 vacant?

22 Because I heard you say, Mr. Mulgrew,
23 how the lack of health professionals is
24 becoming a crisis. And I would just want to

1 know what that number looks like, what's that
2 crisis number look like?

3 MR. RUBIO: I can tell you there is a
4 serious concern about paraprofessionals, the
5 need for paraprofessionals, the students not
6 getting their IEP needs met. I know we have
7 a City Council hearing in New York City
8 tomorrow.

9 So what I might tell you, it is a huge
10 crisis, the number of students needing IEPs
11 is exploding. And our principals either have
12 not been getting the funding or can't find
13 someone that's willing to take that job.
14 Right? And so we've got to do a lot of work
15 on that side. And principals are stressed
16 about it, right? We want to make sure we
17 meet those needs.

18 On the assistant principal side, it's
19 clear we have postings that say what these
20 vacancies are. In our particular case we are
21 seriously concerned. It's the one thing,
22 Assemblywoman, that I lose sleep over, and
23 that's the safety of our kids. And I don't
24 want to be here one day saying that something

1 happened in a school when I've been
2 advocating to have an assistant principal in
3 every school building in New York City.

4 Principals call out sick, they are out
5 of their buildings on professional
6 development, they're entitled to take annual
7 leave days. And if there is not an
8 administrator in the building in the event
9 of an emergency -- every other one, every
10 other person is a teacher in front a
11 classroom or haven't been trained in how to
12 respond. And so we just want to make sure
13 that we have that level of safety for our
14 children.

15 Thank you for the question.

16 MR. MULGREW: We were able to increase
17 the number of nurses because during COVID the
18 nurse was the number-one person in every
19 building. We are not -- we still do not have
20 a nurse in every building. So that is
21 something we're constantly focused on. This
22 is ridiculous. During COVID everyone praised
23 the nurses, everyone wanted a nurse in every
24 school building. They were dictating the

1 policies inside of the school itself.

2 In terms of paraprofessionals, they
3 are mainline for a lot of crisis
4 intervention. When we negotiate, the
5 Department of Ed knows that their salaries
6 are too low, which is really a problem. The
7 Department of Ed tells us they agree. But
8 they say, We have pattern bargaining, so if
9 you want them to have a raise, everybody else
10 in your union has to give up part of their
11 raise to pay them.

12 In what planet are these people
13 talking from?

14 MR. RUBIO: Absolute nonsense.

15 MR. MULGREW: What company would say,
16 oh, you're right, we can't attract these
17 workers, so everybody else who works here,
18 you have to give up your raise to pay for
19 them. What kind of crap are we dealing with?

20 And the state and the City of New York
21 have always lived by, Well, it's pattern
22 bargaining, there's nothing we can do about
23 it. They probably go back in the room and
24 laugh like little jackals. Sorry.

1 (Laughter.)

2 CHAIRMAN PRETLOW: Assemblywoman

3 Giglio.

4 MR. RUBIO: He's right.

5 (Laughter.)

6 ASSEMBLYWOMAN GIGLIO: So I agree with
7 Tier 6 also. It definitely needs a fix. I
8 mean, it's long -- and when you talk about
9 mental health issues of students, I have
10 spoken to teachers that have mental issues
11 from dealing with students all day, and some
12 of them being extremely difficult, so -- and
13 I know that you're managing your teachers and
14 the people that work for you. So thank you
15 for that.

16 When it comes to community schools and
17 their success, I'd like you to just talk a
18 little bit about that -- because we talked
19 earlier about the graduation rates in
20 New York City being 83 percent -- and whether
21 or not the community schools you think would
22 be instrumental in raising that rate of
23 graduation.

24 MR. RUBIO: The answer is simple:

1 Yes. I mean, it's in our testimony. It is
2 game-changing for any community to have, to
3 be a hub and provide those services to
4 children.

5 But I'll give some of my time to my
6 colleague.

7 MS. GALLAGHER: Absolutely yes, the
8 same thing. We have so many communities --
9 we'll just take Schenectady, in the
10 Capital Area, where they're pulling in those
11 services from the community right into the
12 school to save instructional time.

13 But more importantly, we also have to
14 look at how the funding for community schools
15 is also provided. Right now some of it is
16 taken out of the Foundation Aid set-asides.
17 So, you know, we want more community schools.

18 ASSEMBLYWOMAN GIGLIO: But at least
19 it's transparent as to how they're spending
20 the money.

21 MS. GALLAGHER: Yes.

22 MR. RUBIO: Yeah, and it answers the
23 need of our mental health services. Our
24 families on their own can't find them. And

1 it's not just the student, but it's also
2 services to the family holistically. You
3 know, healing the child and the family.
4 Unless you're meeting those needs, they're
5 not going to learn algebra. It's going to be
6 very hard to read.

7 So I think that would be a
8 game-changer, absolutely.

9 MR. MULGREW: It was not the function
10 of the school originally to be the social
11 safety net for every community, but that's
12 what it has become. It's just factually
13 true. Schools are being asked to solve with
14 every issue that all the families in the
15 community are dealing with. I know that we
16 spend millions and -- tens of millions or
17 hundreds of millions of dollars on the social
18 safety net, but in the end, you know you're
19 going to get more bang for your buck at the
20 school itself. So that clearly will help.

21 But when it comes to the graduation
22 rates, one of the other things that was
23 spoken about quite a bit here today is
24 New York City's graduation rate is at

1 83 percent -- but of the 100,000 students in
2 CTE programs, it's at 91 percent.

3 So the answer is there. So let's just
4 get moving towards it. Because what -- if
5 you take the 100,000 students in CTE that are
6 at 91 percent, what would happen to the
7 graduation rate then? So that's what's
8 pulling it up. So we know what works. Let's
9 get to it. Let's come up with a better way
10 to help support that work.

11 MR. RUBIO: There's over a hundred
12 years of educators here at the table. The
13 secret to school success is really not a
14 secret. It's really not a secret. It's
15 about aligning those resources.

16 Melinda?

17 MS. PERSON: I would just end with
18 every dollar you invest in community schools
19 brings a \$6 return on investment. This is
20 well-researched, it has been proven. We're
21 asking in our testimony for a hundred million
22 dollar investment so that we can double the
23 number of community schools in the state.
24 And we think it is going to turn the state

1 around.

2 ASSEMBLYWOMAN GIGLIO: That's
3 wonderful. Thank you all.

4 MS. PERSON: Thank you.

5 CHAIRMAN PRETLOW: Assemblywoman
6 Jackson.

7 ASSEMBLYWOMAN JACKSON: Yes, leave it
8 to the social worker.

9 Let me say this. I'm going to
10 plus-one on the CTE schools, because that's
11 exactly where I was a social worker at. And
12 our graduation rate was at a 98 percent. And
13 it's only because one student didn't pass --
14 I mean, didn't graduate within the -- by
15 June, graduated later on.

16 So we will do everything that we have
17 to do to make sure we include more money in
18 the budget for CTE, for community schools,
19 for teacher centers -- all of that works.

20 But I have to say this. My favorite
21 teacher is my mom. She's a teacher out in
22 Brooklyn. Teacher's Choice reimbursement is
23 \$250. She's already spent \$350. What are
24 your thoughts on a tax credit for

1 professionals who buy school supplies?

2 MR. MULGREW: I think it's a
3 phenomenal idea.

4 ASSEMBLYWOMAN JACKSON: Okay.

5 MR. MULGREW: Okay? And let's -- and
6 you -- I mean, the teachers will spend
7 more -- and it's not just teachers. Last
8 year -- and I thank you for making available
9 to City of New York billions of dollars for
10 the migrant crisis, but for some reason
11 teachers had to keep buying food, clothing
12 and everything else for the migrants. I
13 don't know why New York City did not try to
14 implement those funds in an appropriate way.

15 I should stop on that now.

16 (Laughter; overtalk.)

17 MR. RUBIO: My wife's a teacher. The
18 answer is absolutely yes.

19 ASSEMBLYWOMAN JACKSON: So the answer
20 is yes.

21 MR. RUBIO: She spends more than \$300,
22 but yes.

23 ASSEMBLYWOMAN JACKSON: Exactly.

24 MR. MULGREW: Yes, but a state tax

1 credit would clearly be something -- and it
2 is part of -- Melinda wants to talk to this.
3 It's clearly something we're saying we need
4 to look at.

5 And it also -- you have to remember
6 once you do it for a couple of years, we will
7 be able to see how many teachers across the
8 state are actually participating in that.

9 MS. GALLAGHER: And I would be remiss
10 if I didn't say also I love the way that you
11 word it, all educators. Because certainly
12 our building principals, when all those kids
13 come in --

14 ASSEMBLYWOMAN JACKSON: Social
15 workers, I think we got 150 back, but we
16 definitely spent way more than that.

17 And just on the topic of social
18 workers, what are your thoughts on removing
19 the license to -- removing the exam for
20 social workers to be licensed? Would that
21 create more social workers in the system?
22 Are you guys opposed or --

23 MR. MULGREW: We are talking -- we're
24 going to let our social workers define our

1 final position.

2 But I do understand that New York
3 State has this test that has clearly become
4 an impediment in terms of us raising the
5 number of social workers we would have access
6 to. And that's -- until our social workers
7 come to us with their final position, that's
8 where we're at.

9 MS. PERSON: Agreed. Same.

10 MR. RUBIO: Don't know enough about
11 it, but you asked a question earlier,
12 Assemblywoman, about the adequate number of
13 social workers. We need significantly more.

14 I know as a high school principal
15 alone -- very quickly, in 20 seconds, I
16 inherited a school with 2,000 kids, a high
17 school with a 62 percent graduation rate.
18 One of the first things I did, I had guidance
19 counselors with a caseload of over 600 and I
20 gave them 250 kids and I had one and a half
21 social workers that I shared, and that
22 alone -- if you can't take care of their
23 needs, they're not going to learn algebra,
24 social studies, global studies.

1 My -- when I left that school, it was
2 at 89 percent graduation rate.

3 ASSEMBLYWOMAN JACKSON: Thank you.

4 CHAIRMAN PRETLOW: Thank you.

5 Assemblymember Maher.

6 ASSEMBLYMAN MAHER: Thank you.

7 So I really enjoyed especially the
8 candor. It's been a lot of fun to hear some
9 of your responses. It's been educational,
10 too, for me.

11 I'm new to the Education Committee,
12 but not new obviously to the process and
13 having children and being, you know, the
14 family member of a mother and brothers and my
15 wife, who are all teachers.

16 (Overtalk.)

17 MR. MULGREW: That must have been
18 interesting.

19 ASSEMBLYMAN MAHER: No, it's -- a lot
20 of them. Most of my family's teachers.

21 So one area that I think we can be a
22 little creative, speaking about CTE, I'm a
23 former village mayor and a former town
24 supervisor, and one thing we did was we

1 identified a lot of our municipal-owned
2 properties that are vacant. And I've seen a
3 lot of collaborations with cities and towns
4 and school districts and/or nonprofits to
5 donate a building for a dollar, now they
6 don't have to have the maintenance costs, and
7 it saves districts money on different
8 projects.

9 And I know in upstate New York a lot
10 of our challenges with BOCES, and even
11 students' participation, is the
12 transportation to and from the BOCES Center.

13 So has there been discussions of
14 utilizing some of these municipal-owned
15 properties, or school-owned properties, in a
16 way that doesn't compete with BOCES but
17 supplants the efforts?

18 MS. PERSON: I have not heard about
19 those discussions yet, but I would definitely
20 be interested in entertaining them.

21 I know BOCES are getting increasingly
22 creative about sites. BOCES programs are
23 actually locating themselves within school
24 districts now, when their space allows. But

1 the process by which BOCES get capital
2 projects approved is labor-intensive, and so
3 there are some things that we could do in
4 that regard as well as to make sure that they
5 have access to the facilities that they need.

6 MS. GALLAGHER: We recently -- not a
7 discussion that I've heard. However, it was
8 prevalent when we were talking about
9 expanding districts in universal pre-K when
10 they were talking about collaborations with
11 daycares and trying to find that fit.

12 ASSEMBLYMAN MAHER: Yeah, that's the
13 biggest issue. There's not real universal
14 pre-K because there's just not enough seats
15 to go around and use the funding.

16 MR. RUBIO: I was just going to say I
17 have had conversations with the department in
18 the city around -- and City Council folks
19 about identifying properties in neighborhoods
20 where we need schools, and repurposing
21 buildings as well. I think it's an important
22 thing that we can do.

23 We're having office space that's
24 getting freed up in New York City. We have

1 high schools that are in office buildings
2 already, and taking that space to create
3 schools and lower class size. So those are
4 all things that I think I've had
5 conversations with the administration about.

6 ASSEMBLYMAN MAHER: Maybe coming from
7 all of you in your leadership positions,
8 having some municipalities and even school
9 districts do an inventory of buildings that
10 are vacant and could be reused to start might
11 be something that would be worth exploring.

12 The last thing I'll say is I'd love to
13 get your opinion, as someone who graduated
14 public school, a very huge advocate for
15 public schools -- but I also sympathize and
16 support a lot of our parents who choose to
17 homeschool their children. And I know the
18 letter of substantial equivalency can be an
19 issue when school districts do not allow it,
20 and it could impact kids getting the funding
21 for college and a variety of other issues.

22 Where do you guys stand on that letter
23 of equivalency?

24 MR. MULGREW: We're going to get

1 ding-donged, but --

2 (Timer chiming; laughter.)

3 MS. GALLAGHER: To be continued.

4 MR. MULGREW: What the process would
5 go right now at SED for that is where that
6 should be interjected --

7 ASSEMBLYMAN MAHER: Thank you.

8 CHAIRMAN PRETLOW: Thank you. Thank
9 you very much.

10 There are no other legislators wishing
11 to ask questions, so this is your dismissal.

12 MR. MULGREW: Thank you very much.

13 CHAIRMAN PRETLOW: You are the
14 guardians of our future. Keep up the good
15 work. Thank you for all that you do.

16 Panel B: Conference of Big 5 School
17 Districts; Buffalo Public Schools; Rochester
18 City School District; Syracuse City School
19 District; Yonkers Public Schools; Mount
20 Vernon Public Schools; City School District
21 of Albany; and Utica Public Schools.

22 (Off the record.)

23 CHAIRMAN PRETLOW: (Mic off.)

24 -- Buffalo's not here. Is that the

1 case?

2 MS. PYLE: Buffalo was here. They had
3 a pressing matter in the district, and
4 thought they'd be on earlier, so she had to
5 leave just a bit ago. She did submit written
6 testimony.

7 CHAIRMAN PRETLOW: All right.

8 So do we have any specific order that
9 we're going to do this?

10 MS. PYLE: We're alphabetical by
11 district, the Big 5 and then our affiliate
12 districts, if that's okay with you.

13 CHAIRMAN PRETLOW: Okay, the Big 5 and
14 then the Little 2 that you added on there.

15 (Laughter.)

16 CHAIRMAN PRETLOW: I know how that
17 works.

18 MS. PYLE: It will be like the
19 Little 3.

20 CHAIRMAN PRETLOW: That's the
21 Little 3. You picked up Albany now, right?
22 So you've got Albany, Mount Vernon, and
23 Utica, is that how it goes?

24 MS. PYLE: Correct. Correct. We're

1 all here.

2 CHAIRMAN PRETLOW: The Big 5 and the
3 Little 3. All right, Jennifer, you -- oh.
4 Before we start the clock, can everyone
5 identify themselves?

6 MS. PYLE: Sure. Jennifer Pyle,
7 executive director of the Conference of Big 5
8 School Districts.

9 ROCHESTER SUPT. STRICKLAND: Good
10 afternoon, Demario Strickland, interim
11 superintendent of the Rochester City School
12 District.

13 SYRACUSE SUPT. DAVIS: Anthony Davis,
14 superintendent of Syracuse City School
15 District.

16 YONKERS SUPT. SOLER: Anibal Soler,
17 superintendent, Yonkers Public Schools.

18 ALBANY SUPT. HOCHREITER: Joseph
19 Hochreiter, superintendent in Albany and
20 founding member of the Big 5.

21 (Laughter.)

22 MOUNT VERNON ACTING SUPT. SMITH: Good
23 afternoon. I'm Dr. K. Veronica Smith, acting
24 superintendent of Mount Vernon City School

1 District.

2 UTICA SUPERINTENDENT SPENCE: Good
3 afternoon. Dr. Christopher Spence,
4 superintendent of Utica City School District.

5 CHAIRMAN PRETLOW: Welcome all.

6 MOUNT VERNON ACTING SUPT. SMITH:
7 Thank you.

8 MS. PYLE: So good afternoon, folks.
9 As I just said, I'm Jennifer Pyle. I serve
10 as executive director of the Conference of
11 Big 5 School Districts, representing Buffalo,
12 New York City, Rochester, Syracuse, Yonkers,
13 Albany, Mount Vernon, and Utica city school
14 districts.

15 Thank you for providing us with the
16 opportunity to testify before you today, and
17 for your unwavering commitment to meeting the
18 needs of the urban school districts in
19 New York State.

20 We're pleased that the Executive
21 Budget draws upon the Rockefeller Institute
22 of Government's recommendations and proposes
23 adjustments to the existing Foundation Aid
24 formula that would update the poverty

1 measures embedded so that they more
2 accurately reflect current demographics in
3 our communities. This is a good start.

4 However, it's imperative that the
5 state thoughtfully consider all of the
6 Rockefeller Institute's far-reaching and
7 comprehensive recommendations and commit to a
8 Foundation Aid formula that is transparent,
9 predictable, and distributes funding in an
10 equitable manner reflective of unique student
11 needs.

12 In particular, we urge you to make
13 adjustments to the formula's Regional Cost
14 Index to ensure it adequately reflects
15 variations in the cost of delivering services
16 in different parts of the state.

17 In addition, the state must recognize
18 that resource allocation decisions are best
19 managed by experienced educators at the local
20 level. The Rockefeller Institute recommended
21 elimination of the set-aside requirements,
22 and we urge you to take action to afford
23 school districts the ability to target
24 funding where it is most needed.

1 Lastly, we appreciate the Executive's
2 proposed maintenance of full funding of
3 expense-based aids. However, we strongly
4 oppose the November database freeze.

5 All of our school districts remain
6 deeply concerned about our students' mental
7 health and are well aware of the dangers of
8 excessive cellphone use. We appreciate the
9 Governor's focus on this important topic.

10 However, we're very concerned that a
11 one-size-fits-all approach could prove
12 challenging for a plethora of reasons,
13 including the climate of fear that's been
14 brought on by actions taken at the federal
15 level in communities, including ours, across
16 the state.

17 We are already hearing firsthand that
18 children are expressing fears about having no
19 easy way to keep in touch with their families
20 during the school day. They're deeply
21 concerned that their parents will not be
22 there when they return home at the end of the
23 day. And again, we recognize that these are
24 issues that would have to be managed, and you

1 can't have students on their phones all day.
2 But again, these are situations where we
3 would know what to do, what's appropriate,
4 what's not appropriate.

5 We also question the need for
6 additional reporting, and we strongly believe
7 that all children must be provided with
8 robust media literacy education.

9 CHAIRMAN PRETLOW: Thank you,
10 Ms. Pyle.

11 MS. PYLE: Thank you.

12 ROCHESTER SUPT. STRICKLAND: So great
13 afternoon again. I am Dr. Demario
14 Strickland, interim superintendent of the
15 Rochester City School District.

16 I want to extend a special thank you
17 to the chairs of this committee, the
18 Rochester delegation, and the entire
19 Legislature. I am grateful for your
20 unwavering commitment to meeting the unique
21 needs of our district.

22 This year the district launched Invest
23 in Tomorrow, a comprehensive school
24 reconfiguration plan designed to enhance

1 learning and extracurricular opportunities
2 for students with highly qualified staff and
3 diverse programming. This initiative aims to
4 meet the varied interests of our students
5 while addressing the enrollment decline we
6 have experienced for over a decade.

7 Additionally, we are excited to embark
8 on phase 3 of the facilities modernization
9 program. This multi-million-dollar
10 initiative will deliver modernized
11 state-of-the-art facilities for our students
12 and staff.

13 Rochester is one of the districts with
14 the highest needs in New York State, and the
15 following are several key policies that the
16 Board of Education and I have outlined for
17 this year. We are grateful that the
18 Executive Budget reflects an increase in our
19 Foundation Aid allocation. As you are aware,
20 the funds are used to effectively address the
21 unique needs of students, particularly those
22 with special programming. This adjustment
23 will ensure that educational resources are
24 allocated appropriately, fostering a more

1 inclusive and supportive learning
2 environment.

3 Additionally, these funds will support
4 professional development for our educators in
5 implementing research-based reading
6 strategies.

7 We implore you to place a moratorium
8 on adding charter schools and expanding
9 current schools. Currently, 29 percent of
10 public school students in the City of
11 Rochester attend charter schools. This year
12 we will pay more than \$141 million in charter
13 school tuition. Furthermore, this
14 proportionate number of special-needs and ELL
15 students our district serves contributes to
16 higher costs associated with their education.

17 It is important to highlight that this
18 situation creates an uneven playing field.
19 This inequity requires immediate attention to
20 ensure a fair and sustainable education
21 system for all students. We request that you
22 limit charter school saturation in urban
23 centers and designate the New York State
24 Board of Regents as the sole

1 charter-authorizing entity.

2 In the coming years, we must enhance
3 and expand our technological resources and
4 formally request another round of funding
5 through the Smart Schools Bond Act.

6 And finally, we also request the
7 expansion of specialized aid and career and
8 technical education. The funding cap of 3900
9 per student requires an increase.

10 CHAIRMAN PRETLOW: Thank you,
11 Mr. Strickland.

12 SYRACUSE SUPT. DAVIS: Good afternoon.
13 I'm Anthony Davis, the superintendent of
14 Syracuse City School District, and I would
15 like to thank you for allowing me the
16 opportunity to be here today to discuss the
17 Executive Budget from the perspective of the
18 Big 5 -- more specifically, students in
19 Syracuse.

20 We are thankful that the Governor has
21 taken into consideration the Rockefeller
22 report on the Foundation Aid formula and has
23 incorporated some of the recommendations
24 changing the allocation of funding for

1 Syracuse that has benefited our district.
2 This change has had a positive effect on
3 funding, but we recognize that there are more
4 changes that are needed in order for this
5 formula to be equitable for our school
6 districts and students in New York State.

7 We have over 20 percent of our
8 students in need of special education
9 services, and another 20 percent that are
10 English language learners in our district.
11 So further revisions are needed to be made to
12 be equitable for our students in our
13 district.

14 Due to the expiration of federal
15 stimulus funding through sources like ARPA,
16 we will need continued state aid increases in
17 funding to adequately address the academic,
18 social-emotional and technological needs of
19 our students. Post-COVID our district has
20 experienced a dramatic change in the needs of
21 our students and families. Our schools are
22 looked upon by our community as a safe place
23 to go for assistance, and we have an
24 obligation to do all we can to assist them.

1 Whether it's through community
2 schools, after-school and summer school
3 programming, our partnerships with mental
4 health providers are things that we
5 concentrate on constantly.

6 As you may know, Syracuse continues to
7 be the poorest -- one of the poorest
8 communities in the state. In fact, on recent
9 Census data, Syracuse's child poverty rate is
10 one of the highest in the nation.

11 We strongly believe that education is
12 the way to break this cycle of generational
13 poverty, but we need students to be in school
14 in order for them to excel. We request that
15 additional funding is allocated to districts
16 that are experiencing chronic absenteeism,
17 which is an issue facing many of our schools
18 today.

19 As our district embarks on the first
20 regional STEAM high school in the state, with
21 a cohort of ninth-grade students in September
22 of 2025, Special Services Aid and additional
23 Career and Technical Education funding must
24 be allocated in our education funding. We

1 have expanded our CTE programs to over 30,
2 and are even implementing exploratory
3 programs in our middle schools so that our
4 students have opportunities when these
5 opportunities come to fruition in Central
6 New York. A state aid formula that excludes
7 ninth-graders in the calculation needs to be
8 evaluated and adjusted.

9 Finally I'd just like to touch base on
10 reading intervention initiatives, as the
11 Governor has continued to champion a focus on
12 literacy.

13 CHAIRMAN PRETLOW: Thank you,
14 Mr. Davis.

15 YONKERS SUPT. SOLER: Good afternoon,
16 Chairpersons Krueger, Pretlow, Mayer,
17 Benedetto, distinguished members of the
18 committees, and of course the Yonkers state
19 delegation.

20 My name is Anibal Soler, Jr., and I'm
21 the proud superintendent of Yonkers Public
22 Schools. I thank you for the opportunity to
23 speak on behalf of the 24,000 students that I
24 proudly serve.

1 Before I begin, I want to extend my
2 heartfelt gratitude to the Yonkers state
3 delegation for their continued advocacy and
4 support over the many years. Your collective
5 efforts have laid the foundation for what has
6 become a remarkable story of progress.

7 My message today, though, is simple:
8 Protect our progress, protect the investment,
9 protect Yonkers Public Schools.

10 I may be new to Yonkers Public
11 Schools, but this isn't a new problem. Year
12 after year, Yonkers comes here with the same
13 issue. This isn't about failed leadership,
14 it's just about having the vision to fix a
15 flawed funding formula. We are New York's
16 third largest school system and are the only
17 one in the Big 5 graduating students at a
18 90 percent rate, an accomplishment everyone
19 should be proud of across the state, an
20 accomplishment we must protect.

21 However, today I'm here to sound the
22 alarm. This progress in investment is at a
23 significant risk -- we're facing a
24 \$68 million budget structural gap, a

1 structural deficit which we simply cannot
2 solve on our own. We have minimal reserves
3 and using them entirely to close this gap
4 would be reckless.

5 Last year we made tough decisions --
6 we eliminated a hundred positions, and we
7 closed two schools. Now we're seeing the
8 impact of that across our classrooms in the
9 quality of education we are providing. An
10 example is that our current ratio of
11 counselor to students is one to every 500.

12 If we're forced to cut further, the
13 results will be devastating, including
14 additional reductions to staff, rightsizing
15 the school system, the elimination of
16 after-school programs and potentially
17 athletics, limited access to technology.
18 These cuts would jeopardize the graduation
19 rate that we've worked so hard to achieve.

20 The funding formula simply does not
21 work for Yonkers. While Buffalo, Rochester,
22 Syracuse have most of their costs covered by
23 the state, Yonkers has relied on local
24 taxpayers contributing over \$498 million over

1 the past 13 years. The Foundation Aid
2 formula penalizes Yonkers due to high
3 property values in Westchester County, with
4 our costs, similar to New York City's, far
5 exceeding our funding.

6 Adjusting the Regional Cost Index
7 would bring an additional \$22 million to our
8 district.

9 Adding to our challenges are unfunded
10 mandates like the Heat Index Bill and
11 proposed policies like the statewide
12 cellphone ban. This is about fairness, and
13 Yonkers sets the standard for what's possible
14 in a diverse urban community. Our students
15 deserve to have the same funding
16 opportunities as their peers.

17 I urge you to address the gap and
18 protect Yonkers Public Schools. Fix the
19 funding formula and fund a learning
20 environment that doesn't bankrupt our
21 students from an educational experience like
22 many of the districts that surround us in
23 Westchester County. Let us fund a school
24 experience for our students that we all can

1 be proud of.

2 ALBANY SUPT. HOCHREITER: Good
3 afternoon. I'm Joseph Hochreiter,
4 superintendent of the City School District of
5 Albany. And thank you for allowing us to
6 share our budget priorities.

7 The State of New York has made
8 significant progress in recent years,
9 delivering fiscal equity for students,
10 families and taxpayers in high-needs school
11 districts, including Albany. In our school
12 district, the fulfilled promise to fully fund
13 Foundation Aid for all New York districts by
14 the '23-'24 school year closed an annual
15 shortfall of more than 26 million here in
16 Albany.

17 As one of New York's urban school
18 districts that for years was underfunded and
19 under-resourced, as a result we relied on our
20 taxpayers due to these funding inequities and
21 are grateful that we are able to reach a
22 newly level playing field.

23 We continue to be grateful for the
24 state's commitment to equity and your

1 recognition of our community's unique needs.
2 This is reflected in the recommendations
3 brought forward last month by the
4 Rockefeller Institute of Government to retool
5 the state's funding formula, and in the
6 Executive Budget that the Governor recently
7 proposed.

8 In particular, we're heartened by the
9 Rockefeller's recommendations to modernize
10 poverty measures, take into account
11 cost-of-living differences across the state,
12 support school districts with large and
13 growing enrollments of English language
14 learners, and change the formula to remove
15 elements better treated as categorical aids,
16 such as funding for students with
17 disabilities.

18 We applaud the Governor for reflecting
19 this commitment in her budget proposal as
20 well as her plan to maintain the important
21 hold-harmless process for school districts.

22 It's clear that the thoughtful and
23 inclusive process in which the state is
24 engaged brought New York significantly closer

1 to fair and equitable school funding. We ask
2 that you maintain this focus on funding
3 equity and the unique needs of individual
4 school districts and communities as you plan
5 to support the needs of all students in
6 New York.

7 With these fundamentals in mind, our
8 school district has identified the following
9 priorities. We ask that you continue to
10 identify and address the unique challenges of
11 individual school districts. Right here in
12 the state's capital city, those challenges
13 include 63 percent of our property is
14 tax-exempt; one in three children live in
15 poverty; and the oversaturation of charter
16 schools in Albany is among the highest.

17 We also are a federally designated
18 resettlement city, a fact in which we take
19 great pride. Our enrollment of English
20 language learners has grown more than
21 35 percent last year and comprises 20 percent
22 of our total enrollment.

23 We continue to advocate for funding
24 for pre-kindergarten. This is especially

1 important in high-needs districts like ours
2 who were early implementers of full-day pre-K
3 but hampered by an outdated formula.

4 We know you're aware of the ominous
5 statistics of the future of teaching in
6 New York. We salute the meaningful steps the
7 state has taken to address these looming
8 changes. We urge you to continue to develop
9 new pathways that will break through barriers
10 that make it difficult for school districts
11 to create and sustain "grow your own"
12 programs. Thank you.

13 CHAIRMAN PRETLOW: Thank you.

14 MOUNT VERNON ACTING SUPT. SMITH: Good
15 afternoon. Thank you, honorable members of
16 the New York State Legislature for providing
17 us an opportunity to provide testimony.

18 I want to take the opportunity to
19 thank the chairs of these committees and the
20 entire Legislature, but I want to
21 specifically thank Gary Pretlow and Shelley
22 Mayer for all the support that they've
23 provided to the Mount Vernon City School
24 District. And I look forward to meeting with

1 you on Friday.

2 As the acting superintendent for
3 Mount Vernon City School District, I
4 appreciate the opportunity to address you and
5 discuss our priorities for the Executive
6 Budget and its impact on our district.

7 In better times, I would love to be
8 here talking about Mount Vernon's academic
9 achievements and education priorities for the
10 next school year. But the current fiscal and
11 structural state of the district must be put
12 in the forefront. While we have numerous
13 challenges, I will keep this to four major
14 priorities.

15 So recently the New York Comptroller
16 designated Mount Vernon City School District
17 one of two school districts classified as
18 being significantly in fiscal distress.
19 Basically, this is significant because we
20 have a decline in enrollment coupled with
21 increased student needs. So while our
22 enrollment several years ago used to be about
23 10,000, it's down to 6,500. However, the
24 needs of our students are increasing

1 tremendously. So this decline represents
2 1,577 students, or 19.6 percent during this
3 period. There's a forecast that by 2033,
4 we'll have an enrollment of 5,168.

5 Because of this declined enrollment
6 and because of our fiscal constraints, we
7 plan -- while the board voted for us to close
8 three schools and we're doing a restructuring
9 of our buildings, we are hoping to pull
10 ourselves out of the hole that we're in and
11 we believe that we'll have a path forward.
12 And we want to be able to educate our
13 students in the same way that -- the
14 surrounding neighborhoods have wealth, and we
15 want to be able to give our students
16 everything that they have.

17 So although we have this decline, we
18 still need to educate our students. Although
19 we're in fiscal distress, we still need to
20 educate our students. Over the last five
21 years our general-fund costs for
22 special-needs students have increased from
23 39 million to 60 million. This accounts for
24 over 22 percent of the budget.

1 UTICA SUPERINTENDENT SPENCE: Good
2 afternoon. This is Dr. Spence of the Utica
3 City School District. It's a pleasure to be
4 in your company today, and I'm privileged to
5 represent our district.

6 So our mission here since we've come
7 in is pretty clear. We're working to enhance
8 educational opportunities and enhance
9 educational attainment and occupational
10 attainment. The challenge is sustainability
11 for us.

12 One of the things that we're focusing
13 on primarily is our new capital improvement
14 project for our career and technical
15 education so we can expand pathways to
16 higher-wage employment once our students exit
17 the secondary system. That new innovative
18 idea comes with additional costs --
19 administrative costs, maintaining the
20 facilities, et cetera, et cetera.

21 Additionally, when we look at some of
22 the other initiatives that we're working to
23 employ to really provide wraparound services
24 for our students as they come with diverse

1 challenges and needs, we've extended our
2 extended-day learning opportunities. And so
3 far we've done it for half a year with a
4 budget of about 3.2 million, which will
5 probably be double that and which will
6 escalate.

7 So as we're working to address these
8 needs and really wrap our arms around these
9 children with the different program
10 attributes, it's the sustainability that
11 we're concerned about. Just to run off some
12 numbers, approximately 82 percent of our
13 general-fund budget is supported by state
14 aid, and property taxes make up approximately
15 12 percent of the revenue. This limits the
16 district's opportunity to raise revenue to
17 support escalating costs associated with
18 contractual obligations and benefits to
19 support students.

20 Foundation Aid accounts for over
21 75 percent of our state aid package, which
22 was previously provided to districts to pay
23 for any and all expenses as the district
24 deemed necessary. However, the percentage

1 allocated to the C4E set-aside continues to
2 increase, which specifies what the money can
3 be used for. So again, we're working to
4 maximize and utilize the budget in ways that
5 will provide greater opportunities for our
6 students, but we're also thinking about the
7 sustainability of the programming that we're
8 working to implement.

9 In addition to that, we again -- us
10 being a very diverse district, we have our
11 ELL students, special-education students,
12 about 84 percent of the district is
13 economically disadvantaged. And when you
14 stack that classification of students, it
15 equates with a variety of assets that
16 students bring, but also challenges in
17 regards to educating the students as well
18 because we sometimes need more staff to
19 address some of the issues that we
20 experience.

21 So again, we are coordinating our
22 existing resources in a way that will have
23 the maximum impact, but we're also thinking
24 about sustainability in the long term.

1 CHAIRMAN PRETLOW: Thank you. Thank
2 you one and all.

3 Assemblyman Magnarelli.

4 ASSEMBLYMAN MAGNARELLI: Hello,
5 everyone. And a couple of people at the
6 table I do know. Mr. Davis, how are you?

7 SYRACUSE SUPT. DAVIS: I'm well, sir,
8 how are you?

9 ASSEMBLYMAN MAGNARELLI: Good. And
10 thank you. Thank you all for coming. I only
11 get three minutes too.

12 The superintendent of Syracuse
13 understands what I'm about to say because
14 we've been working together. Okay? Chronic
15 absenteeism is something that affects
16 everybody across the state. I'm sure it's
17 affecting all your school districts as well
18 as Syracuse, maybe one a little bit more than
19 the other.

20 What I've come to see from the few
21 meetings that we've had with other
22 stakeholders is that school districts have to
23 partner with other stakeholders in the
24 community in order to really make a dent in

1 absenteeism. Whether it's county social
2 services, the police, the district attorney's
3 office, there's a lot of people that have to
4 be talked to and brought together to the
5 table. Okay?

6 I feel also, though, that not only
7 with chronic absenteeism -- the same holds
8 true for other social services. Because I
9 don't believe that schools are the answer to
10 all the social ills of our community.

11 So what are our school districts doing
12 to bring those other community partners to
13 the table? That's my question. Anybody can
14 answer.

15 SYRACUSE SUPT. DAVIS: Well, first of
16 all, thank you. Thank you for your
17 partnership, because you've been able to
18 bring many of the right people to the table
19 that we've been able to benefit from their
20 expertise.

21 And I think we've modeled that in
22 other areas. So we're doing a lot of work
23 with some of the hospitals towards our mental
24 health services. So I think we're doing the

1 same model, but we're just doing it in
2 different areas of our needs. So I think
3 we've created an environment where people are
4 willing to come to the table because they see
5 the work that we're trying to do, and we're
6 trying to do it as a full community.

7 So I think we've had a solid impact on
8 how we apply and how we approach some of
9 these.

10 ASSEMBLYMAN MAGNARELLI: Okay.

11 YONKERS SUPT. SOLER: And I know I'm
12 not Syracuse, but I'd like to add to the
13 response.

14 I think you heard from the previous
15 panel, community schools is a solution to
16 chronic absenteeism. It makes the school the
17 hub for the community. You embed resources,
18 health clinics, social/emotional. You extend
19 the school day, you go into weekends. You
20 provide meals. Community schools is a
21 solution that would help address.

22 So I would say, you know, we're trying
23 to do that in Yonkers, that we have three
24 community schools out of our 40 campuses. As

1 we relaunch our strategic plan, to me that's
2 going to be one of our fundamental pillars,
3 is that we launch more community schools.
4 You know, schools that are grounded in
5 neighborhoods, that have resources in there.

6 Everybody knows how to get to school.
7 The issue is can we disrupt the other things
8 that take them out of school, like doctor's
9 visits, maybe immunizations, things that we
10 know are inherent barriers to sometimes our
11 kids coming to schools. Making sure there's
12 safe pathways to school, making sure that,
13 you know, if we have kids go to schools more
14 in their neighborhoods, we are less likely to
15 have -- or they're more likely to have a
16 safer pathway to school.

17 CHAIRMAN PRETLOW: Senator?

18 CHAIRWOMAN KRUEGER: Thank you.

19 Senator Shelley Mayer.

20 SENATOR MAYER: Well, thank you to all
21 of you for coming. Thank you for
22 highlighting the real challenges of urban
23 school districts.

24 First, you know, thank you, Mr. Soler,

1 for your leadership in Yonkers. And I know
2 the leader's not here, but Gary and I also
3 represent parts of Yonkers as well as
4 Assemblyman Sayegh.

5 The Regional Cost Index is something
6 that we have pushed to have addressed. It
7 was referenced in the report, but it was
8 included in the Governor's proposal. You
9 identified it as bringing \$22 million more,
10 which would be a significant shift
11 adjustment.

12 Without that, and without additional
13 money, are you suggesting you would have to
14 lay off staff again, as was the threat last
15 year?

16 YONKERS SUPT. SOLER: Yeah, I think
17 the challenge -- and you guys know this
18 better than me, because you've been in
19 Yonkers longer than I have -- is the
20 structural deficit. You know, every time
21 when the runs come out, our dependence -- you
22 know, the poverty rates don't work in our
23 favor, given the county that we are located
24 in.

1 So if we don't get additional support
2 in some form or fashion, we are looking right
3 now currently, with the runs that were given
4 by the Governor's office, at a \$68 million
5 structural gap. We could use some of our
6 reserves, but I will be clear to say we used
7 the reserves last year, 40 million of it, to
8 help cover the gap, which only leaves us
9 30 million left. And so when you look at our
10 reserves in comparison to similar-sized
11 school systems, we are very much at the bare
12 end of it.

13 And if we use it, we could cut it in
14 half, but next year the challenge is even
15 greater.

16 SENATOR MAYER: Yeah, I understand
17 very well. We -- the Governor does propose
18 to change the poverty measures and not use
19 the old poverty measures. And that does have
20 an impact on Yonkers which, even under her
21 proposal, does increase. And I spoke to the
22 mayor about that.

23 I did want to ask Dr. Smith about we
24 know Mount Vernon -- thank you for your

1 acknowledgement -- has really severe
2 challenges this coming year. What is
3 necessary in order to get Mount Vernon onto
4 firmer footing?

5 And are you supportive of having a
6 fiscal monitor? I don't know if you were
7 here when we asked Commissioner Rosa about
8 that. And I think there is openness to
9 proposing a fiscal monitor for Mount Vernon.

10 How do you feel about that?

11 MOUNT VERNON ACTING SUPT. SMITH: I'm
12 very open to having a fiscal monitor. You
13 know, we've had challenges. You know, I'm
14 sitting in this seat because of what appears
15 to be mismanagement of grants.

16 But our problem is -- there's many.
17 We have transportation that went up to
18 19 million from 12. We've had our fiscal
19 structure that we're worrying about. You
20 know that at the beginning of the school year
21 we had a ceiling that collapsed in the
22 building --

23 SENATOR MAYER: Yes.

24 MOUNT VERNON ACTING SUPT. SMITH: --

1 and we had to delay school opening.

2 Having a monitor to me will be good.

3 I'm the acting superintendent, and I think
4 that it would be extremely helpful to have a
5 fiscal monitor.

6 SENATOR MAYER: Thank you. Good to
7 know that. Thank you very much.

8 CHAIRMAN PRETLOW: Assemblyman Maher.

9 ASSEMBLYMAN MAHER: Thank you,
10 everybody. Thank you so much for being here.
11 And I definitely can see that a lot of your
12 concerns are geared towards providing
13 funding. It's important to a lot of the work
14 that you're doing, and you're doing some
15 great work. And we all appreciate that.

16 When it comes to the formula in
17 Foundation Aid, I think you're going to see a
18 bipartisan support, as you've seen over the
19 years, understanding, really understanding
20 and listening to all of you, the concerns.
21 Hopefully we'll be able to get to a place
22 where the Governor can come along and we can
23 make that better.

24 However, most of the school districts

1 that I have talked to north of New York City
2 are talking about an issue that I really
3 don't even want to bring up, but it's that
4 big of an issue. With all the funding
5 challenges that you have, I'm very curious to
6 know if you all agree that we should put a
7 pause on the 2027 electric bus mandate that
8 you all have to deal with and you all have to
9 forecast for and put money towards.

10 How are your feelings towards that?
11 Do you agree that it should at least be a
12 pause? And this is coming from someone who
13 believes electric vehicles is the future, who
14 absolutely believes that we should limit our
15 fossil fuels. We absolutely need to. But I
16 have my concerns and believe that we should
17 study this more and pause it. How do you
18 guys feel?

19 MS. PYLE: Just -- I'll make a brief
20 statement, then turn it over.

21 So we have concerns. Keep in mind,
22 though, in most cases we don't -- we own
23 very, very few buses. So we contract out for
24 the lower grades, and for high school most

1 everyone uses municipal buses. So we've been
2 concerned all along about the implications
3 for the rates we will pay, which are already
4 very, very high. And frankly upstate there's
5 very limited competition. So again, it's a
6 little bit different because we don't own our
7 own fleets.

8 I'm going to let them jump in.

9 UTICA SUPERINTENDENT SPENCE: I can
10 just speak to the infrastructure. You know,
11 in the City of Utica we don't have the
12 infrastructure to build a grid to sustain
13 that. And, you know, absent eminent domain,
14 we don't have the ability to find that
15 property to really build and then, you know,
16 implement that.

17 And then against the -- the costs will
18 be conferred to the districts. So again, it
19 comes down to the rate and sustainability.

20 ALBANY SUPT. HOCHREITER: I'll just
21 add a brief point to what Jennifer mentioned.
22 We finally in Albany are at pre-COVID bus
23 rides and numbers through our contractors.
24 And this year alone, our costs for

1 contracting bus services is up 30 percent.
2 So I can only imagine what it will be when
3 some of these mandates come into play.

4 ASSEMBLYMAN MAHER: Do we agree that
5 we should probably pause it? That 2027
6 deadline is coming up, and you're already
7 going to have to spend money to adhere to it.
8 Do we agree that a pause probably makes a
9 little bit of sense?

10 MS. PYLE: That's something that I
11 think we'll have to have additional
12 conversations on. And as far as an
13 organization, we don't take a position. And
14 yes, it's unanimous. So we will need to have
15 -- they can certainly give their personal
16 views, but we have to have a little more
17 conversation on this. But we certainly --

18 ASSEMBLYMAN MAHER: I appreciate your
19 candor. Thank you. Thank you all.

20 MS. PYLE: Thank you.

21 CHAIRMAN PRETLOW: Assemblyman Otis?

22 ASSEMBLYMAN OTIS: It's great to hear
23 from all of you, and certainly I'll just
24 share I've been tracking equity in education

1 funding issues for many, many years, going
2 back to a few decades ago when there was
3 something called the transition aid cap,
4 which generally hurt the Big 5 school
5 districts. One of the worst damaged by that
6 was the Rochester School District. And so
7 we're in a new world today with
8 Foundation Aid and the funding increases in
9 the last few years.

10 Curious if any of you have this handy;
11 it would be good to have from you after the
12 fact. Where are you trending in the last few
13 years in terms of how much you're spending
14 per student? Because one of the concerns has
15 been that you're not given the resources to
16 spend what you need to spend compared to
17 other districts.

18 MS. PYLE: I think folks are saying
19 they'd like to get back to you with regard to
20 that data.

21 While, you know, I think the per-pupil
22 costs overall you'll see have gone up, that's
23 been due to contractual obligations because
24 no one has had the resources apart from the

1 influx of federal funds to increase spending.
2 All of our districts face structural
3 deficits. That being said, it's not because
4 they're overstaffed or, you know, providing a
5 plethora of services that they don't need,
6 it's just the matter that the funding is not
7 in line with what their expenses are.

8 So they've worked very, very hard to
9 reduce their staffing through attrition,
10 retirements, other things so that they're
11 not, you know, impacting folks negatively.
12 But there's definitely impact on the
13 classroom, particularly with the --

14 (Overtalk.)

15 ASSEMBLYMAN OTIS: Just in general, my
16 perspective is we want you to be able to
17 spend more per student. I wasn't looking at
18 you to reduce, I'm looking for you to spend
19 more, so ...

20 ROCHESTER SUPT. STRICKLAND: No, I was
21 just going to reiterate that we are spending
22 a large amount of dollars on our English
23 language learners and our students with
24 disabilities. But in retrospect, what

1 happens is that equity shifts to them and it
2 takes away from students that are general
3 education.

4 So again, we continue to explain that
5 we definitely are educating our most needy
6 learners. Not saying that we don't want to
7 do -- we educate any baby that comes in front
8 of us. However, the costs that are
9 associated with educating those two distinct
10 student populations are definitely crippling
11 districts, unfortunately.

12 MS. PYLE: And I think all of our
13 districts are stable or declined with
14 enrollment. However, there are more students
15 that have been classified, and the students
16 who are classified are requiring much more
17 robust services.

18 YONKERS SUPT. SOLER: Yeah, I would
19 just, in the last 10 seconds -- students with
20 needs, high needs, out-of-district placements
21 is also a big driver of costs. So as we try
22 to provide parents their choice and options,
23 sometimes that's external, that drives our
24 costs.

1 ASSEMBLYMAN OTIS: Thank you all.
2 Thank you. You all have very important jobs.
3 Thank you for what you do.

4 CHAIRMAN PRETLOW: Thank you.

5 Assemblywoman Pheffer Amato.

6 ASSEMBLYWOMAN PHEFFER AMATO: Hi, good
7 afternoon. Thank you all for what you do. I
8 think it's amazing to be the CEO, CFO and
9 know everything under the hat for your
10 districts.

11 So your testimony, a lot of it's about
12 funding in the formula. Let me just ask --
13 and I don't know if I heard any of yours as
14 we talk about recruitment and retention for
15 teachers, are you short teachers? Just raise
16 your hand, how's that? We'll go a little
17 quicker.

18 So the recruitment challenges -- and
19 let's take Tier 6 out of it, because I can
20 see all your lips forming and your brains are
21 saying that -- because we're sort of trained
22 to say "Tier 6."

23 But where else do you find the
24 challenges? If you could jump in really

1 candidly. I'm chair of Government Employees
2 and we look at that. We hear all the time
3 that there's a retention but also a
4 recruitment issue, that you need specialized
5 -- you're sending kids out of the district,
6 but you need specialized teachers. You don't
7 have English language learning specialist
8 teachers.

9 And what is the challenges you're
10 having with recruitment? It's all up to you
11 now to give me that feedback.

12 MOUNT VERNON ACTING SUPT. SMITH:

13 Well, I would like to respond to that.

14 In Mount Vernon, since we are
15 surrounded by wealth, many of our school
16 districts, they were able to pay much more
17 than we could pay. Previously we used to
18 recruit people from New York City because we
19 paid more than them. But the Governor
20 offered them an out, and they now pay more
21 than us.

22 So in terms of recruitment, it becomes
23 very difficult because we can't compete with
24 our neighboring districts, and we're up now

1 to negotiate, and that's been extremely
2 difficult.

3 YONKERS SUPT. SOLER: I would just
4 like to add I'd love to see some flexibility
5 that you see in the private industry
6 regarding microcredentialing. We know we did
7 some exceptions around COVID. Everyone was
8 fine to relax requirements around COVID when
9 we needed staff, we needed virtual teachers,
10 we needed instructors. I'd love to see a
11 reintroduction.

12 I'd also love, given the uniqueness of
13 our urban communities, allow us to
14 microcredential paraprofessionals, teaching
15 aides, folks we could work with. Let us
16 build our own teacher pipelines that could
17 follow whatever state guidance, but allow us
18 to do it so we know that when we recruit you,
19 we train you and hopefully you stay with us,
20 you get credentialed and we can kind of
21 expedite the certification process.

22 But I do know those things are a
23 little bit more complicated, but --

24 ASSEMBLYWOMAN PHEFFER AMATO: So let

1 me stop you there. So the state is saying
2 that they've been really working to have
3 recruitment -- you know, advertisements out
4 there saying, Take a state job, you know,
5 this is a great career path. Have you seen
6 any of that? Like stating your older -- so
7 maybe your high school student is going into
8 a college program. Do you see that around
9 the community that it's maybe enticing
10 someone who might have not thought of a
11 career as teaching, or para, and that path?

12 SYRACUSE SUPT. DAVIS: Somewhat. What
13 I was -- fortunately I was here for the
14 commissioner's testimony, and she spoke to
15 some of the programs that they've put
16 together. And one of the things I think is
17 huge is for New York State to accept other
18 certifications coming into the state.

19 That's been difficult over the years.
20 People have experience in other places, but
21 come here and have a difficult time being
22 certified. So that would be of help.

23 ASSEMBLYWOMAN PHEFFER AMATO:
24 Terrific, that's great. Thank you.

1 CHAIRMAN PRETLOW: Thank you.

2 I have a couple of questions. I
3 really don't know where to begin. I don't
4 know if you were here earlier; I'm kind of
5 stuck on this charter school issue and the
6 adverse effects that charter schools are
7 having on schools, especially the two
8 districts that I represent who happen to both
9 be at this table.

10 Have any of you calculated the
11 additional cost per student as generated by
12 the charter schools?

13 YONKERS SUPT. SOLER: Additional cost?

14 CHAIRMAN PRETLOW: By that I mean if
15 you take -- I'll just break it down. One
16 child out of your school does not reduce your
17 overall cost one penny. But you pay this
18 charter school X amount of dollars, which
19 then I'm saying divides that over the
20 remaining students in your district. So
21 there is an additional cost per student.

22 Has anyone figured that out?

23 YONKERS SUPT. SOLER: No, we have not
24 done that analysis.

1 CHAIRMAN PRETLOW: Okay, I would kind
2 of suggest you do, because I could use it as
3 ammunition.

4 Someone told me that Mount Vernon's
5 spending \$37,000 a student. Is that true?

6 MOUNT VERNON ACTING SUPT. SMITH: So,
7 you know, that's a general sense. But for
8 us, especially for students that go out of
9 district, we could pay far more than that.
10 It depends on the services they require.

11 If you have someone going to
12 residential, if you have a special ed
13 student, that they get transportation, they
14 get OT, PT, special ed, they get -- we have a
15 student --

16 CHAIRMAN PRETLOW: So Mount Vernon, it
17 does not have a stellar record as far as
18 academics in the eyes of the rest of the
19 world. I'm not trying to be offensive, but
20 it's true. It's paying \$37,000 a student,
21 and you're sending students to a charter
22 school and the tuition that you pay them is
23 based on \$37,000 you're paying right now, am
24 I correct?

1 MOUNT VERNON ACTING SUPT. SMITH: And
2 they take our brightest students.

3 CHAIRMAN PRETLOW: Well, I went
4 through all of that. I'm just being --
5 trying to get to the basics.

6 So the charter school tuition that you
7 pay is based on what your cost per child is,
8 which is higher than probably most districts
9 in the state. So that's what I'm trying
10 to -- I'm trying to address. That's why I
11 was asking if you had the cost per student
12 and why are you paying \$37,000 a student when
13 other districts are paying \$24,000 a student.
14 And when you -- you know, push that out, it's
15 a big number.

16 MS. PYLE: We can circle back to you
17 with that.

18 MOUNT VERNON ACTING SUPT. SMITH:
19 Yeah.

20 CHAIRMAN PRETLOW: Okay. So I have
21 32 seconds left, and I don't want to ask a
22 question no one can answer. I think I'm
23 meeting with you sometime in the very near
24 future. And I have not met with you

1 one-on-one yet. You're -- welcome home, this
2 is your area, I know, your old stomping
3 grounds. But I hear you're doing a good job.

4 YONKERS SUPT. SOLER: Appreciate it.

5 CHAIRMAN PRETLOW: Okay, thank you.

6 YONKERS SUPT. SOLER: We'll be
7 reaching out. We'll be reaching out for the
8 one-on-one.

9 CHAIRMAN PRETLOW: All right, please
10 do.

11 All right, thank you. Thank you, one
12 and all. Thank you, Jennifer.

13 The next panel is Panel C: New York
14 State Council of School Superintendents;
15 New York State School Boards Association;
16 Association of Business School Officials of
17 New York; New York State Parent Teacher
18 Association; the Rural Schools Association of
19 New York; BOCES of New York State; and
20 National Parents Union.

21 Before we start -- and then, before
22 you start the clock, timekeeper, wherever you
23 are, can everyone just go and tell real
24 quickly -- and introduce themselves? And

1 then -- where are we going to start? To the
2 left, or the right?

3 Okay, that's fine with me. If you
4 don't want to introduce yourselves, you don't
5 have to, you can jump right into it.

6 CHAIRWOMAN KRUEGER: (Inaudible.)

7 CHAIRMAN PRETLOW: Okay.

8 (Laughter.)

9 MR. LOWRY: I'm Robert Lowry, I'm
10 deputy director of the New York State Council
11 of School Superintendents.

12 MR. BUDELMANN: I'm Scott Budelmann,
13 BOCES of New York State.

14 MS. BELOKOPITSKY: Hi, I'm Kyle
15 Belokopitsky, executive director of New York
16 State Parent Teacher Association.

17 MR. CECHNICKI: Brian Cechnicki,
18 Association of School Business Officials of
19 New York.

20 MR. FESSLER: Brian Fessler, New York
21 State School Boards Association.

22 MR. LITTLE: Dave Little, I direct the
23 Rural Schools Association.

24 MS. BAKER: Ashara Baker, New York

1 State director of the National Parents Union.

2 CHAIRMAN PRETLOW: Okay. Welcome all.

3 MR. LOWRY: Good afternoon. I am
4 Robert Lowry from the New York State Council
5 of School Superintendents. Thank you for the
6 opportunity to testify today and for all your
7 past support of our schools.

8 Governor Hochul's proposed budget for
9 education is a welcome and dramatic
10 turnaround from a year ago. The proposed
11 2 percent minimum Foundation Aid increase
12 would help 56 percent of the state's
13 districts, many of which would otherwise see
14 that aid frozen for the second straight year,
15 and 80 percent of that aid would go to
16 average or high need districts.

17 Proposed changes to the state sharing
18 ratio would drive more aid to below-average
19 wealth districts. We were impressed by the
20 report by the Rockefeller Institute on
21 updating Foundation Aid. We don't agree with
22 every one of its recommendations, but it does
23 an admirable job of illuminating the
24 strengths and weaknesses of virtually every

1 aspect of the formula.

2 The Governor takes a sensible first
3 step by proposing to replace outdated and
4 flawed poverty measures. The Rockefeller
5 report also makes a point that we have
6 stressed: Proposed formula changes can't be
7 understood in isolation. We need to evaluate
8 combinations of reforms. We'll all be in a
9 better position to evaluate the effects of
10 possible changes once the entire school aid
11 database is updated next month, as it is in
12 every budget cycle. Efforts to update the
13 formula should continue, and our submitted
14 testimony identifies some areas that we would
15 prioritize.

16 The Governor has proposed a new
17 per-credit funding stream for dual-enrollment
18 college and high school programs. Our
19 members share frustrations about trying to
20 launch and expand those programs in working
21 with colleges. We'll be seeking more
22 recommendations from them about how to
23 improve access to those opportunities.

24 We also support increasing funding for

1 career and technical education through BOCES
2 and special services aid, as your one-house
3 budgets in recent years have done. It's
4 another strategy for helping to improve the
5 transition from school to whatever comes next
6 for young people.

7 Transitioning to an all-zero-emissions
8 school bus fleet is a laudable aspiration,
9 but the current prescribed timeline cannot be
10 achieved. Our submitted testimony includes
11 recommendations for a more realistic and
12 reasonable transition that many of the groups
13 here at this table have endorsed.

14 Most districts continue to struggle
15 with at least some hiring shortages. Some
16 desperately need another extension and the
17 authority to employ retirees without a limit
18 on earnings. If necessary to protect
19 retirement system finances, we would support
20 requiring employer contributions to continue
21 on behalf of those retired workers.

22 And finally, Governor Hochul has been
23 right to draw attention to the harmful
24 effects of excessive online activity upon

1 children and young people, but many school
2 districts have already engaged parents,
3 staff, and sometimes students to develop
4 local policies that are well accepted and
5 that are working. Any state mandate should
6 allow discretion so that district
7 stakeholders can develop policies that they
8 feel will work best for their communities.

9 I'll add that --

10 CHAIRMAN PRETLOW: Thank you.

11 MR. LOWRY: -- also some of our
12 members say it's addictive. Internet use is
13 not just a school problem, it's a lifelong
14 problem, and schools have a role to play in
15 teaching about responsible use.

16 CHAIRMAN PRETLOW: Okay. Thank you.

17 MR. LOWRY: So thank you for your
18 time.

19 MR. FESSLER: Thanks again. My name
20 is Brian Fessler, with the New York State
21 School Boards Association. Appreciate the
22 opportunity to offer reactions to the
23 Executive Budget on behalf of NYSSBA and the
24 676 member school boards we serve.

1 NYSSBA's encouraged to see a
2 Foundation Aid proposal that returns to
3 meaningful funding levels with crucial
4 guaranteed minimum increases. While it's
5 important to acknowledge that this proposal
6 will not alleviate all budgetary challenges
7 for all districts, NYSSBA is appreciative of
8 the proposed school aid package.

9 Beyond the dollars itself, replacement
10 of sorely outdated and imperfect student need
11 data is consistent with recommendations
12 NYSSBA has stressed in recent years. Over
13 the next few years we encourage lawmakers to
14 consider continued revisions to the formula,
15 including how the property tax cap interplays
16 with Foundation Aid, elimination of
17 set-asides, and reviewing student-need
18 weightings, among others.

19 We're also strongly supportive of the
20 Governor's proposal for a truly universal
21 school meals program. The benefits will be
22 wide-ranging, including reliable access to
23 nutrition for students across all income
24 levels, reduction in socioeconomic stigma,

1 and a more streamlined administrative process
2 for school districts.

3 Also wanted to comment on the
4 Governor's proposed ban on student use of
5 smart devices. In numerous conversations
6 with the Executive we have consistently
7 expressed support for the focus on addressing
8 student mental health challenges. At the
9 same time, NYSSBA has stressed that we
10 believe local districts and BOCES are best
11 able to reflect the needs and priorities of
12 their local communities.

13 Over the past year, NYSSBA has held
14 multiple sessions and workshops on the topic
15 and distributed other supportive materials,
16 working to ensure that school board members
17 have all the resources necessary to make
18 informed local decisions. While we
19 acknowledge the proposal attempts to provide
20 some degree of flexibility in funding, we
21 continue to believe that any blanket
22 prohibition on the student use of cellphones
23 should be determined locally.

24 You know, as part of your budget

1 negotiations we request additional items to
2 be addressed. Zero-emission buses, as Bob
3 noted -- we appreciate your responsiveness,
4 especially over the past year, to the many
5 serious transition challenges. But the fact
6 remains that the transition, as currently
7 required, is not achievable for a significant
8 number of districts.

9 In response, until or unless the
10 transition is repealed or altered, NYSSBA
11 joined our education partners in offering
12 nine specific recommendations with regard to
13 the current law.

14 We look forward to working on these
15 recommendations with you. We strongly
16 encourage the Legislature to demand inclusion
17 of an increase in the BOCES aidable salary
18 cap, which has been frozen for nearly
19 35 years, along with a proportionate increase
20 in Special Services Aid for similar programs
21 in the Big 5.

22 Lastly, we call on the state to
23 restore funding to gradually pay down the
24 \$300 million in outstanding prior-year aid

1 claims, the majority of which are owed to
2 high- and average-need districts.

3 We look forward to working with you on
4 these important issues, and thank you so much
5 for all you do on behalf of our students.

6 CHAIRMAN PRETLOW: Thank you.

7 MR. CECHNICKI: Thank you,
8 Chairs Krueger, Pretlow, Mayer, members of
9 the committee.

10 My name is Brian Cechnicki, and I
11 represent the over 3,000 individuals working
12 in school finance and operations across the
13 state. Thank you for the opportunity to
14 speak today.

15 We appreciate the Governor's school
16 aid proposal, which aligns in the aggregate
17 with what current law would have provided
18 absent any changes.

19 The proposed updates to the poverty
20 measures in Foundation Aid are a welcome
21 change, ensuring that the formula better
22 tracks current data, but we recognize that
23 there are some distributional effects it
24 creates for some districts.

1 After all the uncertainty surrounding
2 the future of school aid over the past year,
3 keeping the save-harmless provision in place
4 with a minimum 2 percent increase brings a
5 sigh of relief to districts across the state.
6 We urge the Legislature to reject the annual
7 proposal to freeze data used in the formulas
8 to a date certain.

9 Many of my colleagues today have
10 addressed key issues with which we agree, and
11 our written testimony provides more details.
12 But today I'd like to focus on an important
13 but technical issue of prior-year
14 adjustments.

15 These adjustments correct state aid
16 payments after the school year ends, but the
17 process is not that straightforward. To put
18 this in perspective, imagine that you fill
19 out your time sheet at work incorrectly and
20 you're overpaid by an hour. Your employer
21 corrects this and takes that extra money out
22 of your paycheck the following week.

23 Now imagine that you've been underpaid
24 by an hour. Instead of fixing it in your

1 next paycheck, your employer says you're
2 going to have to wait 18 years. And then one
3 day, they tell you: Actually, we're just
4 never going to pay it to you.

5 That's what we're doing to school
6 districts. When an aid claim error is
7 corrected in the state's favor, it gets taken
8 back from the district immediately. But if
9 the error is in the district's favor, it goes
10 into a payment queue that is subject to
11 appropriation. If funded at its historic
12 levels, that queue would have taken 18 years
13 to pay off.

14 That means all of the aid penalty
15 forgiveness bills that this Legislature has
16 passed and paid for in recent years' budgets
17 have not actually been paid to school
18 districts.

19 But we don't fund it at historic
20 levels. Since the pandemic, the
21 appropriation for these payments has not been
22 funded, meaning that over \$300 million, as
23 Brian mentioned, is owed to districts
24 statewide. Examples include \$136 million to

1 New York City; Schenectady, 6.8 million;
2 Mount Vernon, 4.8 million; Buffalo, 3.3;
3 Newburgh, 2.8.

4 The fair solution here is twofold.
5 Pay off the \$300 million queue and ensure
6 that, moving forward, districts receive funds
7 as quickly as the state takes them back.

8 Recognizing that this may not be
9 possible, at the very least this budget must
10 restore the appropriation on a recurring
11 basis so that districts receive what this
12 body has already negotiated for and enacted.

13 You can find a lookup tool on our
14 website, schoolbiz.info, to see how much
15 money is owed to any school district in the
16 state and how long repayment will take if the
17 original \$18 million appropriation is
18 restored.

19 Thank you for your time today.

20 CHAIRMAN PRETLOW: Thank you.

21 MS. BELOKOPITSKY: I am Kyle
22 Belokopitsky, executive director of the
23 New York State Parent Teacher Association,
24 and proud to represent our 225,000 members

1 and our 2.6 million schoolchildren. On
2 behalf of our president, Patty Frazier, we
3 appreciate the opportunities to comment on
4 how the Executive Budget impacts children and
5 families.

6 Thank you to the Legislature and
7 Governor Hochul for your continued commitment
8 to all children and their families and our
9 schools. Every day, dedicated outstanding
10 educators, teachers, school leaders,
11 school-related professionals, mental health
12 professionals, PTAs and families do all we
13 can to serve children.

14 Public education is our nation's
15 greatest hope. It is the promise that all
16 children have a right to a free, appropriate,
17 high-quality education, one that will meet
18 their diverse needs and support them in our
19 global economy.

20 At a time when our students struggle
21 with food insecurity, poverty, need for
22 mental health support and academic
23 intervention and supports for migrant
24 students, students with disabilities,

1 homeless students, English language learners
2 and all students, this Executive Budget
3 supports them, as Bob and my colleagues have
4 said.

5 Today we will only speak on a few
6 policy items.

7 For the first time, the Executive
8 Budget fully funds school meals for all at
9 \$340 million. This is a \$160 million
10 increase over last year. Under this program,
11 the state will pay the student share of the
12 cost of all meals served to students not
13 receiving free meals already. No parent,
14 family, educator, or community member wants
15 to see a child hungry, but that is what's
16 happening. For some, school is the only
17 place they receive a warm or healthy meal.

18 Hungry kids cannot learn. They
19 struggle to focus and have lower attendance.
20 I look forward to the day that I don't have
21 to answer a phone from a parent or
22 grandparent saying, "Kyle, can you help me
23 feed my child?" New York State PTA supports
24 this proposal in full and in the strongest

1 terms.

2 We continue to support the work of OMH
3 and SED to support school-based mental health
4 services and the expansion of school-based
5 mental health clinics. We need more support
6 for school-based mental health services and
7 initiatives in each and every budget.

8 We also support the new investment to
9 expand teen mental health, first aid
10 training, and support for seven new
11 clubhouses and four youth-safe spaces.

12 Also, New York State PTA supports
13 continued investments in high-quality
14 universal daycare and after-school
15 programming. At the same time, we truly need
16 a school-based universal pre-K system for all
17 New York State students.

18 We continue to seek support for CTE,
19 BOCES, Special Services Aid, Early College
20 High Schools, P-TECH and STEM programs, as
21 they are proven to lead to greater graduation
22 rates and success in college and career.

23 Senator Mayer, thank you for already
24 moving many bills in support of CTE in your

1 recent meeting, including S528/A3430, which
2 increases the aidable salary for BOCES
3 educators and related Special Services Aid.
4 This is of highest priority to New York State
5 PTA.

6 You see, every family has a dream for
7 their children. It is our job to be
8 dream-makers, ensuring that every child, no
9 matter their zip code, their ethnicity, their
10 ability, their gender identity or expression,
11 no matter their race or their immigration
12 status, has access to the highest-quality
13 education that we can give them in career and
14 life.

15 We humbly ask that you support our
16 children like you always do. Thank you so
17 much.

18 CHAIRMAN PRETLOW: Thank you.

19 MR. LITTLE: Hi, folks. Thank you for
20 listening to the concerns of the half of the
21 school districts and the third of the
22 students represented by our rural schools,
23 and for allowing me to enter my second
24 quarter-century of barking at you once a

1 year. Thank you for that.

2 I want to bring an uncharacteristic
3 message of hope -- uncharacteristic for me --
4 and that is that our state has embarked on a
5 truly generational and hopeful change on
6 behalf of education in what SED is attempting
7 to do by implementing Portrait of a Graduate.
8 I've been to three national conferences this
9 fall; New York State has been highlighted in
10 all of them as being the only state that has
11 succeeded in operationalizing that.

12 And here is my message of hope. All
13 of you know how traditionally tough it is for
14 New York State to attract business. We have
15 high taxes, we have a high per-capita debt
16 load, we've got a healthy and robust
17 bureaucracy -- all of which makes it
18 difficult for business to choose New York.

19 But they want a workforce that can
20 collaborate, that can communicate, that can
21 problem-solve, that can work across diverse
22 cultures, and that can adjust and be
23 trainable for any of the number of jobs that
24 they will have over the course of their

1 career. And right now, you're sitting in the
2 only state poised to be able to provide them
3 that.

4 That's a calling card that we've never
5 had before. We can't afford to have that
6 mission over here and the money that school
7 districts have to chase over here. They have
8 to be able to combine if we're going to
9 provide this unique generation of learners.
10 No other generation has had these challenges
11 before. They go to school wondering whether
12 they'll survive. They were in solitary
13 confinement for two years. If they were in a
14 state with junior high instead of middle
15 school, they'd have gone directly from
16 elementary school to high school.

17 We have to address those things, and
18 this plan does in fact address those things.

19 To me, this budget, although a
20 wonderful place to start, is a peace treaty
21 with dollar signs on it. And it's pushing
22 everything down the road for a year of what
23 needs to be done to avoid not changing two
24 out of the 32 recommendations of the

1 Rockefeller Institute -- as Bob mentioned,
2 they all interact. They've got to be looked
3 at in a wholesale fashion.

4 You have the expertise up there and
5 out there to be able to do that in enough
6 time to change the future of New York State
7 and all of these children that have so far
8 been dramatically challenged during their
9 lifetimes.

10 And I would just suggest that, once
11 again, you take the opportunity to have the
12 political wherewithal -- you certainly have
13 the intellectual wherewithal, but to take the
14 political wherewithal to take on this fight.
15 Because nothing succeeds like the status quo.
16 It's going to be hard.

17 But if we don't start this year, at
18 best we start next, and probably the year
19 after that. How many years with -- if we
20 just run the formula, that we'll simply say
21 "Fine"?

22 MR. BUDELMANN: Good afternoon. And
23 thank you, Chairpersons Pretlow, Krueger, and
24 Mayer. I'm Scott Budelmann, district

1 superintendent of Madison-Oneida BOCES, and
2 I'm here on behalf of the BOCES of New York
3 as its legislative liaison.

4 Thank you for your ongoing and
5 consistent support for education. Without
6 your advocacy for this past year and the last
7 several years -- many years -- we would not
8 be in the strong position we're in with the
9 Executive Budget this year.

10 You've received my written testimony,
11 so I won't go through all of it, but I'll
12 highlight a few points.

13 BOCES of New York State supports the
14 Executive Budget proposal to fully fund
15 Foundation Aid to make updates to the poverty
16 measures and to fully fund expense-based
17 aids.

18 We urge you to accept this baseline
19 proposal but also to look at the formula to
20 adjust it in future years to adjust current
21 student needs and look at the impact of the
22 property tax cap on local school districts'
23 ability to generate local revenue.

24 We also ask that you consider making a

1 much-overdue update to the BOCES aid
2 reimbursement formula by increasing the
3 amount of salary used to calculate BOCES aid
4 from \$30,000 to \$60,000. It's important to
5 note that this is not a cap on BOCES
6 salaries. This is a cap on the amount of
7 salary that can generate aid for schools.
8 Under the cap, resource sharing today is less
9 beneficial to schools than it was 30 years
10 ago, because as costs rise the incentive for
11 sharing has remained static.

12 After funding, the next greatest
13 challenge the school districts face is the
14 workplace shortage, and the shortage exists
15 in nearly every school position. We greatly
16 appreciate the Legislature's work to update
17 and reform the civil service process, and we
18 urge you to continue that work.

19 We know there are constitutional
20 limitations that make it challenging to
21 eliminate civil service exams entirely. We
22 believe, as is the case with students,
23 employee skill sets can be demonstrated
24 outside of the traditional exam process as

1 well.

2 Finally, as we work to rebuild the
3 pipelines to increase pools of individuals
4 qualified to work in public schools, we urge
5 you to continue to offer and expand
6 scholarship and loan forgiveness for
7 teachers, other educators, mental health
8 professionals who commit to living and
9 working in New York State; extend the ability
10 of public-sector employees to work in BOCES
11 and school districts without waivers and
12 pension penalties for five years; and
13 continue to modernize civil service hiring
14 and promotion rules.

15 Thank you.

16 MS. BAKER: Hello, esteemed members of
17 the Joint Committee on Education. My name is
18 Ashara Baker, New York State director of the
19 National Parents Union -- also, the proud mom
20 of a third-grader who has joined us today.

21 I stand before you with a mix of
22 frustration and unwavering resolve compelled
23 by the urgency to address the critical
24 condition of education in our state. The

1 data as presented in the National Parents
2 Union report, as well as today's NAEP report,
3 reveals New York is failing our children.

4 For too long, longstanding inequities
5 exacerbated by COVID-19, coupled with big
6 policies, limited accountability, are
7 jeopardizing the futures of generations of
8 kids in this state. We cannot afford to
9 delay action any longer.

10 Our annual report outlines the stark
11 reality of the antiquated New York education
12 system, increasing child poverty and barriers
13 to economic mobility. As parents, we are
14 just not pointing out problems, but we're
15 here with evidence-based solutions.

16 Consider these alarming statistics.
17 In 2023, only 52 percent of third through
18 eighth-graders were proficient in math,
19 48 percent in reading. Today's release of
20 the NAEP results are even more troubling.
21 Thirty-one percent of fourth and
22 eighth-graders were proficient or above in
23 reading; fewer than 40 percent were in math
24 for fourth-graders.

1 Economic and racial disparities
2 persist, with economically disadvantaged
3 students scoring significantly lower than
4 their peers. In the Big 5 districts, these
5 numbers are staggering.

6 Only 11 percent of third-graders in
7 Rochester are proficient in reading;
8 14 percent in math. Buffalo stands just at
9 24 percent in reading, 23 percent in math.
10 Especially statewide -- so statewide, we
11 have, of 64 school districts right now, fewer
12 than 10 percent of elementary students who
13 are proficient in math. This raises serious
14 concerns about whether our students are
15 adequately prepared for post-secondary
16 success and economic mobility.

17 While the state has made historic
18 investments in Foundation Aid funding,
19 professional development, there is a vague
20 commitment to evidence-based curriculum
21 through the New York Board of Regents. But
22 there is still much to do so that we can
23 guarantee that every child in the State of
24 New York has access to a high-quality public

1 education.

2 At NPU we recognize that families are
3 facing real challenges across the state.
4 Nearly one in five children lives in poverty.
5 This is a systematic failure, and we are
6 demanding immediate and effective action.
7 And we're proud that the Governor has
8 included in the budget an Empire Tax Credit.

9 Almost half of these children are in
10 deep poverty, living in households with
11 incomes 50 percent or below the federal
12 poverty line. This crisis we know has been
13 exacerbated since 2021.

14 But solutions exist, as I said before.
15 We've seen other states successfully adapt
16 and improve academic outcomes by allocating
17 money to evidence-based programs, high-impact
18 tutoring programs, high-quality instructional
19 materials, and professional development for
20 teachers.

21 New York needs to follow suit. It's
22 time. As a New Yorker living in the greatest
23 state in this nation, we owe it to our kids
24 and our families to guarantee them a

1 high-quality public education.

2 I thank you.

3 CHAIRMAN PRETLOW: Thank you.

4 CHAIRWOMAN KRUEGER: Thank you.

5 CHAIRMAN PRETLOW: Assemblyman

6 Magnarelli passes.

7 Senator?

8 CHAIRWOMAN KRUEGER: Senator Shelley

9 Mayer.

10 SENATOR MAYER: Yes, I have questions.

11 And thank you all for all your

12 different perspectives.

13 First, on the so-called universal

14 school, Brian, what do you say to the

15 approximately 20 schools in the state --

16 school boards that have not elected to

17 participate in the federal school lunch

18 program and therefore are really not subject

19 to this expanded participation that the state

20 would pay the balance for?

21 In those school districts, some of

22 which are in my district, there are children

23 who can't afford lunch. Even though the

24 average income is probably high, there are

1 poorer students.

2 So are you as the school boards
3 encouraging these other schools to
4 participate?

5 MR. FESSLER: Yeah, certainly, you
6 know, without conversations with them
7 directly, I don't want to offer any, you
8 know, comments -- or I can't offer any
9 comments directly on individual districts.

10 But I think, you know, based on what
11 our membership has told us, you know, to
12 advocate for, and the messages to bring to
13 you all and your colleagues, you know, I
14 think in the aggregate they understand the
15 importance and the value of universal school
16 meals.

17 I think -- you know, and my colleagues
18 I'm guessing probably agree. Among school
19 board members we saw a pretty significant,
20 you know, change in the attitude and
21 perception of universal school meals coming
22 out of the pandemic.

23 You know, I think there was a core of
24 supporters before that, and then the bulk

1 were probably somewhere, you know, in the
2 middle. But coming out of the pandemic and
3 the expiration of the federal waivers
4 allowing for that universal school meal
5 provision and access, we noticed a pretty
6 significant trend.

7 So I think as -- you know, as the
8 Governor and you all have, with increasing
9 intensity, focused investments in those
10 programs, I think that it will, you know,
11 further encourage and allow the remaining
12 small number of districts in the state that
13 perhaps have chosen not to see the benefits
14 of all of their colleagues next door. And
15 certainly, you know, we're going to continue
16 from a statewide perspective to share
17 information and resources about the benefits
18 of the program.

19 SENATOR MAYER: Thank you.

20 You also raised the issue of the state
21 plan amendment to increase Medicaid -- the
22 opportunity for Medicaid reimbursement for
23 all the mental health and other
24 Medicaid-eligible services that schools

1 provide. Are you working with the Governor's
2 office to expedite and expand?

3 I mean, we don't know how the federal
4 government will now respond to these things,
5 but it seems like a key way to get more
6 resources into the schools that are providing
7 these Medicaid-eligible services.

8 MR. FESSLER: Yeah, we've had -- I
9 think especially over the past year or so,
10 six months to a year, as we've zeroed in on
11 this issue, we've had a number of
12 conversations with the Executive, with some
13 other state agencies and different external
14 partners to try to push that forward.

15 And so, you know, certainly happy to
16 continue those conversations with you and any
17 of our partners to see what we can do to
18 continue to push that forward.

19 SENATOR MAYER: Okay.

20 I have additional questions. Oh, I
21 can't come back. Okay.

22 CHAIRWOMAN KRUEGER: No, I'm sorry.

23 CHAIRMAN PRETLOW: Assemblyman
24 Carroll.

1 No, you can't come back.

2 ASSEMBLYMAN CARROLL: Thank you,
3 Chair Pretlow.

4 And thank you all for your testimony.
5 But I especially want to thank Ms. Baker for
6 her testimony and her referencing this
7 morning's NAEP results. I think this is the
8 first person to mention them.

9 They are stark, and they are
10 troubling. And they are not just troubling
11 for Rochester or Buffalo, they are troubling
12 for our entire state. And I hope that the
13 State Assembly and State Senate understand
14 how terrible this is and take your
15 recommendation to implement evidence-based
16 curriculum interventions and evidence-based
17 approaches that we know work for both
18 literacy and math to change this terrible
19 trajectory. Of course other states have done
20 better recently than New York because of
21 that. And Ms. Baker, I thank you for
22 presenting that to us and reminding us of
23 that today.

24 MS. BAKER: Thank you.

1 CHAIRMAN PRETLOW: Senate?

2 CHAIRWOMAN KRUEGER: No, no one else.

3 CHAIRMAN PRETLOW: Assemblyman Smith.

4 ASSEMBLYMAN SMITH: Thank you.

5 And thank you all for being here. I
6 really always appreciate every year how
7 you're able to condense so much information
8 into such a short period. So good to see all
9 of you.

10 Proud PTA member. Kyle, good to hear
11 from you.

12 David, I agree with your assessment
13 that I feel optimistic at this, but I think
14 if we look at the budget proposal this year
15 versus what we were proposed last year, I
16 think it really puts groups like --
17 stakeholders like those that you all
18 represent, trying to figure out what to do,
19 because every year we're preparing for
20 battle, not knowing is this going to be a
21 year that's going to be favorable or a year
22 that's not going to be favorable. So I thank
23 you for what you're doing.

24 One of the notable issues that came up

1 during the Rockefeller hearings was the issue
2 of mental health and how we can possibly
3 expand mental health services through BOCES.
4 Do you have thoughts on, you know, expounding
5 upon that a little bit more on how we can
6 address that need?

7 MR. BUDELMANN: Sure. I think that
8 the difficulty for BOCES, particularly in
9 rural areas, is that we have recruitment
10 difficulties as well. So to the extent that
11 there are proposals to set up health clinics
12 or mental health clinics, those are
13 beneficial. But we also have, like I said,
14 difficulty attracting professionals to those
15 regions and paying them what they could
16 otherwise make in other regions.

17 ASSEMBLYMAN SMITH: And that's
18 definitely something we're hearing for a
19 pipeline issue as well.

20 Next, as we're waiting, children with
21 special needs, special education services --
22 that's something else that came up, I think,
23 during the Rockefeller hearings that we need
24 to take a look, because every child that we

1 educate -- it might cost a little bit
2 different to educate every child.

3 So does anyone have any thoughts with
4 regards to how we can, you know, weight that
5 differently to make sure we're providing that
6 state support?

7 MR. LITTLE: I'll take it.

8 Yeah, don't weight it at all. Get it
9 out of the formula and base it on the actual
10 cost. Because it's federally and state
11 mandated. And so there's very little
12 discretion, and when school districts do
13 exercise discretion, they're very often sued
14 over exercising that discretion.

15 And so rather than simply weighing it
16 based on a type of service that you have,
17 take it out of the formula and base it on
18 whatever percentage in poverty the school
19 district has that's providing the service, as
20 opposed to saying, You get this much money
21 because the kid has this condition.

22 ASSEMBLYMAN SMITH: So make it
23 reimbursable based on the services provided.

24 And I will tell you in my particular

1 district, one of the school districts I
2 represent, there's a case that is so
3 specialized that it will cost this district
4 close to a quarter of a million dollars to
5 provide. It's a service that is needed that
6 cannot be provided even in the State of
7 New York, so they have to go out.

8 So there's definitely a cost per
9 issue, and obviously we do have that
10 obligation and we want to be able to provide
11 those services.

12 MR. LITTLE: What a horrible
13 circumstance to have a post-budget-election
14 or a post-budget-vote special education
15 student come into a district that has that
16 student alone put you over the tax cap.

17 ASSEMBLYMAN SMITH: Thank you.

18 CHAIRMAN PRETLOW: Senate?

19 CHAIRWOMAN KRUEGER: Senator Murray.

20 SENATOR MURRAY: Thank you,
21 Chairwoman.

22 And thank you all for being here.
23 With three minutes, I'll try to be quick
24 here.

1 First, thank you all for your efforts.
2 Kyle, especially with your efforts with the
3 universal meals, very, very important. And
4 thank you for all your work with BOCES. Big
5 supporter. Anything I can do to help -- I
6 think that is our future, as I've said
7 before.

8 But I want to shift gears and talk
9 about another big issue that may have waned
10 off a little bit, but it's still out there.
11 And that's vaccinations and medical
12 exemptions. I met with a doctor recently who
13 deals with several school districts, and
14 please correct me if I'm wrong, but I believe
15 the process is that someone comes with a
16 medical exemption, a parent gives the
17 paperwork, it's reviewed by a doctor who
18 might give advice -- and advise -- but the
19 final decision on whether it's granted is
20 either with the principal or the
21 superintendent.

22 Am I on track with that?

23 MR. LOWRY: I believe that's the way
24 it is.

1 SENATOR MURRAY: Assuming I'm on track
2 with that, we discussed the possibility of
3 changing that. Would it make more sense --
4 and I'd like to get your opinion -- if all
5 medical exemptions, rather than being left
6 with the final decision being made with
7 someone who doesn't have medical training, if
8 it went -- all medical-exemption requests
9 went through the director of immunization in
10 the Department of Epidemiology in New York
11 State?

12 It would sound like there's a lot, but
13 it -- as I said, it has waned a bit. I think
14 it's very manageable. But it would be a
15 medical professional, in fact probably the
16 most qualified medical professional, making
17 that final call.

18 Your thoughts? Any one of you.

19 MR. LITTLE: I don't want to jump in
20 on every question, but I will say that having
21 their advice and consent on a local decision
22 would be extremely advantageous, but you
23 would lose just as much by not having the
24 local input about what the unvaccinated

1 child's impact might be in any specific
2 locale by making the decision in the other
3 direction.

4 You've got to synthesize the two and
5 get advice and consent of a professional.

6 MR. LOWRY: I have to say, we've had
7 discussions among our leadership on this
8 issue in general. I don't think we've come
9 to a resolution.

10 But certainly there is discomfort with
11 the idea that school officials are expected
12 to substitute their judgment for that of a
13 medical professional. I'm not sure how
14 exactly -- how to improve upon that, but that
15 is -- as I say, that's an issue that has come
16 up recently in conversations with our
17 leadership.

18 SENATOR MURRAY: I've heard where a
19 particular doctor may have given many
20 exemptions and automatically then the
21 superintendent or principal says, Well, maybe
22 they're shopping it or something, and maybe
23 this isn't valid.

24 But in one case, one particular case,

1 some of them might not have been. But one in
2 particular was very valid. Unfortunately, it
3 was kind of rubber-stamped as declined. And
4 that's the fear.

5 MS. BELOKOPITSKY: And there is an
6 appeal process, and there is a process now so
7 the State Education Department has extensive
8 information on their website in a form that
9 has to be used.

10 So we do get these calls from parents
11 and families, and we're happy to continue to
12 help the parents and families through that
13 process and then through the appeal process
14 if needed.

15 SENATOR MURRAY: Thank you so much.

16 CHAIRMAN PRETLOW: Assemblyman Ra.

17 ASSEMBLYMAN RA: Thank you, Mr. Chair.

18 Thank you all for being here, and your
19 patience.

20 So there's a lot of knowledge and
21 experience sitting at that table right now,
22 which I know well from years as an Education
23 ranker and sitting on this panel.

24 So we talked about Foundation Aid.

1 You know, there's so many different pieces to
2 this, obviously. I think many of us, when we
3 looked at the study at first, we're like, If
4 we start doing -- taking little pieces and
5 not the whole thing, where do we end up?

6 But I do want to see if you can weigh
7 in at all on something that I asked the
8 commissioner about. In particular, as we're
9 dealing with the changes with new graduation
10 measures, your thoughts on whether and how we
11 should be looking at the successful schools
12 model piece.

13 MR. CECHNICKI: I'll jump in. As the
14 Educational Conference Board, sort of school
15 finance working group, we've looked at last
16 year -- even before last year's Governor's
17 proposal, we had looked at what are some ways
18 that you can bite off small pieces of the
19 formula sort of in a Phase 1, Phase 2
20 approach.

21 One of those would be looking at that
22 successful schools amount, and I don't think
23 we've, you know, come to sort of a formal
24 position. But we've talked about our

1 graduation rates, actually a good replacement
2 measure for that. The tests that were
3 currently used -- that have now been frozen,
4 you know, almost 10 years old -- obviously
5 don't work.

6 And I think -- you know, speaking for
7 my organization, looking at what the
8 Rockefeller Institute proposed in just
9 essentially updating the tests and then
10 looking at sort of the top performers,
11 regardless of what the standard of that
12 performance is -- I think sort of potentially
13 leaves something to be desired.

14 And so yes, we've discussed, you know,
15 potentially graduation rates at some base
16 level being a more appropriate look for that
17 successful school study.

18 MR. LOWRY: At one of the roundtable
19 discussions that the Senate held on
20 Foundation Aid back in 2019, one of our
21 members said Foundation Aid doesn't need to
22 be the solution to every problem. And I
23 think that is where CTE funding comes in.

24 And I appreciate that the Governor's,

1 in effect, put on the table let's look more
2 carefully at how we fund -- how dual-
3 enrollment programs operate. To me, it's
4 about how do we improve the transition from
5 high school to whatever comes next for young
6 people.

7 MR. FESSLER: If I could add one
8 piece, I think this conversation in
9 particular, whether it's now or in the near
10 future, is or can be particularly helpful for
11 districts on save-harmless.

12 You know, often those districts are in
13 kind of a double-whammy enrollment situation
14 where they end up looking wealthier than they
15 may be, everything else being equal. And
16 depending on how we look at that calculation
17 and run through that calculation and the type
18 of districts in that grouping, as Brian
19 mentioned, that may better reflect the
20 economies-of-scale challenges that some of
21 our smaller, more rural save-harmless-type
22 districts are in right now.

23 CHAIRMAN PRETLOW: Senate?

24 CHAIRWOMAN KRUEGER: Thank you.

1 ASSEMBLYMAN RA: Thank you.

2 CHAIRWOMAN KRUEGER: (Mic off.)

3 I'm sorry. Thank you for drawing our
4 attention to the challenges of math education
5 and results, particularly in urban New York.
6 Can you advise us what you think our
7 solutions should be?

8 MS. BAKER: Absolutely. So I actually
9 started the New York State Math Coalition, we
10 have parents at the table, higher education
11 folks, policymakers, retired math teachers.
12 We have been doing work on the ground looking
13 at other states, seeing how they have adopted
14 policy through competitive grants, through
15 state mandates. In particular, we are
16 uplifting the State of Alabama as an exemplar
17 model.

18 And going forward, we've leveraged
19 more things around what's successful. So
20 high-quality instructional materials, it's a
21 no-brainer. I was just on a national call
22 for a National Pi Summit and this is the very
23 thread of threading the needle for success
24 within mathematics.

1 Again, not leaving teachers alone.
2 Professional development, dedicated coaching.
3 And a feature that we really strongly feel
4 about is really bringing the parents into
5 this conversation. So double-downing on
6 family partnerships. Educating families on
7 how they can support their kids at home is
8 also the key to a successful -- any kind of
9 academic outcome.

10 So these are just some of the points,
11 but I do have information I'm happy to share
12 with the committee.

13 CHAIRWOMAN KRUEGER: Thank you.

14 And just with my last minute and a
15 half, so you're all educators and you all
16 believe in science. So don't you think we
17 should follow science and even the American
18 Pediatric Association's advice about
19 vaccinating children? Does anybody disagree?

20 No, you don't disagree? Just
21 checking. Thank you. Thank you.

22 (Laughter.)

23 CHAIRMAN PRETLOW: Assemblywoman
24 Bailey.

1 MS. BELOKOPITSKY: Ms. Krueger, in the
2 last minute, I will add, and I know -- thanks
3 for my colleagues' mention of NAEP scores --
4 there was a gain in our fourth-grade math
5 test scores today. So that was a special
6 highlight in at least today's NAEP release.

7 MS. BAKER: Yes, in New York City.

8 So New York City is a very beautiful
9 example that I use in a lot of work around my
10 accountability reports. New York City has
11 NYC Reads, investing in early literacy,
12 evidence-based curriculum, and now they have
13 NYC Solves.

14 Same investment. They looked at their
15 numbers, they have I think 56 percent of
16 their students who were proficient in reading
17 and a little lower in math, and they looked
18 at those numbers and they said it was
19 unacceptable.

20 I repeat it today -- 11 percent,
21 14 percent. Last year's scores: 2 percent
22 of eighth-graders were proficient in math in
23 the city of Rochester.

24 So we need something across the state,

1 yes. We did see increases in fourth grade
2 for New York City, but we did not see it
3 across our entire state for our kids.

4 CHAIRWOMAN KRUEGER: Thank you.

5 CHAIRMAN PRETLOW: Assemblywoman
6 Bailey.

7 ASSEMBLYWOMAN BAILEY: Good afternoon.
8 Thank you very much.

9 And as Senator Murray indicated, thank
10 you for all of your efforts. And I agree, I
11 believe BOCES is wonderful. My son was a
12 graduate in 2023 and went through the diesel
13 mechanic through our local BOCES, so thank
14 you.

15 My question does center around
16 something that we talked about already today,
17 but I feel it's important to ask this group,
18 so I'm going to direct the question
19 specifically to Mr. Little and Mr. Fessler
20 first, and then anyone else that wishes to
21 join in.

22 But are you able to provide the most
23 updated estimates that you have related to
24 the cost for the zero-emission school bus

1 mandate? And then on that, you know, how
2 will the -- each element associated with
3 transitioning to zero-emissions cost base on
4 our current market conditions, what will that
5 add to it?

6 MR. LITTLE: Yeah. No, I don't have
7 an estimate, but I can tell you how to make
8 the calculation. Go from 100,000 a bus to
9 300 to 400,000 a bus, and multiply that by
10 the number of buses in New York State.
11 That's -- that's our number.

12 That's just the beginning number
13 before you've got either charging stations or
14 transmission lines. If you've seen
15 Shenendehowa -- Shenendehowa is a shining
16 star here in the Capital Region -- they did a
17 study just of what it would take to get the
18 sufficient amount of electricity to their
19 charging stations: \$50 million. They have a
20 number of buses. They have a \$50 million
21 price tag for a transfer station.

22 And I held a series of rural issues
23 forums around the state, and National Grid
24 testified at most of them to make sure that I

1 knew that my biggest problem wasn't money, my
2 biggest problem was they couldn't get me the
3 power. That overnight they charge the grid,
4 overnight they make sure hospitals have the
5 power, and that this would be a significant
6 challenge for them in trying to charge up
7 every school bus every night to get ready to
8 go.

9 The other thing that I would say in
10 all of this is in our headlong rush to make
11 zero-emission buses mean electric buses, I
12 think we're ignoring what fuel cell
13 technology is doing. And before we ram
14 ourselves into one corner, let's take enough
15 time to let the industry play out, because
16 they now have a fuel-cell car that will go
17 1500 miles on a charge and puts water out the
18 tailpipe.

19 MR. FESSLER: I think beyond, you
20 know, kind of the pieces Dave mentioned, one
21 of the challenges we've found is there's such
22 a wide range of challenge and types of
23 challenge between different districts.

24 Obviously the cost of a bus is one

1 thing. But we've recommended as one of our
2 recommendations, you know, a state-funded
3 district-specific fleet implementation plan
4 that should guide the timeline for each
5 district.

6 It's going to be easier and quicker
7 for some districts, but much more difficult
8 and longer for other districts. So I think
9 that's a critical part of this, you know,
10 beyond some of the supports that the
11 Legislature and the Governor worked towards
12 over the past year dealing with mostly
13 technical funding issues, but that I think
14 are helpful as the kind of first steps along
15 this path.

16 ASSEMBLYMAN BAILEY: Thank you very
17 much.

18 CHAIRMAN PRETLOW: Assemblyman Maher?

19 {Mic issues.}

20 CHAIRWOMAN KRUEGER: He's still trying
21 to get it working.

22 CHAIRMAN PRETLOW: We'll go to
23 Assemblyman Otis while you fiddle with that.

24 (Laughter.)

1 CHAIRMAN PRETLOW: Assemblyman Otis.

2 ASSEMBLYMAN OTIS: Thank you.

3 ASSEMBLYMAN MAHER: I'm sorry. Am I
4 skipped?

5 CHAIRWOMAN KRUEGER: Okay.

6 CHAIRMAN PRETLOW: No, you're
7 unskipped. Go on.

8 (Laughter.)

9 ASSEMBLYMAN MAHER: Oh, thank you.
10 Unskipped.

11 (Laughter.)

12 ASSEMBLYMAN MAHER: Appreciate it.
13 That's a new one.

14 Hi, everybody. I will use my three
15 minutes just by asking a very succinct
16 question. It was also asked of the previous
17 panel. I want to thank my colleague for kind
18 of bringing this issue up. I hate that, the
19 fact that we're talking about it.

20 So we've been hearing about so many
21 different costs and the challenges that are
22 faced by our parents, by our teachers, by our
23 districts, and everyone involved, and we have
24 this policy that's in place, whether you

1 agree with it or not, whether we think that
2 electric vehicles is the future and we should
3 obviously lower our fossil fuel emissions,
4 which I believe in.

5 This plan does not make sense and
6 needs to be reevaluated and paused. So my
7 question to each of you at the table -- and
8 some of you have answered it already. For
9 those that have not, do you also agree,
10 representing the folks you represent, that
11 this should be looked at more and paused?

12 And that is my question I give to each
13 of you.

14 MR. LITTLE: I'll just jump in,
15 because everybody else I think are
16 Educational Conference Board members and
17 their response is more nuanced.

18 For me, it boils down to the fact that
19 for particularly needy districts and our --
20 many of our small and rural districts, it's
21 not only most logistically challenging in
22 those settings, but you're literally putting
23 districts in conflict between two state laws.
24 You have to have your locality vote, and if

1 they vote no, then you're out of compliance
2 with another state law that says that in
3 two years you can only buy much more
4 expensive buses -- when many of these
5 districts don't raise \$100,000 under the
6 tax cap.

7 So the state's got to figure out what
8 it's going to do with that conflict before it
9 goes headlong into this and, quite honestly,
10 puts the education of children in direct
11 competition with simply getting them to and
12 from school.

13 ASSEMBLYMAN MAHER: Sure. And I
14 appreciate that.

15 MS. BELOKOPITSKY: I think from the
16 PTA's perspective, we are -- our parents are
17 also worried about the safety of lithium-ion
18 batteries as it relates to fire hazards when
19 it comes to the siting of the battery
20 factories and the plants.

21 We've seen, unfortunately, the
22 devastating California wildfires, some of
23 those issues, and that has been repeatedly
24 brought to us at the State PTA and our

1 membership, and I know we have a position on
2 that from our colleagues.

3 I know many of us are concerned, as
4 ECB, on both the timeline and the funding of
5 this proposal, and I will let them speak to
6 that.

7 ASSEMBLYMAN MAHER: Thank you.

8 MR. CECHNICKI: From a school business
9 perspective, we've really just focused on
10 what is the ask of districts right now in
11 terms of implementing this, what are the
12 logistical steps, what are the current
13 barriers.

14 You know, we're supportive of the
15 change and the amortization schedule last
16 year, so sort of our immediate focus is we
17 want to be good partners for the state, this
18 is what's on the books, so let's find
19 sensible solutions to get us through there.
20 We're continuing to work through that. And
21 as obstacles come our way, we're happy to
22 share those with you all and the Executive.

23 ASSEMBLYMAN MAHER: Thank you.

24 MR. LOWRY: As I think Brian Fessler

1 said, the groups, the Educational Conference
2 Board, we put forward a series of
3 recommendations which we've shared with the
4 Legislature in the last week or so.

5 ASSEMBLYMAN MAHER: Thank you very
6 much.

7 CHAIRMAN PRETLOW: Thank you.

8 Assemblyman Otis.

9 ASSEMBLYMAN OTIS: Thank you.

10 And I want to start off with a
11 question for the two Brians, although others
12 may want to chime in.

13 In last year's budget there was some
14 discussion -- and I think some level of
15 misinformation -- about the role of reserve
16 funds for school districts. And we have our
17 Finance Committee, Senate, and Assembly Ways
18 and Means Committee here today.

19 What can you share with us about their
20 important role in terms of the financial
21 stability of school districts? And I'll just
22 say, as an aside, I looked it up last year
23 and the biggest school district reserve funds
24 were the smallest -- some of the smallest

1 school districts, who were just keeping not
2 even a percentage, it was an amount, but not
3 that big an amount of money, but enough so
4 that they're prepared for an emergency, which
5 is a prudent thing to do.

6 But help share how that really works,
7 and I'll start with the two Brians.

8 MR. CECHNICKI: Thank you. We always
9 joke which of us is Brian and which is the
10 other Brian, so --

11 (Laughter.)

12 MR. CECHNICKI: So "the two Brians"
13 works.

14 ASSEMBLYMAN OTIS: You're both the
15 other Brian.

16 (Laughter.)

17 MR. CECHNICKI: You know, certainly
18 this came up last year, I think, looking at,
19 you know, the reality of what districts have
20 in reserve versus what is, you know, best
21 practice for governments. And certainly the
22 state has been moving towards a 15 percent
23 fund balance. The GFOA suggested
24 municipalities should be on that.

1 You know, districts are limited to
2 4 percent, as you know, of unrestricted
3 reserves.

4 Certainly there are other funds,
5 reserve funds that are available above that,
6 but they have restrictions to them. They are
7 limited-use, there are rules about being able
8 to access that money.

9 And so you're right, there are a
10 significant number of districts that are, you
11 know, at the 4 percent or below the 4 percent
12 because -- you know, both from the law but
13 then also just how the inflow of money coming
14 from local revenues, which is capped with the
15 property tax cap, and, you know -- and
16 certainly last year many districts were
17 limited on the state aid increase.

18 And so, you know, we don't see sort of
19 a growth industry in those reserve funds in
20 ways that I think other groups are looking at
21 or other entities are looking at, and others
22 would suggest.

23 MR. FESSLER: Yeah, I really
24 appreciate the question because as Brian

1 alluded to, I think, you know, one of the
2 sometimes unfortunate misnomers is kind of
3 the commingling of restricted reserve funds
4 or dedicated savings accounts that are
5 authorized and guided by statute. You know,
6 the capital reserve. So where districts set
7 aside money, voter approved, in order to
8 build their next building or purchase a
9 school bus or a zero-emission school bus.

10 And then there's the much smaller, the
11 limited to 4 percent, the undesignated,
12 unrestricted fund balance piece that -- the
13 kind of very small margin that allows and
14 supports districts to address some of the,
15 you know, very, very normal -- especially for
16 public budgeting -- fluctuations between
17 revenues and expenditures midyear.

18 So the fund balance piece especially,
19 at a 4 percent limit, is something that
20 school districts continually feel very, very
21 restricted -- no pun intended -- restricted
22 and limited by it.

23 I know the Rockefeller Institute also
24 addressed that with recommending potentially

1 upwards -- with guidelines and limits -- a
2 10 percent limit, up from the current
3 4 percent limit.

4 CHAIRMAN PRETLOW: Thank you for that
5 answer.

6 I just have one quick question. Has
7 any school district begun buying or
8 purchasing electric buses?

9 MR. FESSLER: Yes.

10 MS. BELOKOPITSKY: Yes.

11 CHAIRMAN PRETLOW: And is the
12 infrastructure in place at these districts?
13 Because I personally don't see it working.
14 That's my personal view.

15 And I just take that by driving past
16 many parking areas that school buses tend to
17 park in, they're generally 4 or 5 inches
18 apart and they're just all crammed together
19 in a small space. And if you're going to
20 have that many school buses with charging
21 stations, there has to be a lot more space
22 available for them to charge. I just -- I
23 just personally don't see it working.

24 MR. LOWRY: I've had exactly the same

1 reaction driving by the bus lot for my kid's
2 school district. Just so many buses. How do
3 you -- it's -- the first impulse is just to
4 think about the cost of the buses themselves.

5 And, okay, we've got until 2027 before
6 we have to start buying buses and 2035 before
7 we have to finish. But yes, you need the
8 infrastructure in place. And that could be a
9 huge and expensive undertaking.

10 CHAIRMAN PRETLOW: Yeah, I think
11 that's probably a larger expense than buying
12 the buses themselves, because they have to
13 buy land somewhere to put these buses on.
14 Unless they do shifts with the charging. And
15 you're going to have a real problem in the
16 winter, especially in this part of the state
17 and farther north when electric vehicles
18 don't handle well in the cold, the battery
19 charge doesn't stay very strong, and they
20 don't work well on hills.

21 MR. LITTLE: There is not a bus garage
22 in the state that can hold an -- that holds
23 existing buses now that could accommodate
24 electric buses. They're just bigger.

1 So you're talking about a huge
2 expenditure just in dealing with maintenance,
3 the lifts that we have now to raise the bus
4 up to work on it, they don't handle electric
5 buses. They're of different dimensions,
6 they're longer and that type of thing.

7 The specific answer to your question
8 is that most of the districts that have gone
9 ahead with purchasing electric buses have
10 done that with federal money that's now very
11 much at risk.

12 MS. BELOKOPITSKY: And I will add that
13 in my small rural school district of 300
14 students -- K-8, if you can imagine -- my son
15 was on the bus for an hour each way to the
16 school district, for one route. And then the
17 bus would have to be reused for extra routes
18 in our very hilly Rensselaer County.

19 So as a parent and family, you know,
20 especially in our rural school districts,
21 while we absolutely support the goal of this
22 initiative, we do worry about, you know, as
23 you mentioned, the frigid temperatures here
24 in New York. Many of our rural areas that

1 have to re-run buses a number of times in
2 those charging stations.

3 But we will be happy to share the
4 Educational Conference Board positions, and I
5 know Dave has a position as well, with the
6 entire leadership here.

7 CHAIRMAN PRETLOW: Appreciate that.

8 Thank you all very much.

9 CHAIRWOMAN KRUEGER: Thank you.

10 CHAIRMAN PRETLOW: Panel D?

11 (Off the record.)

12 CHAIRMAN PRETLOW: Good evening,
13 everyone.

14 CHAIRWOMAN KRUEGER: Good evening.

15 CHAIRMAN PRETLOW: How do we want to
16 start this? In the order that they're on the
17 list? That works.

18 DR. KAPPEN: Good afternoon, and thank
19 you for allowing the 4201 Schools Association
20 to share some information about our concerns
21 related to the budget.

22 First, I want to thank you for all the
23 support that you've given to the 4201 schools
24 over the years. As you know, we represent

1 11 schools throughout the State of New York
2 serving children who are deaf, blind, and
3 children with severe physical disabilities.

4 I don't know how much I can say to
5 thank you for all you've done for us over the
6 years in supporting our students and their
7 growth and their achievements. And that's
8 really what we're about at our specialized
9 schools, would be achievements for our
10 children.

11 We are thankful in the Governor's
12 budget that we at least received level
13 funding. But this really isn't what we
14 really need to be able to grow and provide
15 the services for our children.

16 So growth is important to us, and you
17 may ask why. Our schools are changing. Many
18 of the children that come to our schools have
19 additional disabilities to their vision,
20 their hearing disabilities, or their physical
21 disabilities. We also have many more
22 children coming to our schools from
23 non-native-English- speaking families. So
24 they're bringing us those additional needs

1 for education in their curriculum.

2 With the additional disabilities for
3 our children, they need additional support --
4 occupational therapy, physical therapy,
5 speech therapy. All of these specialized
6 services are coming at an increased cost.
7 These are premium jobs to be able to have the
8 children receive those services.

9 Other things that we're noticing that
10 are rising up our costs would also be the
11 technology needs of our students. We know
12 that technology is something that every child
13 needs to be literate and to be able to get a
14 competitive job in the future. And our
15 children probably need those technology
16 opportunities more than anyone, to be able to
17 have either assisted technology or the
18 adaptive equipment to be able to be on equal
19 playing fields with their sighted and their
20 non-deaf peers as well as children without
21 physical disabilities.

22 We also need to support our staff. To
23 be able to have the outcomes that we have at
24 our schools, we need specialized staff,

1 highly trained teachers to be able to work
2 with the students.

3 One area that we have a great problem
4 with: We do have those teachers. Either
5 they come to us with the training, we provide
6 more training to them, and they're highly
7 regarded in other districts. I can tell you
8 we have the report where teachers are
9 recruited at an IEP meeting at a school
10 district to come to their school, because
11 that school district can pay more money to
12 the teacher that provides the services to the
13 children.

14 So we need to be able to pay our
15 teachers, our teacher assistants, and the
16 other specialists in our school for the hard
17 work that they do for our children. So
18 salary growth is really important for our
19 particular students as well.

20 CHAIRMAN PRETLOW: {Mic off.}

21 MR. LOPEZ: Sure. My name is John
22 Lopez. I'm the president of the New York
23 State Coalition of 853 Schools and executive
24 director at Devereux New York.

1 MR. REBELL: Hi, I'm Michael Rebell.
2 I'm a professor and executive director of the
3 Center for Educational Equity at Teachers
4 College, Columbia University.

5 MS. LEVINE: I'm Randi Levine. I'm
6 policy director at Advocates for Children of
7 New York.

8 DR. SANDMAN: I'm Dr. David Sandman,
9 president and CEO of the New York Health
10 Foundation.

11 DR. KAPPEN: Bernadette Kappen from
12 the New York Institute for Special Education.
13 I'm the co-chair of the 4201 Schools
14 Association.

15 CHAIRMAN PRETLOW: Thank you.

16 MR. LOPEZ: Chairs, other members of
17 the Legislature here today, thank you for the
18 opportunity to address you tonight.

19 As I said, my name is John Lopez,
20 president of the 853 School Coalition. The
21 coalition represents approved private,
22 not-for-profit, school-age special education
23 and school programs serving public school
24 districts' students with needs that are

1 unable to be met within their own district.

2 We appreciate the support that the
3 Regents, State Education, the Governor, and
4 the Legislature have demonstrated over the
5 years for students with disabilities,
6 providing investments to our school rates and
7 rate methodology redesign.

8 The coalition supports the Board of
9 Regents' recommendation providing annual
10 growth to the special education schools,
11 aligning the growth factor and the
12 methodology with the Consumer Price Index,
13 which is estimated at 3.1 percent for the
14 upcoming year. Qualified teachers and
15 clinicians, as you've heard throughout the
16 day, are essential for the success of all
17 students, especially those with disabilities.

18 Many schools struggle with recruitment
19 and retention. The average reported vacancy
20 rate among 853 schools for teachers was
21 around a staggering 36 percent. For
22 certified teaching assistants, it was around
23 30 percent.

24 Staffing challenges impact the quality

1 of services as well as the number of students
2 that we can take and support in our schools.
3 A survey of 853 school providers found that
4 50 classrooms were reported closed due to
5 lack of staffing.

6 To address these workforce challenges,
7 the coalition recommends investing
8 \$15 million across three proposals:
9 Increasing the Excessive Teacher Turnover
10 Prevention Program, or ETP, by an additional
11 \$5 million. Investing another \$5 million to
12 expand the list of eligible staff under the
13 ETP programs to include teaching assistants,
14 aides, licensed clinicians, and related
15 service providers. Additionally, improving
16 the pipeline of teachers through a \$5 million
17 investment targeted to support residency at
18 853 programs through the Department of
19 Labor's Teacher Residency Program.

20 These investments will ensure
21 equitable access to quality educators for our
22 students.

23 The Executive Budget proposal includes
24 continued and dedicated capital funding for

1 other similar settings like state-operated
2 4201 and specialized schools. Unfortunately,
3 there is no such dedicated funding program
4 for 853 schools. The coalition recommends
5 the creation of an 853 school infrastructure
6 capital investment fund modeled after this
7 not-for-profit infrastructure investment
8 fund, with the investment of \$60 million.

9 Finally, State Education, through an
10 opinion of counsel, recommended but did not
11 require districts to continue special
12 education services through the end of the
13 school year in which a student turns 22.
14 Aligning state law to those recommendations
15 is critical in supporting districts, and the
16 coalition supports the Regents' state aid
17 proposal of providing 65.4 million in state
18 support for the continuation of free
19 appropriate education for the full school
20 year a student turns 22.

21 Thank you for your continued support
22 of students and families and staff.

23 MR. REBELL: Okay. Ladies and
24 gentlemen, this year Governor Hochul has

1 proposed a \$1.7 billion increase, which many
2 people have found to be more than expected.
3 But let's be very frank about what the
4 Governor is doing with this proposal. She is
5 throwing money at a Foundation Aid formula
6 that's 19 years old, that everybody knows is
7 totally outmoded, that is not meeting current
8 student needs.

9 And she's doing it in a year when we
10 actually have a surplus in this state.
11 What's going to be happening next year? The
12 year after? What we're doing is patching up
13 an unworkable system and not confronting the
14 problem.

15 Now, she did authorize the
16 Rockefeller Institute to do an analysis, and
17 we've heard many references to that analysis.
18 What did they find? Well, their summary was
19 there's no doubt the Foundation Aid formula
20 needs to change from its current state. It
21 uses old, outdated information that does not
22 reflect today's student population. It uses
23 outmoded modeling, and it reflects an
24 antiquated concept of what public school

1 districts are expected to do, how student
2 success is defined, and how that achievement
3 is measured.

4 In short, we need a new formula. We
5 don't need patchwork on an outdated, unusable
6 old system.

7 Now, why didn't the Rockefeller
8 Institute come up with a proposal for a new
9 formula? Well, they were precluded from
10 doing so. Their charge said you can't put
11 this together and give us a new formula even
12 though everybody knows that is what we need.
13 State aid has asked this body for three years
14 to give them an appropriation to develop that
15 formula, and I commend the Legislature
16 because last year in the one-house bills you
17 approved that appropriation. But the
18 Governor vetoed it.

19 Now, I notice that Commissioner Rosa
20 has not renewed that request. She realizes
21 the Governor's not going to let them do it.

22 Ladies and gentlemen, it's got to be
23 done. What you're doing now in perpetuating
24 this formula is unconstitutional. The Court

1 of Appeals has ruled in the CFE case that the
2 Constitution requires the Legislature every
3 year to systematically review how many
4 dollars do you need to provide all kids in
5 the state the opportunity for a sound, basic
6 education.

7 The Governor has not done that. And
8 with all due respect, the Legislature can't
9 do it without a thorough study of what all
10 the kids need.

11 Now, our institute at Teachers
12 College, when we saw this problem, we saw the
13 need, we raised foundation funds and we
14 started developing the new formula with the
15 aid of the American Institutes for Research,
16 a very well regarded national research firm.
17 What we want to do now is finish the job.

18 We can get you a new formula,
19 objectively put together by next December so
20 you can consider it for next year.

21 We need two things from you. We need
22 cooperation on the methodology, we want to
23 know whether the successful schools method,
24 other methods people talk about, is the route

1 the Legislature wants us to go.

2 And quite frankly --

3 CHAIRMAN PRETLOW: Thank you.

4 MR. REBELL: -- the second phase is
5 going to cost us more money --

6 CHAIRMAN PRETLOW: Thank you.

7 MR. REBELL: -- and we would
8 appreciate a legislative appropriation to
9 help us finish this job.

10 MS. LEVINE: Thank you for the
11 opportunity to speak with you. My name is
12 Randi Levine. I'm policy director at
13 Advocates for Children of New York.

14 We appreciate that Governor Hochul and
15 the Legislature fully funded the
16 Foundation Aid formula in 2023 for the first
17 time. Now we are joining with more than
18 120 organizations in saying that updates to
19 the formula are sorely needed, and that we
20 are deeply concerned that the limited changes
21 in the Executive Budget proposal failed to
22 fully capture the needs of students or
23 variations in regional costs and would result
24 in New York City schools receiving

1 \$350 million less to meet the needs of
2 low-income students than the amount they
3 would receive if these changes would were not
4 made.

5 In particular, while we support the
6 Governor's proposal to replace the free and
7 reduced-price lunch metric with the broader
8 measure of economically disadvantaged
9 students, we are concerned about updating the
10 poverty metric using census data based solely
11 on the federal poverty guidelines.

12 The current federal poverty threshold
13 for a family of four is just \$32,150. Trying
14 to make ends meet on \$32,000 for a family of
15 four looks very different in the five
16 boroughs than elsewhere in the state, but the
17 proposal does not take into account these
18 differences.

19 Echoing others, the state should
20 update the Regional Cost Index, as
21 recommended by the Board of Regents and the
22 Rockefeller Institute. The RCI is supposed
23 to account for differences in wages in
24 different parts of the state but has not been

1 updated since 2006.

2 The state should add a weight for
3 students in temporary housing and students in
4 foster care, who have unique educational
5 needs that are currently not considered in
6 the formula. Our written testimony has
7 additional Foundation Aid recommendations,
8 but the bottom line is that the formula is
9 supposed to result in equitable distribution
10 of funding.

11 The Legislature should not accept
12 having New York City lose hundreds of
13 millions of dollars when this is a district
14 that has more than 146,000 students
15 experiencing homelessness -- one in every
16 eight -- and 700,000 economically
17 disadvantaged students, three out of every
18 four.

19 We're also calling for an ongoing
20 review of the formula to make needed changes
21 beyond this year and ensure the formula
22 reflects the actual cost of providing a sound
23 basic education to all students, especially
24 those with the most needs.

1 Our written testimony addresses other
2 areas as well, including our support for the
3 Board of Regents proposals to add
4 \$2.3 million to support the state in
5 implementing proposed changes to graduation
6 measures, to add \$65.4 million to help school
7 districts serve older students with
8 disabilities. And to enact a statutory
9 mechanism to update state-approved preschool
10 and school-age special education programs,
11 tuition rates set annually by the
12 Consumer Price Index.

13 As I was sitting here today, an
14 article went online stating that right now,
15 today, 450 children are waiting for seats in
16 their legally mandated preschool
17 special-education classes in New York City
18 alone.

19 We look forward to working with you
20 throughout the budget process. Thank you for
21 the opportunity to speak with you, and for
22 your work.

23 CHAIRMAN PRETLOW: Thank you.

24 DR. SANDMAN: Thank you all.

1 I'm Dr. David Sandman, president and
2 CEO of the New York Health Foundation. We
3 are a private, independent, and statewide
4 foundation that works to improve the health
5 of all New Yorkers.

6 Our Healthy Food, Healthy Lives
7 program works to link New Yorkers with the
8 food they need to thrive, and that includes
9 ensuring that all students have the food that
10 they need to grow, to be healthy, and to
11 learn, regardless of their family's income.
12 We enthusiastically support universally free
13 school meals for all students in New York
14 State in schools that participate in the
15 National School Lunch and School Breakfast
16 programs.

17 In 2017, New York City enacted free
18 school lunch for all of its 1.1 million
19 students, and in 2023 both houses of the
20 Legislature supported full funding for
21 universally free school meals statewide.
22 That year's final enacted budget vastly
23 expanded the program so that, today, about
24 90 percent of all students are eligible.

1 That means we're close to the finish
2 line, but close is not good enough. Too many
3 students are still left out, particularly
4 kids in smaller rural and suburban schools,
5 and especially so in the Hudson Valley, on
6 Long Island, and in Western New York.

7 A proposal in the Executive Budget is
8 a final step to closing those gaps. It will
9 provide free school meals for an additional
10 280,000 students and make healthy school
11 meals truly universal. Doing so will help
12 save their families up to \$165 per child per
13 month, making New York more affordable.

14 When school meals are universal, the
15 stigma of getting free meals decreases and
16 participation increases. Universal school
17 meals are often -- they're good for kids'
18 well-being and health. They are often the
19 most reliable and the healthiest part of a
20 child's diet.

21 We know that when students eat school
22 meals they consume more fruits and
23 vegetables, they have higher-quality diets
24 overall. But food-insecure students struggle

1 to focus, they have lower school attendance,
2 and they face greater risks of mental health
3 issues.

4 Universal free meals also reduce the
5 administrative burden on schools so that they
6 can focus on educating children instead of
7 acting like bill collectors and chasing down
8 parents.

9 Finally, making school meals free for
10 all is overwhelmingly popular. Voters in
11 New York want it. A survey conducted by the
12 foundation found that almost 90 percent of
13 New York State residents, whether they have
14 children or not, support healthy school meals
15 for all.

16 Food has historically been the one
17 part of public education that discriminates
18 by income. That should change, and I
19 encourage you to make free school meals truly
20 universal and leave no one behind.

21 Thank you.

22 CHAIRMAN PRETLOW: Thank you,
23 Mr. Sandman.

24 Mr. Magnarelli?

1 Mr. Carroll?

2 ASSEMBLYMAN CARROLL: I pass.

3 CHAIRWOMAN KRUEGER: Senator Mayer.

4 SENATOR MAYER: Sorry, I'm a perennial
5 here.

6 So first, to Dr. Kappen, I understand
7 you're retiring at the end of this year?

8 DR. KAPPEN: I am.

9 SENATOR MAYER: And you've been such a
10 leader on this fight. Congratulations to
11 you, and thank you for being here.

12 You mentioned supporting that
13 \$30 million capital -- my understanding in
14 the past was the need far exceeds \$30 million
15 for capital for the schools in the coalition.
16 Is that your understanding as well?

17 DR. KAPPEN: The 30 million short-term
18 capital was for, you know, emergency --
19 different repairs at the schools. And we've
20 had two rounds, and there is a third round
21 proposed, and I know that Assemblyman Otis
22 was really pushing that it move along.
23 Because, as you know, most of our schools are
24 old. I mean, anywhere from 200 to 100 years

1 old, so that we really do need to keep the
2 schools safe.

3 SENATOR MAYER: Right.

4 DR. KAPPEN: And then the other is
5 really a capital investment for workforce.
6 And that goes back to my comment before about
7 the salaries with the teachers.

8 SENATOR MAYER: Yeah. I'm familiar
9 with that.

10 DR. KAPPEN: If there could be, over a
11 three-year period of time, a project that
12 we're able to work on getting the salaries to
13 be more competitive so that we're not having
14 the teachers leaving us, going to school
15 districts or to BOCES.

16 SENATOR MAYER: Okay. Thank you.

17 John, you have in your testimony about
18 the FAPE, the 22-year-old requirement. Right
19 now your schools are required, basically, to
20 educate these students until 22, but there's
21 no reimbursement for you between 21 and 22.
22 How are you managing them?

23 MR. LOPEZ: Some districts are
24 forthcoming and able to pay, others just

1 aren't able to secure that, so they're either
2 making the decision to end education the day
3 after their 22nd birthday -- which is just
4 disruptive to families and the student and
5 their education programs.

6 SENATOR MAYER: It seems not right,
7 shall I say, that the Constitution requires
8 to 22, and the state won't pay for you to
9 provide to age 22. So, you know, I think
10 you're going to have to keep fighting that
11 fight.

12 The next thing I just wanted to ask
13 Randi is on the 4410 preschool special ed.
14 The study is sort of years away from
15 completion, and meanwhile we know statewide
16 these 4410s are under tremendous fiscal
17 pressure.

18 You're seeking a special ed CPI
19 increase to the rate now?

20 MS. LEVINE: Our written testimony has
21 a few different recommendations. We want to
22 make sure that programs continue to receive
23 the rate increases that they need, and that
24 includes valuation agencies as well as

1 certainly other recommendations that could
2 help ensure that they stay fiscally viable
3 while we wait for the conclusion of that
4 study.

5 SENATOR MAYER: Thank you.

6 Mr. Rebell, I'll follow up with you.
7 I ran out of time.

8 CHAIRMAN PRETLOW: Assemblyman Smith.

9 ASSEMBLYMAN SMITH: Mr. Rebell, I
10 actually want to follow up with you as well.
11 So maybe that will dovetail into some of --
12 so I will say, as someone who read through
13 the Rockefeller Institute's study that they
14 put together the day it came out, I was eager
15 to see what their recommendations were.

16 I didn't like all the recommendations,
17 but I think they did a very thorough job in a
18 very short amount of time. Can you speak a
19 little more about that? Because I'm very
20 interested, but I realize, you know, you
21 wouldn't need resources to look at something.
22 But, you know, the argument would be we just
23 spent \$2 million to look at that.

24 MR. REBELL: Basically, they came

1 up -- we counted, they came up with
2 32 different areas that needed to be
3 analyzed. And in most of them, they made
4 recommendations. We -- we think all of those
5 are worth looking into. I'm not going to say
6 what we agree with or what we don't agree
7 with. We want to study them.

8 And the major point is, as several
9 people said in earlier testimony, you can't
10 look at these things in isolation. You know,
11 New York City came up here and said, Okay,
12 you corrected the 2000 Census out-of-date
13 aspect of it, great, but that hurt us. On
14 the other hand, you didn't do anything about
15 the Regional Cost Index, which would have
16 helped us.

17 That's the way you put together a
18 formula. You have to look at it as a whole,
19 and you try to make a formula that's going to
20 be good for everybody in the state. We did
21 that with the Foundation Aid formula in 2006.

22 You know, I was the attorney in the
23 CFE case. We worked with State Ed, we worked
24 with the Legislature. We had an 82-1 vote in

1 the Senate. There was such powerful support
2 for it.

3 So when you look at it in a holistic
4 way, you can get the job done. And because
5 we believe in this, and because I'm committed
6 to this, we went out and raised foundation
7 money, we started developing this formula.

8 Having the Rockefeller information is
9 very helpful. It can help us speed up. What
10 I'm looking for is a conversation with the
11 Education Committees, others who are
12 interested. We want to talk about some of
13 the methodology.

14 You know, we're an independent
15 university. We're not beholden to anyone,
16 but we're trying to meet the needs of
17 everyone. We've hired the best -- I think
18 the best experts in the country, who have
19 done this in other states. We want to put
20 together something we can give you this time
21 next year so you can look at a holistic
22 formula.

23 And, you know, you'll play around with
24 it, but you'll play around with something

1 that has looked at everything, that's giving
2 you what the latest thinking is on mental
3 health, on all these other things you've got
4 to look at. And it can be done in a year.

5 What the Governor's done is kicked the
6 can down the road. And it can't be kicked
7 anymore. It's just -- you heard so many
8 comments today that it didn't look into this,
9 it didn't look into that.

10 ASSEMBLYMAN SMITH: I will say, giving
11 six months to do the job -- and I felt that
12 their conclusions were very blunt in certain
13 regards, and I was a bit surprised at that.

14 But I do think, you know, if you saw
15 my annotated version, you'd see that I liked
16 all the areas where we're giving an increase
17 in aid, but that the areas that cut aid I
18 didn't really like. But you have to look at
19 it as a formula, the holistic formula.

20 MR. REBELL: What I'd love to do is
21 get into a discussion about what aspects of
22 the Rockefeller report the Legislature thinks
23 are most important to dig into.

24 We've got this expertise. We've

1 already done all the statistical analysis of
2 how the equity issues and the outcome --

3 CHAIRMAN PRETLOW: Thank you. Thank
4 you, Mr. Rebell.

5 Senator?

6 MR. REBELL: Okay. Sorry.

7 SENATOR LIU: Thank you, Madam Chair.

8 I want to join Senator Mayer in
9 thanking Dr. Kaplan and John Lopez for the
10 work that the two of you do and your member
11 schools do. I mean, it's just incredible.
12 And we're always trying to push for more, and
13 sometimes we see it succeed a little bit.
14 Most of the time we fail miserably. But
15 we'll keep trying. Thank you for your work.

16 DR. KAPLAN: I appreciate it.

17 MR. LOPEZ: Thank you.

18 SENATOR LIU: Randi, thank you for
19 always telling me what to do and say, and I
20 will continue to do so.

21 David, thank you for supporting the
22 meals effort. Many of us in the Legislature
23 feel exactly the same way, and we're happy
24 that this year's budget goes longer towards

1 that.

2 Now, Michael, I'm going to kind of
3 continue where Shelley left off. You don't
4 just want to just have a discussion, right?
5 You need something to have that discussion.
6 Now, you mentioned two things you needed from
7 the Legislature before. Right? You
8 actually -- aren't you Legislature for 10
9 million things?

10 MR. REBELL: No.

11 SENATOR LIU: No?

12 MR. REBELL: We're looking for about 1
13 million.

14 Are we looking for 10 million things?
15 I'm looking for input on how we can finish
16 developing this thing. And, quite frankly,
17 we've raised a lot of Foundation Aid money,
18 but we need more. And I know the Legislature
19 has mechanisms for making grants to
20 universities and all. I'd like to talk to
21 people about that possibility in the context
22 of telling you what we can do, what input we
23 think would speed up the job if we got a
24 focus on some of the methodologies, like

1 whether we should use these successful
2 schools, or we think there are better
3 methods.

4 But we know in advance that the
5 Legislature would prefer doing it this way
6 rather than that way, rather than wasting our
7 time or giving you something that would be
8 rejected next year, we'd like to see if we
9 can talk through the methodologies and then
10 go ahead and finish the job. And --

11 (Overtalk.)

12 SENATOR LIU: Well, we've already
13 invested 2 million in the Rockefeller
14 Institute study, which is more than what I
15 think many of us here were expecting to,
16 given that the State Education Department
17 asked for just under 1 million to do the
18 study.

19 MR. REBELL: Right.

20 SENATOR LIU: They went ahead and
21 did -- it seemed like they did a lot of the
22 study anyway. And they put forth
23 recommendations. What do you think about the
24 State Education Department's recommendations?

1 MR. REBELL: Well, in general, I think
2 that the State Ed Department is going in the
3 right direction. I'm not going to endorse
4 any specific proposals they've made. But I
5 agree with the commissioner, and I've talked
6 to the commissioner, and she's supporting
7 what we're doing. And if we can go ahead
8 with this, I know they'll give us their
9 support, they'll work with us.

10 We want to do a lot of statewide
11 public engagement. I would prefer the
12 professional judgment method, which --

13 SENATOR LIU: The Rockefeller
14 Institute already did that, the statewide --

15 MR. REBELL: We haven't done those --
16 we haven't done those panels. We did the
17 statistical analysis part.

18 CHAIRMAN PRETLOW: Thank you very
19 much.

20 Assemblyman Ra.

21 ASSEMBLYMAN RA: Thank you.

22 Dr. Kappen, thank you for your
23 longtime advocacy. So you're following
24 Mr. Kelly's lead into retirement.

1 DR. KAPPEN: That's right.

2 ASSEMBLYMAN RA: So just on the
3 capital side in particular, I know we're
4 talking about emergency capital needs, but I
5 have been to many 4201 schools -- and I will
6 ask you the same regarding the 853s. I know
7 in the past maybe you've come forward with a
8 figure of what you think the capital needs of
9 these schools are in terms of all the things
10 that we're experiencing in all of these
11 buildings that are many years old.

12 Do you have any figures with regard to
13 that?

14 DR. KAPPEN: Well, we've gone after
15 that 30 million, which is the number we've
16 gotten. But, you know, I think when we talk
17 about it, just even this last round of
18 numbers, people put in way more than the
19 30 million. And people got some of what they
20 asked, not all of it, so that the needs are
21 still there. And some of the needs are
22 great. It could be boilers, it could be
23 roof -- they're all health and safety issues.
24 They're not really anything to do with

1 cosmetic or modernizing or prettying the
2 place. It's to make the environment safe.

3 So I think in some ways it could be
4 over 100, you know, when you look at all the
5 needs of the various schools. And again,
6 with the population of children changing at
7 some of the schools, there's probably a need
8 for more accessibility that you would need to
9 create for ramps, for door openers, those
10 kinds of things, to keep the environment
11 safe.

12 So as I said, we're really
13 appreciative and it's been a big help. This
14 last go-around, to have that 5 million held
15 back out of the 30, the first time the 30 was
16 released, they held back 5 million now for
17 emergencies, so that if something popped up,
18 you would be able to apply for that. That's
19 positive.

20 And now we're waiting for the
21 guidelines for the third round to see what
22 will happen there.

23 ASSEMBLYMAN RA: Mr. Lopez, if you
24 want to counter on that as well.

1 MR. LOPEZ: Yeah, we've not canvassed
2 the schools to see what specific needs and --
3 to get a shopping list. But we modded off
4 the investments that were done with the 4201
5 and looked at the scope of our schools and
6 kind of came up with that 60 million number.

7 ASSEMBLYMAN RA: And then one other
8 question for you as well. You know, this
9 came up with the commissioner talking about
10 the rate methodology study. Obviously we're
11 still several years away from that.

12 So how important is it that we have
13 some type of interim way to provide
14 additional resources to your schools?

15 MR. LOPEZ: It's absolutely critical.
16 I mean, you know, we've seen, you know, a
17 couple years of significant investment, which
18 is great. But that's following, you know, a
19 drought of investment. And so that's kept us
20 afloat, but we can't, you know, lag behind
21 while we're waiting several years for the
22 methodology.

23 It would be great if that's done
24 quicker but, you know, we want it done right,

1 too. So we're not in any way saying it needs
2 to be rushed. But we'll get them.

3 ASSEMBLYMAN RA: Thank you all.

4 CHAIRMAN PRETLOW: Senator?

5 CHAIRWOMAN KRUEGER: No other
6 Senators.

7 CHAIRMAN PRETLOW: Assemblyman Otis.

8 ASSEMBLYMAN OTIS: Thank you.

9 Thank you, 4201 and 853s. And, you
10 know, beyond the capital needs, which we have
11 talked about -- big priority -- the concern
12 with Special Act school districts also has to
13 be to make sure these districts are able to
14 function on an annual basis, operating
15 expenses. We've lost schools over the years
16 around the state, which means there are kids
17 that are not having their needs met.

18 So I think we all need to stay at it
19 and be aware of those needs. So thank you,
20 and we'll stay at it. I'll go with that.

21 Mike Rebell, great to see you. And
22 you're sort of like the guardian angel of
23 school funding. And good to see you again.

24 I think the other piece of the element

1 that everyone has to understand is when we
2 get to a formula, it's going to cost more
3 money than the normal increases we get or
4 that -- even when we've gotten bigger
5 increases. And we should get comfortable
6 with that, because what it means is that when
7 we reassign where money needs to go and try
8 to upgrade areas where there's a shortfall,
9 the reality is there isn't a district in the
10 state that's doing everything they should be
11 doing anyway. But it's going to cost more
12 money, and -- so this is sort of my warning
13 or reality check to everybody to get a little
14 comfortable with that when a formula gets
15 worked out.

16 But your comments on -- anything else
17 you want to add? You already said part of
18 this in the other answers.

19 MR. REBELL: Yeah, just two quick
20 things. Probably it will cost more money,
21 but I do think in doing a total look at this
22 we're probably going to come up with some
23 unnecessary state mandates, some ways to save
24 money. So it may not be as much as you

1 might imagine.

2 And in any event, if there is going to
3 be an increase -- last time we talked about a
4 four-year phase in. Unfortunately, it took
5 17 years. But I hope there won't be that
6 kind of delay. But it doesn't all get hit at
7 once, and we would agree that it should be
8 phased in.

9 ASSEMBLYMAN OTIS: Thank you. Thank
10 you for your decades of great work on that.

11 MR. REBELL: Thank you.

12 CHAIRMAN PRETLOW: Assemblywoman
13 Simon.

14 ASSEMBLYWOMAN SIMON: Thank you.

15 I appreciate your testimony, and
16 always good to hear from you about the needs
17 of your schools, which we have never met.

18 One of the points -- and I would love
19 to engage in that conversation, Mr. Rebell,
20 by the way. But I did want to just ask a
21 follow-up, because one of the recommendations
22 that you made, Ms. Levine, was to invest in
23 the high-dosage tutoring. It's always
24 unclear to me what we mean by that, like what

1 high-intensity tutoring is.

2 What are people -- what kind of
3 tutoring, and how is it being delivered, and
4 who is it being delivered by? Particularly
5 when I think of literacy, for example, and
6 the folks that are doing that and whether or
7 not they in fact are trained in the science
8 of reading, have those skills, et cetera.

9 Can you shed some light on that?

10 MS. LEVINE: I think we want to make
11 sure that any new investment goes to
12 intervention that is going to be effective.
13 And that follows the research of what we know
14 works.

15 In New York City we've been glad to
16 see NYC Reads and the changes in the
17 curriculum. There's definitely much more
18 work to do there. And at Advocates for
19 Children, we still get many calls from
20 families whose children are struggling to
21 read who maybe need more help than the new
22 curriculum provides or are now older and
23 never got those foundational literacy skills
24 and are looking to get help -- small-group or

1 one-on-one tutoring within the public school
2 system -- and too often we can't find that.

3 So we'd love to see that extended.

4 ASSEMBLYWOMAN SIMON: So in your mind
5 the request would support providing this
6 tutoring to students, for example, for whom
7 whatever's happening in the public schools is
8 not sufficient, or because they're older.
9 And does it include, you know, for example,
10 training? There are people who could do this
11 tutoring if they had some additional support
12 and training.

13 Is that also built into what your
14 request is?

15 MS. LEVINE: The training is clearly a
16 critical component. We want to ensure that
17 the folks who are delivering this tutoring
18 understand the science of reading and are
19 using intervention approaches that work.

20 ASSEMBLYWOMAN SIMON: And do you -- or
21 I don't mean you personally -- but obviously
22 have a cadre of people who are available to
23 do this tutoring?

24 MS. LEVINE: Yeah, I don't think --

1 ASSEMBLYWOMAN SIMON: To me, it's like
2 one of those things -- we keep talking about
3 this as kind of buzzwordy, and I want to make
4 sure there's -- I want to know what we're
5 doing.

6 MS. LEVINE: And let me say that this
7 is a request that is being made by a
8 coalition, so not just us. There are many
9 folks who are discussing how to do this most
10 effectively. And there are already -- in
11 certain districts some of this is already
12 happening. We're going to need more, whether
13 that is --

14 CHAIRMAN PRETLOW: Thank you very much
15 for your testimony.

16 ASSEMBLYWOMAN SIMON: Thank you.

17 CHAIRMAN PRETLOW: There are no other
18 people to ask questions.

19 I just have a couple of comments and a
20 quick question.

21 First, I'm happy to see that the
22 Governor is recognizing the special ed school
23 districts and we have to do a little less
24 fighting to get more funding for you, even

1 though we'll still try to get more.

2 And I guess I have one question for
3 Mr. Rebell, who wants to revamp the formula.
4 You know, currently the school aid formula is
5 based on the average wealth of the state.
6 And then they take the wealth of a district
7 and, if it's above the average wealth, it's a
8 little school aid. If it's below, they get a
9 lot of school aid.

10 In your mind, do you think that there
11 should be different criteria used?

12 MR. REBELL: Well, that's the basic
13 model that most progressive states use. Yes,
14 you should vary the amount of state aid based
15 on the wealth of the particular --

16 CHAIRMAN PRETLOW: That's what it does
17 now. And then it kind of reconfigures it,
18 trying to help districts that need more money
19 that don't fit into the formula, and that's
20 why it's the hodgepodge that it is now.

21 And I kind of think the problem with
22 doing a new formula is the same problem that
23 comes up when a community thinks about
24 reassessing their property. You know, it's a

1 third, a third, and a third. If you do a
2 re-val in any community, generally what
3 happens is a third of the people's property
4 taxes go up, a third go down, a third stay
5 the same.

6 And one of the reasons that you don't
7 want to do that is because the ones that go
8 down are usually your poorer districts in
9 your community. And then you'd have to raise
10 them to equalize everybody, and that's where
11 the problems lie.

12 And I think what happens with the
13 school aid formula -- if we change it,
14 several districts would have to go down. And
15 we don't want to lower any school district,
16 no matter what its wealth is, as evidenced by
17 the Governor now putting in a 2 percent
18 hold-harmless on all school districts.

19 So if we did a new school formula,
20 some districts would definitely go up, some
21 would go up by quite a bit. I can guarantee
22 you that several, out of the 600-and-some
23 school districts that we have, would be
24 necessitated to go into a reduction because

1 of a new formula. So rather than go through
2 that fight they just don't do a new formula.

3 MR. REBELL: Well, I'll tell you --
4 and look, we could get into the economics of
5 what the overall budget situation is for the
6 state.

7 But when we adopted the Foundation Aid
8 formula in 2007, there was a hold-harmless
9 for the wealthy districts, and the
10 underfunded districts got an average of a
11 15 percent increase per year over a four-year
12 phase-in, which really didn't fully happen.

13 Now, I agree there was more money
14 available at that time. But you can set up a
15 formula; if the Legislature is willing to put
16 the funding into it, yes, we can hold the
17 wealthy districts harmless and we can really
18 look to the needs of those who need a lot
19 more. There are various ways of doing it.

20 Whatever way you do it, though, it
21 should look to current student needs and it
22 should be constitutional. And we're not
23 doing either with using a 19-year-old
24 outdated formula.

1 CHAIRMAN PRETLOW: I have to cut
2 myself off. Thank you. Thank you very much.

3 MR. REBELL: Okay.

4 CHAIRMAN PRETLOW: Thank you all for
5 your testimony.

6 We now want to put up Panel E.

7 (Pause.)

8 CHAIRMAN PRETLOW: Good evening,
9 everyone. Good evening, everyone.

10 Before we begin, for the individuals
11 in the booth up there, could everyone just
12 introduce themselves and give your title and
13 your name before we start the testimony?

14 MR. PRIME: Sure. My name is Max
15 Prime. I'm the director of government
16 relations and advocacy for the New York
17 Library Association.

18 MS. COCHRAN: Hi, my name is
19 Catherine Cochran. I'm a policy associate at
20 the Center for Science in the Public
21 Interest.

22 MS. PINO-GOODSPEED: Hi, I'm Jessica
23 Pino-Goodspeed. I'm here on behalf of the
24 Healthy School Meals for All New York Kids

1 Coalition.

2 MS. BARNETT: My name is Claire
3 Barnett. I'm the executive director of
4 Healthy Schools Network. And I'm going to
5 talk to you about two things that didn't come
6 up in the budget and didn't come up in
7 today's conversation. Thank you.

8 CHAIRMAN PRETLOW: Okay. Okay, who's
9 first?

10 MR. PRIME: I'll go ahead.

11 CHAIRMAN PRETLOW: Oh, who's on first,
12 okay.

13 MR. PRIME: Good afternoon. My name
14 is Max Prime, and I have the privilege of
15 serving the New York Library Association as
16 their director of government relations and
17 advocacy.

18 Thank you for providing me with the
19 opportunity to testify today on behalf of our
20 state's libraries, library systems, and more
21 than 10 million New Yorkers who hold library
22 cards.

23 I begin by thanking Governor Hochul
24 for a second consecutive Executive Budget

1 featuring increased state aid to libraries
2 and dedicated funding for NOVELny, while
3 lamenting her proposal to substantially cut
4 library construction aid. To that end, this
5 year's Executive Budget includes 104.6
6 million for State Library Aid, 34 million for
7 Library Construction Aid, and \$3 million for
8 NOVELny.

9 New York's library community is
10 grateful to both the Legislature and
11 Governor Hochul for recognizing the need for
12 investment in our state's libraries and
13 library infrastructure, but the allocations
14 proposed remain insufficient.

15 To that end, NYLA is requesting
16 \$176.8 million for State Library Aid,
17 175 million for Library Construction Aid,
18 \$11.33 per pupil for Library Materials Aid,
19 and \$3.1 million for NOVELny.

20 As for State Library Aid, the program
21 is the primary source of funding for
22 New York's library systems, which provide
23 shared services and resources to each library
24 in New York. These system services ensure

1 that every community and every New Yorker has
2 access to quality library materials and
3 services.

4 Unfortunately, sustained underfunding
5 to the tune of over \$207 million across three
6 decades has depleted services, degraded tech
7 assets, and diminished educational
8 programming. And as such, New York's
9 libraries and systems require substantially
10 greater investment if they are to weather the
11 storm of rising operational costs, expensive
12 intellectual freedom challenges, and emerging
13 community needs.

14 This year's Executive Budget for
15 Library Construction Aid features a
16 regrettable return to the practice of
17 proposing sharply reduced Library
18 Construction Aid at the start of year and
19 forcing the Legislature to identify and
20 resecure that funding. Despite statewide
21 construction needs that, according to the
22 State Library, have grown to a total of
23 1.75 billion for the period spanning 2023 to
24 2027, this year's proposal cuts existing

1 funds by \$10 million, or 22.7 percent.

2 With each successive year of
3 underfunding the level of statewide need
4 continues to grow, our libraries continue to
5 age, the costs of, you know, fixing them and
6 what is there to be fixed go up, and the
7 issue metastasizes.

8 For Instructional Materials Aid we are
9 requesting, again, \$11.33 per pupil. For our
10 library materials, that level that is
11 currently in law is \$6.25. It's been stuck
12 there since 2007. It was last done through
13 Article VII legislation. It's time to do it
14 again.

15 And for NOVELny we are requesting a
16 small increase to \$3.1 million from
17 3 million, to account for increased costs
18 there and not to have any interruption in the
19 services and resources that are there.

20 Our libraries and library systems are
21 vital institutions of foundational and
22 lifelong learning. They advance literacy,
23 promote equity in education, and bridge gaps
24 in access to critical resources for

1 vulnerable populations. With adequate
2 funding, they can innovate and deliver the
3 services that we need for our patrons that
4 keep emerging. Without it, they'll struggle
5 to actually deliver on the current services
6 they already provide.

7 CHAIRMAN PRETLOW: Thank you.

8 MS. COCHRAN: Thank you,
9 Chair Krueger, Chair Pretlow, and members of
10 the Senate Finance and Assembly Ways and
11 Means committees for the opportunity to
12 testify today.

13 I'm testifying on behalf of the Center
14 for Science in the Public Interest. We're a
15 science-based consumer advocacy organization
16 who's worked on school food and school safety
17 for decades.

18 As a member of the Healthy School
19 Meals for All New York Kids Coalition, we
20 strongly support providing free breakfast and
21 free lunch to every New York student, as
22 outlined in Assembly Bill 282 and Senate Bill
23 594. Additionally, we would like to thank
24 the Legislature for its historic support of

1 this critical proposal.

2 We're thrilled that in her fiscal year
3 2026 Executive Budget Governor Hochul
4 included funding to expand universal free
5 school meals statewide. With this testimony,
6 CSPI urges the Legislature to ensure that
7 universal free school meals for all New York
8 students is fully funded in the final budget
9 for the following three reasons.

10 First, this policy makes New York more
11 affordable for families. We know this policy
12 will provide economic relief to New York
13 families facing the high cost of living by
14 saving families an estimated \$165 on
15 groceries per child each month.

16 Second, universal free school meals
17 promote nutrition, food security, and
18 academic performance. A systematic review
19 examining free-meals-for-all policies found
20 that they are positively associated with
21 school meal participation and in many cases
22 are positively associated with diet quality,
23 food security, and academic performance. In
24 fact, research shows that in 2017 and 2018

1 food consumed at school was the
2 highest-quality source of food for kids
3 compared to the nutritional quality of food
4 consumed from any other source, including
5 grocery stores and restaurants.

6 And finally, this policy has the
7 ability to advance equity. Universal free
8 school meals provide assurance that all
9 children will receive free meals at school
10 even if their family income fluctuates in and
11 out of typical eligibility requirements for
12 free meals.

13 No child deserves to be hungry at
14 school. Please ensure that the children in
15 New York have the nourishment and dignity
16 they need to learn and thrive by ensuring
17 that universal free school meals remain fully
18 funded in the final budget.

19 I'd also like to speak with you about
20 food safety. The budget should also include
21 Senate Bill 1239 and Assembly Bill 1556,
22 sponsored by Senator Kavanagh and
23 Assemblymember Kelles. This bill protects
24 children and New Yorkers from dangerous

1 chemicals in three ways.

2 First, it prohibits the use of seven
3 synthetic food dyes in school foods. These
4 dyes can result in hyperactivity and adverse
5 neurobehavioral outcomes in some children.

6 Second, the bill bans three dangerous
7 food chemicals from all foods sold in
8 New York State. These chemicals are linked
9 to cancer, hormone disruption, and
10 reproductive toxicity.

11 Finally, this bill requires
12 transparency. Federal regulations allow
13 companies to use new food chemicals without
14 telling the FDA. For those chemicals that
15 bypass FDA review, this bill simply requires
16 that companies disclose the evidence for why
17 their food chemicals are actually safe to
18 eat. That evidence would be posted in a
19 public database by the Department of Ag and
20 Markets.

21 Thank you for your consideration.

22 MS. PINO-GOODSPEED: Good evening, and
23 thank you for the opportunity to testify.

24 I'm here on behalf of the Healthy

1 School Meals for All New York Kids Coalition,
2 which represents over 350 organizations,
3 steadfast in our goal to make universal
4 school meals a reality in New York.

5 We're thrilled and grateful that
6 Governor Hochul included full funding for
7 statewide universal school meals in her
8 Executive Budget, ensuring that over
9 2.7 million New York State students will have
10 access to free breakfast and lunch each
11 school day.

12 But we would not be here without the
13 longstanding support and leadership of this
14 body. The Senate and Assembly both have
15 championed this critical policy and have
16 taken us through incremental steps that
17 you've heard of today, and we're really
18 excited that this year we can make this a
19 reality.

20 As you've heard already today, we know
21 healthy school meals for all is a proven
22 policy to end hunger in our schools and save
23 families money. We also know that stigma
24 really exists. This body has also worked

1 hard to ban overt lunch shaming in
2 cafeterias, but unfortunately that still
3 exists for families when they need to submit
4 applications, and kids still worry about
5 being characterized as "that free lunch kid."

6 We hear these stories directly from
7 schools, and these anecdotes are underscored
8 in research. When schools shift to universal
9 school meals, more kids eat, including those
10 already eligible for free school meals. We
11 know that this policy also supports student
12 health across all income levels.

13 Kids who eat school meals consume more
14 fruits, vegetables, and whole grains than
15 their peers. A recent USDA study has come
16 out to show that states with universal school
17 meal policies have increased local food
18 purchasing as well.

19 We had the opportunity to survey about
20 400 parents across New York State, and
21 87 percent of those parents agreed all
22 students should receive free meals regardless
23 of income. Among the parents who have access
24 to universal school meals, 82 percent said

1 they felt financial relief from the program.

2 I would like to use the rest of my
3 time to share direct quotes from parents from
4 that survey. One parent shared: "Inflation
5 is making it hard for me financially. I work
6 two jobs, I still struggle. Having free
7 school lunch helps me not stress about having
8 to pack a lunch every morning."

9 Another single mom shared: "The
10 rising cost of food is harming my ability to
11 feed my kids healthy options. Free school
12 lunch makes that opportunity available."

13 Another parent described their own
14 experience and stigma with free meals growing
15 up and shared that "I was a hungry child. My
16 parents did not enroll in free school meals
17 due to shame. I ate what my friends had left
18 over sometimes."

19 Our coalition represents the voices of
20 these families who are asking New York to
21 ensure that all children have access to the
22 food they need, no questions asked. With
23 strong support from this Legislature and
24 Governor Hochul, this is the year we can make

1 New York the ninth state to implement free
2 meals for all kids in New York.

3 We're proud to stand alongside you,
4 and we urge lawmakers to make this historic
5 investment fully funded in the enacted
6 budget. Thank you.

7 MS. BARNETT: Great. Thank you very
8 much. It's great to be here. Thank you
9 again so much.

10 I want to talk about something that
11 was not in the budget and really hasn't come
12 up in the questions, and it really has to do
13 with school facilities and it's really
14 prompted by the Extreme Heat in Schools Bill
15 and the pending chapter amendment.

16 New York State public school
17 facilities need to be prepared for extreme
18 weather events, and improving indoor air
19 quality to reduce the spread of colds and flu
20 and other infectious diseases. We have two
21 major recommendations, and in the testimony
22 there are extensive resources on
23 high cost/low cost ways to cool down schools
24 as well as improve indoor air, and some

1 examples of what NYSERDA's already doing.

2 We urge all of you -- because this has
3 not come up in the budget -- to press,
4 because the Governor will not -- you have to
5 press the Board of Regents and the
6 Education Department to come up with a plan
7 for school facility climate and health.

8 Climate affects everybody. It affects
9 children dramatically. It affects the
10 conditions of the building dramatically. It
11 puts all that built infrastructure at risk.
12 You need to have resilient buildings. So the
13 priorities include -- really, they need to
14 have a school facility climate and health
15 plan, prioritize how to address them, which
16 buildings are in the highest risk zone, and
17 where are the children at highest risk. And
18 then what would the cost be -- low cost, high
19 cost, and so forth. You really need that.

20 We support the bill. We want to see
21 the chapter amendment signed and put in. But
22 the second recommendation here, just the way
23 there are questions about should
24 superintendents be signing off on

1 vaccinations, there is substantial medical
2 and environmental health research on the
3 effects of high heat on children.

4 Children are more vulnerable to high
5 heat than the adults around them, and that
6 means they're much more vulnerable in a
7 school setting -- which schools are more
8 densely occupied than nursing homes -- than
9 the adults who are the teachers and the
10 staff. So it's really important to get that.

11 So we want the New York State Health
12 Department to be directed to produce
13 high-level guidance for the individual school
14 districts while they're thinking about how to
15 put together a plan and work it out with
16 their community. It's really essential to
17 have the information to them before they
18 start preparing the plan, not after the fact.
19 So if the Department of Health can be urged
20 to assist Education, and fast-tracking
21 advice, that would be great.

22 So just to tell you a little bit about
23 what happens in high heat. First of all,
24 they are more vulnerable to high heat and

1 other environmental health risks than the
2 adults around them because they're still
3 developing. High heat in schools is now
4 well-documented to reduce the ability to
5 absorb new lessons, take on new information
6 in high-heat classrooms. It also undercuts
7 test scores. And it's the third leading
8 cause of athlete death in students.

9 Thank you.

10 CHAIRMAN PRETLOW: Assemblyman
11 Carroll.

12 ASSEMBLYMAN CARROLL: Good evening,
13 and thank you all for your testimony.

14 Mr. Prime, the Library Association
15 has -- you just advocated for an increase of
16 both operating and capital dollars from the
17 Governor's 2025 budget. Can you tell us how
18 you came about to come up with that
19 assessment, how you -- how those numbers were
20 created?

21 MR. PRIME: Absolutely. So the
22 \$176.8 million that we are requesting for
23 Library Operating Aid, we got that number by
24 taking a look at the first year of the

1 current formula back in fiscal year '91-'92,
2 and looked at what was statutory that year.
3 It was around \$76 million. If you just
4 advance that out even by inflation out to
5 today, that reaches to that \$176.8 million.

6 In the past 30 years there have been
7 massive expansions in what libraries do, and
8 costs that are associated with those. That
9 increase wouldn't even cover that. That
10 would just be to, you know, do what we did
11 back in the early nineties. So that's kind
12 of, to us, a minimum of what we really need.

13 For the Library Construction Aid, that
14 \$175 million number -- we took the five-year
15 estimated current need for the state for
16 library construction, \$1.75 billion. We took
17 one year of that, which would be
18 \$350 million, and then we took what we would
19 need to leverage the local funds, the kind of
20 baseline 50 percent match for local funds,
21 and we said we would need that 50 percent to
22 come in from the state to cover that and
23 actually keep pace with what our needs are.

24 ASSEMBLYMAN CARROLL: Thank you so

1 much.

2 CHAIRMAN PRETLOW: That's it.

3 Senate?

4 CHAIRWOMAN KRUEGER: Senator Shelley
5 Mayer.

6 SENATOR MAYER: Yes. I do have a few
7 questions.

8 First, Mr. Prime, one of the libraries
9 in my district pointed out that apparently
10 libraries, in order to get audiobooks and
11 other things that are really much more
12 desirable now than hardcover books, they
13 actually have to sign a contract with a
14 for-profit book publisher that is the same as
15 sales to a bookstore, and that every year
16 they have to renew at an exorbitant rate.
17 They cannot get a multiyear contract, so --
18 and there is limitation on usage for
19 audiobooks.

20 Are you proposing or suggesting there
21 should be legislation that allows libraries
22 or requires that libraries be able to have
23 deals that are not the same as a bookstore?

24 MR. PRIME: So what we are proposing

1 is to have legislation that would put
2 guardrails on this process so that libraries
3 are not kind of, you know, gouged on these
4 terms.

5 Currently we are having to purchase --
6 or really, we can't purchase -- license
7 audiobook materials at rates that are far,
8 far above what an individual citizen would
9 have to pay for those, often two to three
10 times more than an individual citizen would
11 have to pay on their own to get access to
12 that e-material.

13 And so what we end up having to do is
14 have these licenses that, you know, they're
15 purchased at the higher price point. Usually
16 they are -- still one person can check it out
17 at a time.

18 SENATOR MAYER: Right.

19 MR. PRIME: That's all there. But
20 after a certain number of circulations or a
21 certain time period, that license ends, and
22 you have to purchase it again and again and
23 again. And it really, you know, puts the
24 squeeze on budgets.

1 SENATOR MAYER: Yeah.

2 MR. PRIME: And makes it so we can't
3 use the money that you all give to us
4 effectively.

5 And I do know that Assemblymember
6 Carroll has actually introduced legislation
7 that we had introduced last year,
8 reintroduced it recently.

9 SENATOR MAYER: So Assemblyman Carroll
10 has a bill that addresses this issue. Okay.

11 I think this is for Jessica. The
12 Governor mentioned in her State of the
13 State -- and you also are using -- this
14 \$165 savings. Where does that come from,
15 that number? I mean, it sounds good, but I
16 just don't know.

17 MS. PINO-GOODSPEED: I'm so glad you
18 asked. They reached out about this same
19 question.

20 So we take the average cost of a
21 meal -- which is, I think, about \$4.20,
22 calculated by Feeding America -- and then
23 take that and do some basic multiplication of
24 two meals a day and make a general sense, and

1 then we kind of round it down.

2 SENATOR MAYER: Okay.

3 And lastly, Ms. Barnett, we don't have
4 a copy of your testimony. Maybe it wasn't
5 submitted online. So if you can make sure it
6 gets to be distributed from you. We don't
7 have it. I don't have it, anyway.

8 MS. BARNETT: It was emailed to you.

9 SENATOR MAYER: Okay. I'm just
10 saying.

11 CHAIRMAN PRETLOW: Thank you.

12 Assemblyman Smith? Gone.

13 Assemblyman Otis.

14 ASSEMBLYMAN OTIS: I have some
15 questions for Mr. Prime. Thank you very much
16 for being here. We love our libraries.

17 Just to follow up on Senator Mayer's
18 question, four alternative models deal with
19 this licensing issue. Have you surveyed
20 anything that other states have done in this
21 space, or would we be the first to sort of
22 jump in?

23 MR. PRIME: So there have been
24 attempts kind of across the country. There

1 are a number of states that are kind of
2 advancing similar legislation to what we are
3 advancing and trying to put that forward.

4 There were somewhat different models
5 that were attempted previously that had some
6 kind of, you know, fatal flaws within the
7 text that really needed to be addressed.

8 This legislation that we have proposed
9 is fundamentally different to what the kind
10 of previous attempts have been. We've
11 addressed those issues. The previous
12 versions would have essentially required
13 publishers to enter into contracts without
14 giving them a choice. This uses the kind of
15 well-established right of states to regulate
16 their internal markets and, you know, have
17 consumer protection contract law to say if
18 you are going to engage with public libraries
19 on this matter, you would have to do so kind
20 of within these bounds -- and these terms, X,
21 Y, and Z, would not be appropriate.

22 ASSEMBLYMAN OTIS: Certainly
23 interested in more information on that.

24 On the issue of capital, certainly

1 we're all and the Legislature has been over
2 many years a big supporter of adding and
3 restoring capital funds for libraries into
4 that construction fund, very important fund.

5 For your members, are you noting an
6 increase in the need for capital that is also
7 related to technology upgrades?

8 MR. PRIME: I'd say across the board
9 all types of increases in capital need are
10 there. So certainly that.

11 You know, we looked at broadband
12 issues that come in with capital as well,
13 trying to expand access in communities where
14 that is not there and the library ends up
15 being really one of the few places where you
16 can access it.

17 But certainly, across the board, I
18 would say all categories of capital increase.

19 ASSEMBLYMAN OTIS: That's great.

20 Another topic really that's going to
21 come up in the Economic Development hearing,
22 but is something libraries have looked into
23 that I'm involved with, are digital
24 inclusion, digital equity programs.

1 Libraries are big players in that.

2 So stay tuned, and you may want to
3 feed in some written comments there as well.

4 MR. PRIME: Absolutely.

5 ASSEMBLYMAN OTIS: Thank you.

6 MR. PRIME: Thank you, sir.

7 CHAIRMAN PRETLOW: Senate?

8 CHAIRWOMAN KRUEGER: I'm sorry, yes.

9 Senator Bynoe.

10 SENATOR BYNOE: Thank you,

11 Madam Chair.

12 Hi. Greetings to the panel. And

13 Mr. Prime, this question is for you.

14 When you referred to threats to
15 maintaining core services, could you explain
16 what those threats are and give us an
17 example?

18 MR. PRIME: Certainly. So really, as
19 I mentioned in my testimony, over time there
20 have been these gaps in the statutory amount
21 of aid versus what we've actually received
22 for a long time, and the actual kind of value
23 of the dollars we have has gone down over
24 time as well.

1 So it's just libraries and their
2 systems that kind of serve them have been
3 stretching that money further and further and
4 further. And so our systems, where most of
5 the money goes to from State Library Aid,
6 they help to provide those shared services
7 kind of across all of the libraries that they
8 serve to make sure that all of the libraries
9 in their service area are able to kind of
10 provide those core services.

11 One of the things that we see
12 happening there is that, you know, some of
13 the services they provide won't be able to
14 necessarily continue to be provided if the
15 money doesn't continue to come in or increase
16 at a pace that would allow it. Things like
17 shared IT services that make sure, you know,
18 the integrity of the IT there. Or even, you
19 know, the covering of payroll processing for
20 some of the local libraries that they serve.

21 And each time you take away one of
22 those items, it stresses the actual local,
23 you know, taxpayers there more and more. And
24 in those communities that don't -- you know,

1 that might be more economically vulnerable,
2 don't have the money to be able to put in, it
3 means that their libraries could become
4 unsustainable and, you know, you might not be
5 able to continue to provide all of those
6 services.

7 And one of the core things that we see
8 here that keeps coming up is, you know,
9 delivery costs continue to rise. And if the
10 money doesn't continue to match with that, or
11 keep pace to allow us to continue providing
12 delivery on the same schedules, you could see
13 days where, you know, the truck doesn't go
14 between the libraries and those books don't
15 make it to their intended destinations. It
16 creates longer lag time.

17 There are so many different ways. A
18 lot of systems end up subsidizing some of the
19 local internet costs for their member
20 libraries, which are a core aspect of the
21 services delivered. So there are a lot of
22 different ways that that can happen.

23 SENATOR BYNOE: And you also mentioned
24 supporting a slight increase to NOVELny.

1 MR. PRIME: Yes.

2 SENATOR BYNOE: Could you explain how
3 that would be used?

4 MR. PRIME: Yeah. So essentially
5 NOVELny is a suite of databases and
6 electronic resources that are available to
7 all New Yorkers free of charge, and it ends
8 up being used, you know, in large part by our
9 school libraries to make sure that there are
10 databases available to kind of all students
11 across the country -- or not country, sorry,
12 state. But all students across the state,
13 you know, regardless of that relative wealth.

14 But that 0.1 -- that \$100,000 would
15 just keep pace with the price of those, to
16 make sure that none of the resources drop off
17 this year.

18 CHAIRMAN PRETLOW: Assemblywoman
19 Simon.

20 MS. BARNETT: I'm -- since -- I did
21 email in my testimony; apparently it did not
22 get distributed. I apologize. But could I
23 make a comment out of my remarks that are
24 here, just to sort of fill out how the

1 Regents might prioritize?

2 CHAIRWOMAN KRUEGER: So we're making
3 sure -- you've already -- you already spoke.
4 So we're making sure the testimony gets
5 online for everyone. Okay?

6 MS. BARNETT: Okay. Thank you.

7 (Mic issues; pause.)

8 ASSEMBLYWOMAN SIMON: Thank you. And
9 thank you for your testimony.

10 Ms. Barnett, I had a couple of
11 followup questions.

12 CHAIRMAN PRETLOW: Turn your mic on.

13 ASSEMBLYWOMAN SIMON: It's on.

14 CHAIRMAN PRETLOW: Oh. I see red.

15 Oh, that's another mic? Okay.

16 ASSEMBLYWOMAN SIMON: I can get
17 closer. Okay. Just a couple of questions.

18 You talked a lot about the effects of
19 heat.

20 MS. BARNETT: Yes.

21 ASSEMBLYWOMAN SIMON: I'm curious
22 whether your organization has a view with
23 regard to the various systems from a climate
24 point of view, right? In New York, unlike a

1 lot of states, we actually require an
2 evaluation of physical plant every five
3 years, and it goes on a rotating basis --

4 MS. BARNETT: Right, the Building
5 Condition Surveys, correct.

6 ASSEMBLYWOMAN SIMON: But there are a
7 lot of old heating systems, there are a lot
8 of, you know, places letting in air and
9 whatnot.

10 MS. BARNETT: Right.

11 ASSEMBLYWOMAN SIMON: Inefficient
12 uses. But also just many of these heating
13 and air-conditioning systems, for example,
14 can also have a negative effect on students
15 and exacerbate pulmonary disorders -- asthma,
16 for example.

17 Can you comment on that? Is that
18 something that your organization has focused
19 on?

20 MS. BARNETT: Well, to begin with, our
21 focus is always children's environmental
22 health and safety. We're now in our
23 30th year as an organization. I've served on
24 a number of different state committees over

1 the years, and I'm currently a voting member
2 of the Health and Human Services Federal
3 Advisory Committee on Children and Disasters.

4 So we have a project right now with
5 RPI, and in that project we're looking at the
6 existing data that New York State already
7 collects. You collect Building Condition
8 Surveys, annual visual inspections. The
9 Health Department collects pediatric asthma
10 hospitalizations and emergency room visits.
11 There are also school report cards and so
12 forth, our heat vulnerability indices and so
13 forth.

14 So merging these together in a massive
15 database, in a deep dive upstate, we did a
16 small roundtable workshop with Paul Tonko and
17 his district in the Albany area, and we found
18 in his congressional district, 16 percent of
19 the public schools had absenteeism rates over
20 45 percent annually. Thirty one percent of
21 the public schools were in areas above the
22 median Heat Vulnerability Index, and
23 42 percent of the public schools had
24 ventilation systems with less than five years

1 of remaining life.

2 One of the interesting things about
3 the Building Conditions Survey is you can't
4 rely on something called air conditioning,
5 because it's not a good question to ask
6 because of how it's framed in the Building
7 Conditions Survey. What we looked at in an
8 older Building Condition Survey going back
9 about five or six years -- not the most
10 current one -- is we found that roughly half
11 of all the public schools upstate, out of
12 New York City, do not have mechanical air
13 handling systems.

14 So this is a much bigger issue, which
15 is why it's really important to get an
16 overall look at it. In fact, when -- we had
17 already established looking at Building
18 Condition Surveys when the Campaign for
19 Fiscal Equity began its search. And I
20 approached Michael, saying, Do you want to
21 include facility data? And at that point --
22 which was 25 years ago -- there really was
23 not the robust --

24 CHAIRMAN PRETLOW: Thank you.

1 MS. BARNETT: -- science. So we've
2 done a lot on this.

3 ASSEMBLYWOMAN SIMON: Thank you. I
4 want to follow up with you.

5 CHAIRWOMAN KRUEGER: Okay. Thank you.
6 Sorry, we have to go on.

7 Senator Murray.

8 SENATOR MURRAY: Thank you,
9 Madam Chair.

10 And thank you all for being here. And
11 I'll echo what I've said over and over again
12 today: To those with the healthy meals,
13 thank you so, so much. This is very personal
14 to me. I've told my story before; I won't
15 use up the time. But it is very personal,
16 and it means a lot, so thank you so much for
17 your efforts.

18 Mr. Prime, thank you for being here.
19 I know you're a little under the weather, so
20 it shows your dedication to the cause here.
21 But, you know, year after year you talked
22 about the statutory increases and what should
23 have been. Year after year after year,
24 through every budget process. And there was

1 a previous governor that was famous -- or I
2 should say infamous for immediately cutting
3 your funding and then making the Legislature
4 claw it back just to get to the starting
5 point.

6 It almost feels like we're there
7 again, because we had a \$10 million increase
8 up to 44 with the construction aid last year,
9 and where are we starting? Right back at 34
10 now.

11 Where should the construction aid,
12 where should it really be at this point?

13 MR. PRIME: So we do feel that it
14 should be at that \$175 million level. We
15 believe that the --

16 SENATOR MURRAY: You're saying
17 construction or overall?

18 MR. PRIME: For -- sorry, for that --
19 for construction specifically.

20 SENATOR MURRAY: Okay.

21 MR. PRIME: Because that -- you know,
22 that aid is really the -- you know, like I
23 said, that represents what we need the state
24 to put forward for our localities to be able

1 to leverage local dollars to keep pace with
2 the actual need of construction across the
3 state.

4 SENATOR MURRAY: And I always say when
5 we're in tight times like this, if we're
6 going to increase, it needs to be an
7 investment. Well, this is. I've had a
8 couple of libraries expand in my district,
9 and the return is incredible.

10 What you see on the return in
11 investment here boosts both directly and
12 ancillary with just how it helps the
13 community. But I believe, if I'm not
14 mistaken, isn't it somewhere to the tune of
15 for every dollar we invest we get like an \$8
16 return, something like that?

17 MR. PRIME: It's about \$7 back, yup.
18 For every \$1 invested in libraries, about \$7
19 back in --

20 SENATOR MURRAY: And that's why this
21 is truly an investment that we will get back.
22 So I would like to see -- like you, I'd like
23 to see that aid get to where it should be.

24 Speaking of being stagnant, in 2007

1 when we talked about Instructional Material
2 Aid, 2007 was the last time it increased.
3 We're stuck at \$6.25. Again, up to the \$11
4 is where -- a little over 11 is where we
5 should be.

6 But can you explain what that goes
7 towards? When we say Instructional Material
8 Aid, what is that?

9 MR. PRIME: Certainly. And there are
10 several categories of Instructional Material
11 Aid. And we focus specifically on that
12 Library Materials Aid. And that is for the
13 materials in our libraries that, you know,
14 can be circulated, that are, you know, for
15 use that can't be, you know, purchased under
16 textbook aid or any of the other types of
17 instructional aid. But it's for the vast
18 kind of array of different things that your
19 student might want to check out from the
20 library.

21 And we did recently expand what that
22 includes to include digital materials,
23 e-books. Those cost a lot.

24 SENATOR MURRAY: Right.

1 MR. PRIME: We need to have that
2 higher level to be able to actually keep pace
3 with that.

4 SENATOR MURRAY: Thank you.

5 CHAIRMAN PRETLOW: Thank you very
6 much.

7 Assemblywoman Hooks.

8 ASSEMBLYWOMAN HOOKS: Hello. Thank
9 you for your testimony.

10 Langston Hughes Library is a Black
11 heritage reference center for the entire
12 Borough of Queens. It is also the only
13 library in New York City that provides
14 referencing and circulation. The Governor is
15 cutting its funding by \$55,000. Will the
16 funds you are requesting have any funding
17 allotment to that library?

18 MR. PRIME: So in what I've talked
19 about today, that library would be addressed
20 through the funds that would go to the
21 library system that serves it and kind of
22 work through that way, as its system is -- it
23 is a branch of a system.

24 But we have, you know, in our

1 materials that we advocate for, while it's
2 not included here, we do year after year
3 advocate for full funding for that library,
4 for Langston Hughes, because we believe it is
5 important for that to not be cut back when
6 you have an increase. We want that stable
7 funding and for its services to be, you know,
8 robustly provided for.

9 ASSEMBLYWOMAN HOOKS: Okay. Also I've
10 been hearing from my libraries that it's
11 really difficult for the monies that go to
12 the public library system to actually get to
13 the libraries for repairs. And they have
14 been, two of them, my libraries, have been
15 waiting on just to get the sound system
16 repaired and AC. And it's been several years
17 of waiting, and money was allocated for it.

18 MR. PRIME: And so the -- you know,
19 how it goes through the system, there's a
20 process for the applications and how the
21 systems can kind of apply that money. And
22 so, you know, I'd have to look at the
23 specific instances there that we're referring
24 to.

1 But one of the issues that we have is
2 that the amount of money that's provided, you
3 know, it's allocated across all the systems,
4 divided by formula. And the amount that goes
5 to each system is just not enough to actually
6 handle the needs of all of those projects
7 that are there.

8 And we see often whereas there's a
9 baseline eligibility for, you know,
10 50 percent of matching -- or, you know,
11 50 percent local funds and 50 percent from
12 the state. There is room for eligibility up
13 to 90 percent, but most of the -- you know,
14 for those who qualify for economically
15 distressed and disadvantaged communities.

16 But the amount of money that goes in
17 isn't enough for most of those libraries to
18 even be able to get, you know, 30 percent.
19 It's just not there. And we need to have
20 that investment to properly be able to
21 leverage that and get that -- you know, those
22 projects going.

23 ASSEMBLYWOMAN HOOKS: Got it.

24 Thank you.

1 CHAIRMAN PRETLOW: Okay, thank you.

2 Assemblywoman Amato.

3 ASSEMBLYWOMAN PHEFFER-AMATO: Hi,
4 everybody. Good evening.

5 Ms. Barnett, first of all,
6 congratulations on 30 years. And I have a
7 question -- I don't know if it falls under
8 your purview, what your organization does,
9 because you were talking about healthy
10 schools and talking about the heating within
11 the building structure.

12 And I'm from New York City. Do you
13 look at infrastructure around buildings? So
14 for example, my area, we flood. In New York
15 City we have old infrastructure, our -- some
16 of our kids can't get to school because the
17 streets are so flooded. If it's rain or
18 depending on high tide, we actually have
19 people who wait till the tide goes down.

20 Do you look at that extension of a
21 school building or what happens for that
22 health in that surrounding sort of area?

23 MS. BARNETT: So our funding issue is
24 actually children's environmental health,

1 meaning they're adversely affected usually by
2 polluted indoor air.

3 ASSEMBLYWOMAN PHEFFER-AMATO: Okay.

4 MS. BARNETT: Indoor air is our
5 founding issue, because literally everything
6 that goes right and wrong with a building
7 from the outside to the inside can affect the
8 indoor air quality, and children with asthma
9 are going to be particularly impacted. So
10 having had a son that was impacted, it was
11 pretty logical to follow that.

12 So the project that we're doing with
13 RPI is mining the databases. What I do know,
14 from speaking to people who have been working
15 in the State Ed School Facility Office for
16 some time, is that roughly -- it's close to
17 half, maybe a third to half -- of buildings
18 have been built located in wetlands.

19 ASSEMBLYWOMAN PHEFFER-AMATO: Welcome
20 to my district.

21 MS. BARNETT: Yeah. So we have a
22 problem here. Because climate's not going
23 away, and everybody's going to be warmer and
24 everybody is going to be wetter.

1 And so the resiliency issue is really
2 critical. And how do you build resiliency
3 around the building, right, to prevent the
4 floodwaters and so forth? And how do you
5 also build resiliency inside the building,
6 because indoor air gets worse with warmer,
7 wetter weather.

8 Because -- and this is well
9 established through the Institute of Medicine
10 and the National Academies of Sciences. In
11 fact, the National Academy of Sciences found
12 18 years ago that generally buildings have a
13 serious effect on children's thinking,
14 health, and learning. And so if you want a
15 building that promotes health and promotes
16 learning, they have to come with certain
17 characteristics. They have to be clean, dry,
18 quiet -- already they're not, right? Clean,
19 dry, quiet, free of dust and particulates,
20 good indoor air quality, well-maintained
21 systems. Thermal comfort is an element.
22 Thermal comfort means too hot/too cold.

23 To that, at this point, after 18 years
24 of work, there is now a climate impact. And

1 EPA has put out tremendous information about
2 the impact of climate on children and heat on
3 climate, which I've included in here.

4 ASSEMBLYWOMAN PHEFFER-AMATO: Thank
5 you.

6 MS. BARNETT: Thank you for the
7 question.

8 CHAIRMAN PRETLOW: Thank you very much
9 for your testimony. I have I guess two easy
10 questions for you.

11 First question. Is the Governor's
12 proposal to fund the universal lunch and
13 breakfast sufficient, or should it be
14 increased? Any one of you.

15 MS. PINO-GOODSPEED: So I'm happy to
16 answer this.

17 So we've been able to talk and connect
18 with the Executive. And what we can see in
19 the breakdown -- it does include the
20 expansion -- the longstanding reimbursements
21 for free meals and what we anticipate would
22 cover the remaining schools that do not have
23 universal. So yes.

24 CHAIRMAN PRETLOW: Okay. And

1 typically, what does the school lunch and
2 breakfast look like?

3 MS. PINO-GOODSPEED: I can take some
4 of that.

5 So school lunches are -- they must
6 meet federal regulations and meet certain
7 components. I am not a school lunch
8 director --

9 CHAIRMAN PRETLOW: I mean, is ketchup
10 a vegetable? Is that the road that we take?

11 (Laughter; overtalk.)

12 CHAIRMAN PRETLOW: I'm old, what can I
13 say.

14 MS. PINO-GOODSPEED: Correct.
15 Yes. So there are certain regulations that
16 each school must meet in order for that meal
17 to be reimbursed by the federal and state
18 government. And so there's also oversight
19 through the State Education Department to
20 make sure that those menus are compliant in
21 order to receive reimbursement.

22 CHAIRMAN PRETLOW: Okay, because I
23 don't think many schools now have cafeterias
24 where they cook, so they have to purchase

1 food from outside vendors. Is that how this
2 works? I mean, is it a slice of pizza or is
3 it the mystery meat that I was used to in
4 high school? You know ...

5 (Laughter.)

6 MS. PINO-GOODSPEED: School meals have
7 come a long way even from when I was in
8 school. And so there are some schools that
9 do programs outside of the National School
10 Lunch and Breakfast Program that may use
11 outside vendors.

12 But, you know, if you're using a
13 vendor they need to comply with whole-grain
14 standards. That pizza needs to be whole
15 grain. And so, you know, those pieces.

16 And I think, too, we're in a new day
17 for school meals. Schools are really kind
18 of -- we heard from New York City today,
19 using parent feedback to improve their menu
20 options, doing more local farm-to-school.
21 And universal school meals just really kind
22 of gives that stable revenue so that schools
23 can focus on giving kids the highest-quality
24 meals that they'll eat.

1 And so we're excited that this is kind
2 of -- we've seen this through the
3 longstanding programs in New York City, and
4 now kind of being able to roll out to every
5 school in New York.

6 MS. COCHRAN: And I would add, if I
7 may, that the 2010 Healthy Hunger-Free Kids
8 Act was pivotal to improving the nutrition of
9 school meals. And then the USDA passed a
10 final rule in 2023 that implemented stronger
11 standards as well. So schools are going to
12 be rolling in, for instance, a limit on added
13 sugars that's going to continue to improve
14 the nutritional quality of school meals.

15 CHAIRMAN PRETLOW: Thank you very
16 much. Thank you all.

17 We're ready for Panel F.

18 MS. PINO-GOODSPEED: Thank you.

19 MS. COCHRAN: Thank you.

20 (Pause; off the record.)

21 CHAIRMAN PRETLOW: Good evening,
22 everyone. For our audiovisual people up in
23 the booth, could everyone just introduce
24 themselves and just state your name and who

1 you're representing? We'd appreciate that.

2 MS. ALTFIELD: Yes. Sydney Altfield,
3 executive director of Teach NYS.

4 MR. CULTRARA: James Cultrara,
5 executive secretary, New York State Council
6 of Catholic School Superintendents.

7 RABBI SILBER: Yeruchim Silber,
8 director of New York government relations at
9 Agudath Israel of America.

10 MR. MERRIMAN: James Merriman, CEO,
11 New York City Charter School Center.

12 MS. HALL: And I'm Anna Hall. I'm
13 standing in for Fatimah Barker, who's
14 probably on your roster, from the New York
15 Charter Schools Association.

16 CHAIRMAN PRETLOW: Thank you all very
17 much. Okay, who's going to start?

18 MS. ALTFIELD: Great. Hi, everyone,
19 good evening Chairs Krueger, Pretlow, Mayer,
20 and members of both committees.

21 I'm here representing
22 402,000 nonpublic school students that attend
23 1700 schools and make up 15 percent of the
24 student population here in New York.

1 I want to tell you a story about a
2 school on Long Island. Their school --
3 before the STEM program that is in my
4 testimony and I'm going to speak about today,
5 before the STEM program existed, that school
6 did not feel that their students had the
7 skills to compete in robotics competitions.
8 Then the STEM program happened.

9 They started getting money, they
10 started revamping their school's -- their
11 curriculum. And I'm really proud to say that
12 now, with the STEM program, that school just
13 placed, in their first time ever competing,
14 first place in a robotics STEM competition.

15 So when I talk about increasing
16 funding for programs such as the STEM
17 reimbursement program, I like to tell you why
18 and how it's helping students and schools
19 across the State of New York.

20 But unfortunately, the program is not
21 fully funded. So we're seeing great things
22 happen, but it's just not meeting the needs
23 completely. If the program were to be
24 fully funded, it would need to be funded at

1 \$133 million. We're currently at
2 \$75.5 million. The Governor put it in for
3 85.5 million, a \$10 million increase. We're
4 extremely thankful. But it's just not
5 enough, as I mentioned.

6 We're asking for the Legislature to
7 increase it to \$100 million to get us closer
8 to that full funding of \$133 million so that
9 we can have stories like that not just on
10 Long Island, but across the entire state, and
11 that every application that's applied for is
12 fully funded for the STEM program.

13 Now I have to change my tune a little
14 bit. That was very exciting, but now I have
15 to talk about the reality of what most of our
16 schools are facing, is security threats. A
17 majority of the schools that I represent, the
18 nonpublic schools, are faith-based schools:
19 Jewish schools, Islamic schools,
20 Catholic schools. And last year I spoke
21 about the horrific things that I was
22 witnessing visiting these schools, and
23 unfortunately it has stayed the same a year
24 later.

1 The FBI have found that there's been
2 an 84 percent increase of hate crimes just in
3 the State of New York alone -- 961 hate crime
4 incidents in the last year. Unfortunately,
5 those are fueled by antisemitism, by
6 Islamophobia, and our faith-based schools are
7 feeling the financial burden. And their
8 costs have risen exponentially, where there's
9 about 80 percent spending increases across
10 the board over the last year.

11 So we're asking for the nonpublic
12 safety equipment program -- the Nonpublic
13 School Safety Equipment program, NPSE, to be
14 increased from \$70 million to \$90 million.
15 Thank you.

16 CHAIRMAN PRETLOW: Thank you.

17 MR. CULTRARA: Thank you. In addition
18 to supporting Sydney's proposals as well as
19 Yeruchim's, the Catholic School
20 Superintendents would like to focus on two
21 issues: academic intervention services and
22 the state immunization program.

23 For 25 years, funding for AIS has been
24 at the embarrassingly low, utterly inadequate

1 level of \$1 million to serve these 1700
2 schools. Last year was the first year where
3 you broke that low funding, and you provided
4 a 50 percent increase. But a 50 percent
5 increase on a million dollars doesn't
6 address, doesn't come close to the easily
7 \$30 million need.

8 We're asking you to restore the
9 \$500,000 that the Governor cut that you added
10 last year and to continue to increase that
11 program to meet the full need at 30 million.

12 Now, the immunization program.
13 Senator Krueger, glad that you asked the
14 question of a previous witness. As you know,
15 our school principals -- all public school
16 principals are on the frontline of enforcing
17 the state's immunization program. That is a
18 public health mandate.

19 School administrators are not public
20 health administrators. They're school
21 administrators. Yet that's where the kids
22 are, so they impose the burden on school
23 principals. Since 1985, you have been
24 providing funding for our schools located in

1 the cities of Buffalo, Rochester and New York
2 City.

3 But 10 years ago you recognized not
4 only was that funding inadequate, but that
5 schools outside those three cities -- given
6 the nursing shortage especially, our schools
7 outside those cities were incurring expenses.
8 And so you changed the law to require the
9 commissioner to reimburse all schools across
10 the state, not just those in the three
11 cities. Yet funding for the last 10 years
12 has only gone to those schools in the three
13 cities, except for one year, at only a
14 million dollars.

15 Our survey about it 10 years ago, the
16 Weinstock {ph} survey, showed that there's
17 about, on average, a \$30 per pupil cost. And
18 we can outline that for you and justify what
19 that cost is.

20 In the meantime, the program has
21 become more complicated, more time-consuming.
22 We have fraudulent immunization records and
23 practitioners. The State Health Department
24 and county health departments are enforcing

1 it, showing schools that if you have kids in
2 your school who have fraudulent immunization
3 records, you must unenroll those kids.

4 Yet when we talk to the parents, they
5 say "My kid got immunized." So a practitioner
6 who issues fraudulent records is also
7 immunizing kids, making it far more confusing
8 for the parent -- for the school. We need
9 reimbursement to help enforce it.

10 CHAIRMAN PRETLOW: Thank you.

11 RABBI SILBER: Okay, thank you. Good
12 evening, now, Chairs Krueger, Pretlow, Mayer.

13 And I agree with my colleagues on
14 funding requests. In my written testimony I
15 have provided details on our requests,
16 including fully funding mandated services,
17 security, immunization reimbursement, as Jim
18 has mentioned, universal free meals, and
19 more.

20 But there are two very important
21 issues I really want to highlight here.
22 Under state law all children have the right
23 to receive special education services,
24 usually provided by the local district.

1 However, some localities, primarily New York
2 City, have failed to meet their obligation to
3 provide services directly, and parents are
4 forced to file a due process complaint with
5 an independent hearing officer.

6 Last summer the Board of Regents
7 proposed an amendment severely curtailing the
8 rights to a due process hearing. This is
9 causing a total collapse of the private
10 special education provider market. Months
11 into the school year, thousands of kids were
12 still without services.

13 In December New York City offered to
14 grant services, but in order to accept,
15 parents had to sign a waiver severely
16 restricting their rights. Senator
17 Hoylman-Sigal introduced legislation, S1325,
18 that among other things removes the
19 restrictions placed upon parents signing
20 these waivers. We strongly support this
21 legislation and urge its passage.

22 Last October, Agudath Israel, joined
23 by 10 parents -- including a mother from
24 Harlem whose child had cerebral palsy, now

1 deprived of her aide to push a wheelchair and
2 help use the bathroom, and a Hispanic family
3 whose child has spina bifida -- they filed
4 suit, contending that the amended regulation
5 violates the meaning and intent of state law.

6 Within a matter of days the judge
7 granted a TRO, pausing the implementation.
8 While the case now awaits final judicial
9 resolution, we urge the Legislature to
10 consider enacting legislation protecting and
11 restoring the rights of all children,
12 ensuring they receive -- have access to
13 proper services.

14 Now in East Ramapo, as was mentioned
15 earlier today, every child in East Ramapo,
16 whether attending a public or a private
17 school, should have access to a quality
18 education and well-maintained school
19 buildings, as well as receive all essential
20 services, whether it's transportation or
21 special ed.

22 Sadly, many of the public school
23 advocates have often reverted to antisemitic
24 tropes and false accusations of racism, which

1 only serve to further divide people and do
2 nothing to improve the education of students
3 in the district.

4 The legislation that passed has
5 {unintelligible} for a state monitor,
6 granting the monitor veto power, but despite
7 those good-faith efforts, fiscal problems
8 persisted.

9 Last August, as was mentioned this
10 morning, Commissioner Rosa intervened
11 unilaterally, imposing an additional
12 4.38 percent levy on the district taxpayers,
13 citing a deficit of \$20 million. Then this
14 past November it was announced that the
15 district actually had a \$30 million
16 surplus -- a \$15 million discrepancy. In
17 light of that, we issued a statement calling
18 on the commissioner to consider rescinding
19 this tax levy.

20 We believe the root of the East Ramapo
21 problem is the Foundation Aid formula, which
22 is fundamentally flawed. It does not account
23 for nonpublic school students, even though
24 the district is required to supply services

1 to all children. Given the unique
2 demographics of this district, where most
3 children attend nonpublic schools, the
4 district has naturally experienced budgetary
5 shortfalls.

6 Indeed, in the Rockefeller Institute
7 study, they explicitly write that the income
8 wealth per capita should be based not on the
9 number of public school students but on the
10 total school-age population. We urge the
11 Legislature to follow this recommendation and
12 adjust the formula accordingly.

13 Thank you, and I look forward to
14 working with you over the course of the next
15 couple of months.

16 CHAIRMAN PRETLOW: Thank you.

17 MR. MERRIMAN: Good evening. I'm
18 James Merriman, chief executive officer of
19 the New York City Charter School Center, and
20 I thank the chairs and the members for the
21 opportunity to testify.

22 Before turning to the proposed
23 Executive Budget, I do want to correct the
24 record. And it's one of the oldest

1 misunderstandings, which is when a student
2 returns from a charter school to the home
3 district, the myth is that the charter school
4 keeps 100 percent of that year's funding.
5 It's not true.

6 I point you to 8 NYCRR 119.1,
7 promulgated by NYSED. And basically the rule
8 is once a student stops attending a charter
9 school, the money stops and the money returns
10 to the district. Basically, you get just the
11 amount of money for the percentage of time at
12 that school year.

13 I also want to say that, you know,
14 collective choice -- because I hear you talk
15 sometimes: Oh, charter schools are taking
16 students. But parents are making the choice
17 to send their kids to charter schools. And
18 that collective choice can sometimes be
19 eye-opening.

20 In New York City today, 39 -- 39
21 percent of Black students in the early grades
22 attending a New York City public school are
23 attending a public charter school. Why? For
24 all the reasons that anyone picks schools:

1 sense of safety, building feels like family,
2 they like the curriculum, wraparound
3 services, et cetera, et cetera.

4 But one reason does stick out in a
5 world where NAEP scores were just released,
6 and they are pretty grim. The fact is that
7 year after year, Black and Hispanic charter
8 school students outperform their counterparts
9 in New York City public schools by large
10 amounts. And this year -- last year,
11 24 percentage points on the state 3-8
12 assessments in math, and with similar but
13 smaller gaps in ELA.

14 You may not be aware of that fact, but
15 I assure you that most of the parents of the
16 149,000 students who chose a charter over a
17 district school in New York City are aware of
18 it.

19 As to the Governor's proposed budget,
20 we applaud the Governor on increasing state
21 aid but share New York City public schools'
22 concerns about implementing only some of the
23 Foundation Aid fixes.

24 A cellphone ban -- generally in

1 agreement, need to talk more with our charter
2 schools which already have programs in place
3 to see how it will work.

4 And finally, we welcome the inclusion
5 of charter schools in the Governor's proposal
6 to launch the High School Opportunity Fund.
7 It's a great program, and it's a great
8 example of including charters instead of
9 excluding them, which too often in the past
10 has happened.

11 Thank you so much.

12 MS. HALL: Good evening again. My
13 name is Anna Hall, and I'm here from the
14 New York Charter Schools Association,
15 representing the over 350 charter schools
16 across the state, from the Bronx to Brooklyn
17 and all the way up to Buffalo.

18 So I won't read the written submitted
19 testimony that we've already provided.
20 Instead I'd like to use this opportunity to
21 be responsive to some of the themes that you
22 all have heard already from our public school
23 counterparts.

24 First of all, we agree about the

urgency and the necessity to revise and revisit the Foundation Aid formula to reflect the more current and accurate use of data and more modern understanding about the use of resources that some students and districts that disproportionately serve them need in order to meet their needs. This is also true for charter schools.

And I think one thing that has been missing in the conversation about Foundation Aid is that charter students generate Foundation Aid for their host districts but do not receive Foundation Aid according to their student need categories, even as they are currently configured and outside of the revisions that the Governor has proposed. The charter funding formula actually predates the Foundation Aid formula and unintentionally has created this us-versus-them mentality around funding between district schools and charter schools that you've already heard from district leaders today.

It's something that can and should be

1 fixed. Because when it comes to student
2 needs, it's about the children and not about
3 the adults. So the state should pursue a
4 funding formula that will take longer than
5 just this year, that recognizes student need
6 regardless of the type of public school that
7 students' parents choose for them, as James
8 shared, and end this process that makes the
9 district feel as if they are paying for
10 charter schools and their students. They are
11 all public school students, and they are
12 collectively our responsibility.

13 A very specific example of the
14 disconnect of the relationship between the
15 charter funding formula and Foundation Aid
16 manifested itself for Rochester charter
17 schools specifically just this past year. Of
18 any public school in the state, Rochester
19 charters lost state funding going from FY '24
20 to FY '25 despite general legislative support
21 both from the local delegation, from the
22 Governor's office, and legislative leaders.

23 To address the potential decrease via
24 bullet aid in last year's budget, confusion

1 about the difference and the disconnect
2 between Foundation Aid and the charter
3 funding formula actually prevented that
4 timely and necessary correction. And so
5 those schools that serve disproportionately
6 low-income and minority students in one of
7 the most challenged school districts in the
8 state lost money, even as the district
9 increased their own funding.

10 CHAIRMAN PRETLOW: Thank you for your
11 testimony.

12 MS. HALL: Thank you.

13 CHAIRMAN PRETLOW: Assemblyman Ra.

14 ASSEMBLYMAN RA: Yes.

15 Just on the school security issue. I
16 know we had some numbers we had talked about
17 in the aftermath of October 7th in terms of
18 doubling the existing funding -- which it was
19 45, to \$90 million. Any particular numbers
20 you can give us in terms of what you feel the
21 need is?

22 MS. ALTFIELD: Yeah. So thank you for
23 asking the question, because the need is
24 really great.

1 Right after October 7th we did a
2 survey and we surveyed a bunch of our schools
3 across the state, Jewish/not Jewish, Islamic,
4 Catholic, and we found that just after --
5 directly the months after October 7th,
6 security spending increased 47 percent.

7 Now we've done a new study -- so that
8 was last year, the last school year, in the
9 middle of the school year. They were already
10 charging parents more money for security
11 costs. We've started a new survey for this
12 year, and that -- we're still gathering some
13 information, but we're currently at an
14 80 percent increase from last year's budgets
15 in school spending to this year's.

16 So schools are spending money on
17 increased guards, on bollards, bulletproof
18 windows. If I had to choose one of what's
19 the most costly and what are schools
20 choosing, it's guards. Parents refuse to
21 send the kids to school unless there's guards
22 in front of the school, visible. We even had
23 some schools last year close because they
24 didn't feel they had adequate security on

1 certain days where there were Days of Rage, I
2 would say.

3 So this extra money -- last year it
4 went from 45 to 70. We were asking last year
5 for the 90, we didn't get there. But getting
6 up to that 90 would help secure these
7 schools, and it is allowable for guards, for
8 usage of guards.

9 MR. CULTRARA: Mr. Ra, if I can add,
10 in addition to addressing the desperate
11 security needs of schools, you were good
12 enough to change the law two years ago to
13 allow those funds also to be used for
14 critical capital needs for health, safety,
15 security. So if there's a structural need at
16 the school, you can use it.

17 Just the archdiocese alone, which is
18 three boroughs in the city and seven upstate
19 counties, has capital needs of 800 million.
20 And that's all health, safety, and security
21 needs.

22 ASSEMBLYMAN RA: Thank you.

23 CHAIRMAN PRETLOW: Senate?

24 CHAIRWOMAN KRUEGER: Senator Shelley

1 Mayer.

2 SENATOR MAYER: I have a question.

3 Mr. Cultrara, on the immunization -- I
4 know this comes up every year -- what is the
5 compliance rate with the immunization
6 requirements in the Catholic schools that you
7 represent? Do you know?

8 MR. CULTRARA: You mean the percentage
9 of kids who are fully immunized?

10 SENATOR MAYER: Yes.

11 MR. CULTRARA: I do not know that, but
12 I'll ask our superintendents.

13 But knowing that the Health
14 Department, through county health
15 departments, the State Health Department, are
16 now publicizing that principals are subject
17 to personal fines -- not the school, the
18 individual principal is subject to a fine --
19 our folks are scared.

20 So they're spending the time to make
21 sure -- time that they don't have, that
22 they're supposed to be devoting to education,
23 they're now spending the time working with
24 the Health Department, looking over

1 fraudulent records and so on, because they're
2 intimidated by those fines. So I can tell
3 you, they are faithful in enforcing that law.

4 RABBI SILBER: Senator, I'm sorry --

5 SENATOR MAYER: Yeah, go ahead, Rabbi.

6 RABBI SILBER: -- if I could just add
7 quickly, we did a survey a number of years
8 ago. I think it was a time when there was a
9 bill which took away the religious exemption,
10 I believe.

11 SENATOR MAYER: Yes.

12 RABBI SILBER: And at that time
13 compliance was over 95 percent. So it was a
14 few years ago.

15 It's possible, through COVID, all the
16 vaccine stuff may have gone down a little
17 bit, which hurt all vaccinations, but it was
18 quite high.

19 MR. CULTRARA: And our -- I know our
20 superintendents told me they don't -- their
21 principals don't accept kids who had even
22 religious exemptions, because there is no --
23 something -- there's nothing in Catholic
24 teaching against --

1 SENATOR MAYER: There is no religious
2 objection left. We removed it.

3 MR. CULTRARA: That's right. And we
4 were happy that you removed that exemption.

5 SENATOR MAYER: Well, I'm glad you
6 were. Not everybody was.

7 You mentioned the cost of \$30 per
8 pupil for the -- where did you get that
9 number?

10 MR. CULTRARA: So the Weinstock {ph}
11 survey of about 10 years ago --

12 SENATOR MAYER: Oh.

13 MR. CULTRARA: -- reviewed --

14 SENATOR MAYER: You mentioned that.

15 MR. CULTRARA: -- surveyed the
16 administrators in schools in the three
17 cities.

18 SENATOR MAYER: Okay. Thank you.

19 And in the charter community, I
20 appreciate you talking about parent choice.
21 But you can apply for and be granted a
22 charter before the school's open and before
23 parents choose you.

24 So one of my concerns in a school in

1 my district is there was tremendous
2 opposition -- from the district, from
3 parents, from teachers, from the community --
4 and yet the charter was granted by SUNY as a
5 new charter. And if it ultimately opens,
6 maybe some parents will choose.

7 But the way you're describing it is as
8 if parents petition to create the charter.
9 They're not the petitioners in these cases.

10 MR. MERRIMAN: I mean, I'd just say
11 that for parents, the most important thing
12 they have is their children. So I wouldn't
13 denigrate the fact that they're choosing the
14 school. I'm not sure what the difference is.

15 Of course there has to be a school
16 created. Not every parent wants to go to
17 that school.

18 SENATOR MAYER: Right. I'd just say
19 some of our comments, they have to do with
20 the approval process, not the choice.

21 MR. MERRIMAN: Understood.

22 SENATOR MAYER: Okay, thank you.

23 MS. HALL: Could I just say quickly --

24 CHAIRWOMAN KRUEGER: No.

1 CHAIRMAN PRETLOW: No.

2 MS. HALL: -- if not enough parents
3 want their students to go, they --

4 CHAIRMAN PRETLOW: Assemblywoman
5 Pheffer Amato.

6 ASSEMBLYWOMAN PHEFFER-AMATO: Good
7 evening.

8 Regarding the school security -- and I
9 appreciate you requesting additional funding.
10 As you know, I visit my public schools, my
11 nonpublic schools, and my charter schools.
12 But the increased funding is because when I
13 went to like St. Helen's, the security guard
14 was only funded for two hours. That's all
15 they can afford on a weekly basis.

16 And then you're saying also the money
17 would go towards the upgraded -- the door
18 locking system, and they could apply that.

19 So all these schools -- so that's -- I
20 think it's for everyone to understand that
21 they can't -- it's not for eight hours a day
22 or after school, there's no security. Or
23 when basketball plays, there's no security.

24 So that's what the increased dollars

1 will help cover, a full day's security guard,
2 correct?

3 MS. ALTFIELD: Yes. It's per-pupil
4 allocation.

5 ASSEMBLYWOMAN PHEFFER-AMATO: Okay.

6 MS. ALTFIELD: So it depends on how
7 many students are in the school. So it could
8 fluctuate depending how much they are
9 allocated.

10 But the closer we -- the more money
11 that schools are getting, the closer they're
12 getting to be able to fund at least a full
13 guard, for instance, of what you're talking
14 about.

15 Right now the majority of schools are
16 not getting enough money to fund a full
17 guard. That is the most expensive when it
18 comes to security funding, because it's a
19 recurring cost every single year. And in the
20 past year or two we've seen not just one
21 security guard, but two or three -- one at
22 the gate when they first drive through, one
23 at the front of the door, one at the door
24 maybe on the back side of the school. We've

1 had schools that have had to spend \$1200 a
2 day just to get a new security guard.

3 ASSEMBLYWOMAN PHEFFER-AMATO: Well, I
4 agree with you, especially retrofitting older
5 buildings, even at the -- I think it's called
6 Nativity, Church of Nativity in Ozone Park.
7 You know, it's an older-shaped building and
8 they had to invest a lot of money in figuring
9 out how to lock doors and things like that.

10 So it's older schools. So I thank you
11 for the increased money.

12 Rabbi, going to the special needs and
13 what the city has done with this arbitrary
14 date in June, and there's a lawsuit, what do
15 you see of the effect? Are the students
16 getting the services? Because it's as you
17 say, it's about the student. And I know from
18 constituents that they're not getting their
19 services because the parents can't afford
20 them.

21 Where are we with this?

22 RABBI SILBER: There are thousands of
23 kids not getting services. I don't have the
24 exact number, but the case I cited before,

1 the family in Harlem who has a child with
2 cerebral palsy and there's no aide to help
3 with the wheelchair. Tomorrow, there's a --
4 City Council has a hearing, which a number of
5 parents are going to be testifying in
6 New York City of services that have been
7 denied. And those --

8 ASSEMBLYWOMAN PHEFFER-AMATO: Speaking
9 completely just cut off? So they're not
10 going to pay for it, that's it?

11 RABBI SILBER: Well, they got offers,
12 but that's on a waiver. And if they paid on
13 their own, out of pocket, they will not
14 get -- if they sign the waiver, they will not
15 get reimbursed.

16 ASSEMBLYWOMAN PHEFFER-AMATO: That's
17 ridiculous. Okay, thank you. That's not
18 taking care of the students.

19 So I appreciate that. Thank you.

20 CHAIRMAN PRETLOW: Thank you.

21 Senate?

22 CHAIRWOMAN KRUEGER: Senator John Liu.

23 SENATOR LIU: Thank you, Madam Chair.

24 I don't have any questions for this

1 illustrious panel, but I do want to thank
2 them for being here every single year without
3 fail, no matter what. And I may not agree
4 with everything that everyone says here, but
5 I do appreciate your comments.

6 Thank you.

7 RABBI SILBER: Senator Liu, if I could
8 say something. Every year you're here to
9 hear us, every year you're here and you stay
10 the full day. And we appreciate your
11 listening to our concerns. And I like your
12 questions, usually. I'm sorry you don't have
13 any questions this year.

14 (Laughter.)

15 SENATOR LIU: I could give you
16 questions. I don't know if you're going to
17 thank me for the questions.

18 MR. MERRIMAN: I want to thank you for
19 not asking a question.

20 (Laughter.)

21 SENATOR LIU: Yeah. I thank you,
22 James, for being here every year. I don't
23 agree with much of what you said, but I'm
24 going to leave it at that.

1 Thank you.

2 CHAIRWOMAN KRUEGER: We'll take it
3 back to the Assembly, because it was almost
4 like a question.

5 CHAIRMAN PRETLOW: Okay. We'll close
6 it out with the Assembly.

7 CHAIRWOMAN KRUEGER: And then I'll
8 be -- no, I have a question.

9 CHAIRMAN PRETLOW: You have a question
10 also? Oh, okay.

11 CHAIRWOMAN KRUEGER: Yeah. You go.

12 CHAIRMAN PRETLOW: Okay. Well, I just
13 have one question, for Mr. Merriman.

14 You're telling me that I've been lied
15 to, because I represent two school districts
16 that were here earlier, and both of them
17 agreed that when the child that goes to a
18 charter school is sent back, they keep the --
19 they make the -- the charter school retains
20 their tuition.

21 You're telling me that's not true?

22 MR. MERRIMAN: It's not true. And we
23 will send you a letter detailing exactly how
24 the law works.

1 CHAIRMAN PRETLOW: This is a state
2 law?

3 MR. MERRIMAN: It is. Well, it's in
4 the Charter Schools Act, and then a
5 regulation promulgated by NYSED back in 2000.

6 MS. HALL: So every other month, in
7 advance, the charter school sends a roster to
8 the host district. And then 30 days after,
9 the district pays.

10 Now, a lot can happen, right, every
11 other month. So at the end of the year, the
12 district and the charter reconcile.

13 So if a charter sent an invoice and
14 the next day a kid transferred to a different
15 school, at the end of the year they
16 reconcile, by day, the attendance, the
17 enrollment of the students. And sometimes
18 the district owes the charter money, and
19 sometimes the charter owes the district
20 money.

21 So in fairness, on any given day there
22 could be noise in the numbers because kids
23 and families move. And in particular,
24 low-income and minority students have higher

1 levels of transitioning schools and addresses
2 than their higher-income peers.

3 So that's why the reconciliation
4 process is intended to get it all literally
5 reconciled at the end of the school year. To
6 an individual day -- by student, by day.

7 CHAIRMAN PRETLOW: Okay, I look
8 forward to seeing that information.

9 Senator?

10 CHAIRWOMAN KRUEGER: Thank you very
11 much.

12 So I think this is just for the
13 nonpublic schools. But if I'm wrong, then
14 the charters will pipe in. So in '21-'22 we
15 provided approximately 500 million in federal
16 funds associated with the Governor's
17 Emergency Education Relief programs, GEER,
18 funded through federal coronavirus response
19 relief.

20 Has anybody ever audited any of the
21 nongovernmental schools to find out how much
22 of that money went to you and what it was
23 used for?

24 MR. CULTRARA: The Archdiocese of

1 New York was audited because it was the
2 largest recipient in the country of
3 EANS dollars -- audited by not only the
4 U.S. Department of Education, but FEMA.

5 It's also important to point out that
6 unlike ESSR, which was COVID relief for
7 public schools, virtually every school
8 district in the country received COVID relief
9 from the federal government. Religious and
10 independent schools only -- in New York, only
11 about 40 percent in the initial round and
12 only about 24 percent of schools were
13 eligible.

14 So fewer of our schools were eligible,
15 and our list of allowable activities was far
16 more limited than what public schools were
17 allowed to do. We have a lot to complain
18 about with the EANS dollars. We were
19 grateful for what we got.

20 RABBI SILBER: There were also
21 restrictions on usage. Some of it was
22 supposed to go to the GEER, to the Governor's
23 fund, and -- you know, you know more about it
24 than I do for this.

1 MR. CULTRARA: Yeah. In the audit of
2 the Archdiocese of New York, schools were
3 allowed to apply for both year -- or, excuse
4 me -- what was the --

5 MS. HALL: PPP.

6 MR. CULTRARA: -- PPP and EANS
7 simultaneously. Because the deadlines
8 overlapped. But they couldn't receive both.
9 But they could apply for both.

10 MS. ALTFIELD: And EANS II, there was
11 a second round of EANS II, which money is
12 still trying to be allocated. The deadline
13 is June something. And there are serious
14 restrictions where there's millions of
15 dollars that are probably not going to be
16 used because the schools can't even draw the
17 money down to use it for things that they
18 need.

19 CHAIRWOMAN KRUEGER: Does it have to
20 be capital, or can it be security and some of
21 the other issues you've raised tonight?

22 MS. ALTFIELD: Not to my knowledge, of
23 security. I don't know if you can, but --

24 RABBI SILBER: No. Not security.

1 MS. ALTFIELD: No security.

2 CHAIRWOMAN KRUEGER: So we need to
3 follow-up on that.

4 MR. CULTRARA: Personal protective
5 equipment, mental health, professional
6 development.

7 RABBI SILBER: It has to be somewhat
8 COVID-related, I think.

9 MR. CULTRARA: Air quality.

10 MS. ALTFIELD: And EANS I was a lot
11 more -- less -- EANS I was less restrictive,
12 where it was a lot more educational based,
13 where they could use it for educational
14 services. EANS II has a lot more
15 restrictions, where schools are saying, if I
16 can use it for educational services, I have
17 things to use it for. But there's still
18 money being left on the table.

19 CHAIRWOMAN KRUEGER: So for the
20 charter schools -- very short. Oh, damn.
21 Never mind. I'll have to follow up with you
22 afterwards. Thank you.

23 (Laughter.)

24 MR. MERRIMAN: The rest is silence.

1 CHAIRMAN PRETLOW: That concludes this
2 panel. Thank you very much.

3 MR. CULTRARA: Great.

4 RABBI SILBER: Okay. Thank you.

5 CHAIRWOMAN KRUEGER: And our final
6 panel will be Panel G -- G for great.

7 (Off the record.)

8 CHAIRMAN PRETLOW: Good evening, and
9 welcome to the New York State Assembly final
10 panel for the New York State budget for the
11 '25-'26 budget.

12 For the benefit of our audiovisual
13 people, could the three of you just introduce
14 yourselves before you start your testimony?

15 MR. SMINK: Sure. I'm Jeff Smink, the
16 deputy director at the Education
17 Trust-New York.

18 MS. MARCOU-O'MALLEY: I'm Marina
19 Marcou-O'Malley. I'm the co-executive
20 director of the Alliance for Quality
21 Education.

22 MS. WEBER: Good evening. I'm
23 Beatrice Weber, a senior advisor at YAFFED.

24 CHAIRMAN PRETLOW: Thank you. Welcome

1 all.

2 CHAIRWOMAN KRUEGER: I think we lost
3 the YMCA.

4 CHAIRMAN PRETLOW: We lost the YMCA?

5 STAFF MEMBER: Yes, they're not here.

6 CHAIRMAN PRETLOW: The Village People
7 must have got them, okay.

8 (Laughter.)

9 CHAIRMAN PRETLOW: Who's to start?

10 MS. WEBER: Good evening, committee
11 chairs. My name is Beatrice Weber. As I
12 mentioned earlier, I'm a senior advisor at
13 YAFFED, which is an advocacy organization
14 dedicated to ensuring that students at
15 Hasidic and Haredi yeshivas get a full
16 education.

17 To be clear, most Jewish schools are
18 good. There are tens of thousands of
19 Jewish students whose schools do an
20 exceptional job throughout the state of
21 providing general education alongside
22 religious studies. However, there are
23 approximately 65,000 students attending
24 Hasidic yeshivas that are still failing to

1 provide a sound, basic education.

2 Last year I came here and spoke,
3 asking that the current law not be changed.
4 Then during budget negotiations, and again at
5 the end of the session, a deal came so close
6 to being passed that would have derailed
7 enforcement of the law, which demands that
8 every nonpublic school provides a
9 substantially equivalent education to the
10 local public schools. Children's education
11 and their future were almost traded away for
12 politics.

13 I am here again to ask you to stand up
14 to these attempts to deal away children's
15 educations. Please do not change the law.
16 Let the State Education Department's
17 regulation be implemented. Let State Ed do
18 the tough job of regulating the
19 nonpublic-school sector.

20 The State Education Department has
21 made great efforts to enforce these
22 regulations despite political pressure. They
23 have been courageous, and the regulation must
24 be allowed to be fully implemented. They put

1 much thought behind this process.

2 I want you to know that immediately
3 upon this regulation, certain yeshiva
4 operators challenged it in court. They lost,
5 and they continue to try the court again and
6 again to derail legal enforcement. But they
7 keep on striking out. And legislative
8 dealmaking seems to be their last, best hope.

9 Let NYSED do their job. Let them
10 regulate this. This is about children's
11 right to an education, not the rights of
12 religious schools to discriminate.

13 They are violating the state law
14 currently by taking government money and
15 ignoring compliance mandates attached to
16 these funding programs. On June 30th, 2023,
17 18 schools were found to be noncompliant.
18 Some of these offered no general education at
19 all. That means students weren't being
20 offered any English language, math, or
21 science at all.

22 Since then, what has happened?
23 Nothing. Nothing at all. That's what we
24 keep on hearing from parents.

1 The first school that was declared
2 noncompliant happened on October 6, 2022 --
3 and we're in 2025. And again, nothing has
4 changed in that school. Yeshiva leaders are
5 being told by Hasidic leadership that they
6 have the highest-ranking politicians in their
7 pockets and that true enforcement will never
8 happen. So nothing actually changes in the
9 classroom.

10 Students are continuing to fall behind
11 and even sometimes graduate from their
12 schools without learning the tools they need
13 to find employment and fully participate in
14 our society. We have advocated for state
15 funding for remediation programs for these
16 students. To date, we have heard nothing
17 being planned, and we believe the state has a
18 responsibility to do this.

19 CHAIRMAN PRETLOW: Thank you,
20 Ms. Weber.

21 MS. MARCOU-O'MALLEY: Thank you,
22 everyone. Thank you for actually staying
23 this long and listening to all this
24 testimony. Thank you for giving us the

1 opportunity to testify before you.

2 Chairs Krueger, Pretlow, Mayer, and
3 Liu, Assemblymember Magnarelli, thank you so
4 much. And everybody else here, thank you so
5 much for listening to all of us.

6 I won't repeat many of the things that
7 many others have testified before me, have
8 already said regarding the Executive Budget,
9 and particularly the Foundation Aid formula.

10 I do have to say, because we don't get
11 to say it often, we were pleased that the
12 Governor actually put a significant amount of
13 money in the Foundation Aid formula this year
14 and for some of the proposed changes that she
15 has made for the formula. Generally, we are
16 in support, and the formula desperately needs
17 the updates in the poverty counts.

18 I will say that the change to the
19 small area income and poverty estimates
20 affect certainly some school districts,
21 New York City being the biggest one. But out
22 of the -- it effects 24 school districts,
23 actually; 16 of them are high-needs. So when
24 you make this change to the Foundation Aid

1 formula, you can't just make that alone.

2 Right?

3 You heard that the Regional Cost Index
4 is really important and will make up for a
5 lot of the money that school districts were
6 anticipating and they're not going to get
7 under this change. And in fact, the AQE has
8 two years ago -- been very long on the record
9 proposing changes to the formula. But two
10 years ago in particular, and there's a
11 citation in my testimony, we put out a report
12 with the Educational Law Center that details
13 a bunch of recommendations to the formula,
14 many of which have been in the Rockefeller
15 report and many of which the Board of Regents
16 support.

17 The biggest issue, though, is that you
18 can't just take one thing isolated, right,
19 you have to see holistically how it affects
20 school districts. So if you are going to
21 change the poverty counts, you also have to
22 change the Regional Cost Index. It would
23 rightsize -- it will make right the
24 Foundation Aid for a lot of school districts.

1 In addition to that -- and there is
2 more detail in my testimony on all of that --
3 I would urge you to actually make the changes
4 to the pre-K -- the pre-K changes that the
5 State Education Department is recommending.
6 There are a lot of school districts that have
7 had low rates for a long time, and they need
8 to update those.

9 I only see I have 20 seconds, so I
10 will say this very quickly. We are in a time
11 where New York for All needs to be passed.
12 Many kids are afraid to go to school.
13 Families are living in fear of ICE. That
14 shouldn't be the case. And we need to make
15 sure that that is not the daily reality for
16 them.

17 CHAIRMAN PRETLOW: Thank you.

18 MR. SMINK: Well, good evening. It's
19 an honor to be the last presenter of the
20 evening.

21 I'm, again, Jeff Smink with
22 Education Trust-New York. For those not
23 familiar, Ed Trust-New York is a statewide
24 policy and advocacy organization that seeks

1 to close opportunity gaps that keep too many
2 students from reaching their full potential,
3 particularly students of color and those from
4 low-income backgrounds.

5 Our work is data-driven and
6 student-centered, and we work in partnership
7 and coalition with civil rights
8 organizations, education organizations,
9 parents and nonprofits across the state. Our
10 policy agenda for this year and all years is
11 premised on the belief that all kids, all
12 children, all students can succeed in school
13 when they're provided with high-quality,
14 culturally relevant instruction and support
15 that's equity-driven and student-focused.

16 Even though the pandemic is behind us,
17 we know -- and I'm sure many of you heard
18 about the NAEP results released today showing
19 that New York students remain below
20 pre-pandemic levels in math and reading.
21 Most concerning to us in the NAEP report is
22 that over half of Black and Latinx students
23 are scoring at below basic in math and
24 reading. Below basic is the lowest

1 performance level on NAEP, which indicates a
2 lack of even partial mastery in reading and
3 math. That's really, really concerning.

4 So as a result, we're really urging
5 state and district leaders to address this
6 moment with urgency and increase efforts to
7 give students and educators the resources and
8 support they deserve, particularly in
9 high-needs schools.

10 So our ask for the Legislature this
11 year -- I'll start on Foundation Aid, which I
12 know you've heard a lot about today. We
13 share many of the concerns that have been
14 shared all day, agree that the formula is
15 flawed and outdated.

16 We were disappointed by the Governor's
17 proposal. Again, it needs to be part of a
18 comprehensive set of reforms, you know, as
19 many of us have talked about. And again as
20 we've talked about, if these changes are
21 adopted without these additional reforms, we
22 could see cuts in places like New York City,
23 which is the last thing we need right now.

24 So as a result, we're recommending for

1 this year that the Legislature look at
2 changing how poverty is measured. There
3 should be a differentiated weight for
4 concentrations of poverty, as was discussed
5 in the Rockefeller study.

6 Very supportive of adding a funding
7 weight for students in temporary housing and
8 foster care. We know this is a growing
9 population. And finally, as we just
10 mentioned, updating the Regional Cost Index
11 to better reflect current cost.

12 I'm running out of time, so I'm going
13 to -- many of our details are in the
14 testimony. I did want to touch on two
15 things.

16 Literacy is one of our top priorities
17 and has been for several years. Last year's
18 investment was a great start. We want to see
19 more investment, particularly in professional
20 learning for educators. We're asking the
21 Legislature to build on last year's
22 investment. There was no money included in
23 the Governor's budget for K-12 literacy, and
24 those stats I just talked about illustrate

1 why we need more of an investment.

2 And then, finally, college and
3 high school is another priority of our
4 organization. We're pleased to see some
5 funding included in the Executive Budget, but
6 we'd like to see an expansion of those funds
7 to help replicate successful models, increase
8 access for underrepresented groups, and
9 create new programs in parts of the state
10 that have limited programming.

11 CHAIRMAN PRETLOW: Okay, thank you.

12 Assemblyman Magnarelli.

13 ASSEMBLYMAN MAGNARELLI: Very quickly,
14 I would be remiss if I didn't say thank you
15 to the three of you for staying here. I've
16 been watching; you've been here just about
17 the whole day.

18 So I've learned a lot during all of
19 these question-and-answer periods. Same
20 here, and I want to thank you for being here.

21 Thank you.

22 CHAIRMAN PRETLOW: Senator?

23 CHAIRWOMAN KRUEGER: Thank you.

24 Senator Shelley Mayer.

1 SENATOR MAYER: In the first place,
2 thank you, Beatrice, for being here and
3 reminding us about those -- you know, those
4 students who are in schools where they are
5 not learning what we need them to learn for
6 substantial equivalency.

7 As far as Ed Trust's testimony, I
8 appreciated you brought up something we
9 haven't talked about, which is additional
10 money for FAFSA, Universal FAFSA, and
11 enrollment -- which, you know, we did pass
12 the bill, and that really is a good
13 development.

14 You say 3 million -- is that sort of a
15 made-up number, can I say?

16 MR. SMINK: (Laughing.) It's a number
17 we came up with in talking with partners,
18 yeah. But again, the idea is to give
19 community partners some support in schools to
20 do that outreach necessary to meet the law's
21 requirements.

22 SENATOR MAYER: And I'm interested in
23 your college and high school data that you
24 have in your testimony, which is -- I think

1 we are -- most of us are very supportive of
2 the Governor's proposal, subject to the
3 details.

4 But can you share with us this data --
5 students were more likely to persist and earn
6 their degrees on time and likely to receive a
7 degree -- is that something that's in a
8 report that Ed Trust did?

9 MR. SMINK: Yeah, that's part -- we
10 have a tool called To and Through, which
11 tracks students through high school and
12 through college. And so what we did is
13 actually looked at students that went through
14 an early college program and saw how they
15 persisted in college, and that's where we got
16 that data from.

17 I'm happy to share that tool with you
18 all.

19 SENATOR MAYER: Okay. And just on the
20 AQE part -- I mean, it is refreshing that
21 this is a year which AQE is pretty
22 complimentary of the Governor's effort. I
23 think this is the first in my time up here.

24 All that being said, you have

1 additional asks for additional money in
2 particular areas. And you're supporting the
3 Regional Cost Index being modified or
4 extended to additional districts,
5 particularly to make up for the shortfall in
6 New York City.

7 MS. MARCOU-O'MALLEY: Absolutely.
8 Yes, we do. We are 100 percent in support of
9 that.

10 And in fact, I would say that it is
11 not only New York City that will benefit from
12 that.

13 SENATOR MAYER: No, I know.

14 MS. MARCOU-O'MALLEY: Right?

15 SENATOR MAYER: It's my district, too.

16 MS. MARCOU-O'MALLEY: It is kind of
17 mind-boggling to me that we've put Yonkers in
18 the same cost region as Kingston or --

19 SENATOR MAYER: Kingston?

20 MS. MARCOU-O'MALLEY: Yeah. It's all
21 in the Hudson Valley.

22 SENATOR MAYER: The whole -- the whole
23 Northern New York, it's --

24 MS. MARCOU-O'MALLEY: Yes.

1 SENATOR MAYER: It doesn't make a lot
2 of sense.

3 Thank you again for your advocacy, and
4 thank you all for sticking around.

5 That's it for me. Thank you.

6 CHAIRMAN PRETLOW: Assemblywoman
7 Pfeffer-Amato.

8 ASSEMBLYWOMAN PHEFFER-AMATO: Good
9 evening. We're truly all the dedicated
10 educators here as we stay here wee into the
11 night.

12 We just thank you for being here, and
13 I appreciate your statement that yeshivas are
14 doing -- there are good, successful yeshivas,
15 so I appreciate that. I feel like we've just
16 grown from last year when we talked at this
17 hearing.

18 And the last group talked about STEM,
19 and we're increasing STEM funding to schools
20 and have proven that the more we put into the
21 schools, the more they're learning.

22 So that being said, the numbers
23 that -- you know, when you're talking about
24 this large number of kids who are not being

1 educated, where is that data coming from?

2 And I understand the one school, and that's,
3 you know, in the city. But where is
4 65,000 -- last year 65,000 kids are below
5 reading level?

6 MS. WEBER: They -- it's not that
7 they're below reading level. In addition,
8 they don't actually get instruction. They
9 don't have teachers who are in any way
10 qualified to teach. Oftentimes those
11 teachers don't read -- themselves don't read
12 at a eighth-grade level, even, and they're
13 the ones teaching.

14 So we have gathered data on those
15 schools across the state and have come to the
16 estimate of 65,000. Unfortunately, none of
17 those schools would qualify for any type of
18 STEM funding. Trust me, if a school
19 qualifies for state funding, they're not on
20 our list. They're good.

21 These schools, they're not even hiring
22 teachers that have graduated high school, for
23 the most part. Those are the ones we're
24 concerned about.

1 ASSEMBLYWOMAN PHEFFER-AMATO: So how
2 are they existing under our watch, under this
3 committee? How is that still continuing, in
4 your opinion?

5 MS. WEBER: Well, there are deadlines
6 for them to comply. And I know the
7 State Education Department's doing a good job
8 of following up. They are understaffed, as
9 they tell us often. And they need resources.

10 And our request for you is to allow
11 the State Education Department to continue
12 doing their job. And if all proceeds as it's
13 supposed to, those schools will come into
14 compliance.

15 Now, if there's additional funding
16 available to train teachers or resource those
17 schools, we're all for it, you know, as long
18 as those -- our goal -- what I'm here for is
19 that these students get an education. You
20 know, there's so many other advocates who are
21 working for other things that yeshivas may
22 need, but we specifically talk about the
23 education in the certain schools that are not
24 doing a good job.

1 And the numbers are astronomical. And
2 it's been an issue that's been neglected for
3 decades and therefore now needs extra resolve
4 to ensure that it actually happens.

5 ASSEMBLYWOMAN PHEFFER-AMATO: But
6 those are your numbers. So I don't know if
7 we -- you know, we'll have to question
8 State Ed for the numbers that they're going
9 to produce to us to say this is not being
10 educated, they have {unintelligible}.

11 But I have to say to you that saying,
12 you know, on a hearing that people are saying
13 that, like, politicians are in their pocket
14 or that things are being done in the middle
15 of the night, I don't think that's a fair
16 statement. I think if we're pushing to
17 change some of the regulations that we think
18 maybe aren't fair, that's something I
19 support.

20 But as the substantial equivalency is
21 going through and we're trying to get
22 regulations, there's a huge group that are
23 working on that and it has been moving
24 forward. So I just don't, like, appreciate

1 that kind of statement as if someone's in
2 someone's pocket. That's not fair.

3 MS. WEBER: I mean, we've seen news
4 reports of this.

5 CHAIRMAN PRETLOW: Senate?

6 CHAIRWOMAN KRUEGER: Thank you.

7 Beatrice, just to follow up. Because
8 I actually am one of those people who do
9 understand that there are a large number of
10 religious schools in the state and the vast
11 majority of them do a quality education. I
12 actually know that the Catholic school
13 system, the independent school system has no
14 objections to our substantial equivalency
15 because they're very sure that they are
16 delivering an education that parents are
17 happy with.

18 And I have many good Jewish schools,
19 yeshivas, in New York City also, but we have
20 a handful of them that clearly are not
21 providing the education.

22 So my question to you is, we have
23 timelines. What are the consequences when
24 they don't meet substantial equivalency by X

1 date? Are we -- under our rules, are we
2 supposed to take their funding away? Is that
3 your understanding? What are we supposed to
4 be doing?

5 MS. WEBER: Well, the first school
6 that was supposed to come in compliance was a
7 school my son attended. The case I won on
8 October 2022, they were supposed to be
9 complying by the end of the last school year.
10 They are not compliant as far as what I hear
11 from parents and in addition for what we know
12 from public information.

13 All schools across the state are
14 supposed to be compliant by June of 2025. So
15 the deadline's coming up soon. So what's
16 concerning for us as advocates is when
17 parents call us and are telling us, Nothing
18 has changed, my child still has not had one
19 science class the entire year, it's the same
20 as it's always been.

21 So it's been concerning because we're
22 in January already; the deadline is in June.

23 The consequences are very simple.
24 When schools get any benefits such as

transportation, security funding, anything, it depends on the fact that these schools are actually a school and they actually have to check off to receive mandated services that they're complying with the law. Which includes, you know, the substantial equivalency regulations.

So those types of funding would be removed from these schools, which we absolutely do not want to come to a situation where that happens. Our goal is that these schools step up and do provide the education, as required by law and as is the right of these children.

CHAIRWOMAN KRUEGER: Thank you.

Assembly.

CHAIRMAN PRETLOW: I think there are no other Assemblymembers. I just have a quick comment.

Beatrice, I remember your story from last year. It's a very compelling story. And obviously things haven't changed for the better, because you're here again this year.

And I think -- I don't know how we get

1 around this issue, because we've tried, the
2 Legislature has tried, and for some reason it
3 hasn't come to fruition yet.

4 But I think we're going to have to
5 keep trying because every child in this state
6 deserves a quality education, and we're
7 paying for it. And it doesn't make sense for
8 us to pay the high amounts that we're paying
9 for a substandard education.

10 Now, it was mentioned earlier that we
11 should change the way poverty is determined.
12 What is your suggestion for that?

13 MS. MARCOU-O'MALLEY: Our suggestion?

14 CHAIRMAN PRETLOW: He suggested it,
15 but you can answer.

16 (Laughter.)

17 MS. MARCOU-O'MALLEY: Well, the
18 poverty counts of the -- the proposal in the
19 Governor's budget, going to SIAPE, the Small
20 Area Income and Poverty Estimates, and
21 replacing census counts with economically
22 disadvantaged are two good proposals. There
23 are -- but in a vacuum, those cannot happen.

24 There's also additional proposals,

1 like doubling economically disadvantaged
2 counts for certain school districts, that
3 might work better. Or including students'
4 temporary housing, right?

5 MR. SMINK: Yup.

6 MS. MARCOU-O'MALLEY: And there's a
7 lot of those that are there.

8 MR. SMINK: Yeah. We've also talked
9 about adding differentiated weights for
10 concentrations of poverty, so schools or
11 districts that have large concentrations of
12 poverty often have, you know, larger
13 challenges, and so providing more funding --

14 CHAIRMAN PRETLOW: So when you say a
15 large percentage of poverty, you're actually
16 saying that the way poverty is determined
17 now, which is a percentage of the federal
18 poverty law, if there's a large percentage
19 there, that the state should do something to
20 adjust that to make more people impoverished
21 or considered impoverished, or less people
22 considered impoverished, which would mean
23 they would get less help.

24 MR. SMINK: Yes, so our goal is really

1 just again, in districts that have large
2 concentrations, right, is providing
3 additional funding for those students.

4 So certainly we don't want to see any
5 increases in poverty by any stretch.

6 MS. MARCOU-O'MALLEY: So -- if I may,
7 so if a school district has 40 percent or
8 50 percent of students in poverty, then they
9 would get an additional amount of money,
10 because that's a large concentration of
11 students in poverty.

12 So that's the kind of thing that
13 actually would drive more resources to
14 districts that have these large
15 concentrations, because it does in fact cost
16 more to educate students and meet all of
17 their needs.

18 CHAIRMAN PRETLOW: Okay. Then you're
19 not saying to recalculate poverty, you're
20 saying to take what's existing as poverty now
21 and do something else with it.

22 MR. SMINK: Yes. I believe so, yes.

23 CHAIRMAN PRETLOW: Okay.

24 (Laughter.)

1 CHAIRMAN PRETLOW: Well, with five
2 seconds to go, I want to thank the three of
3 you for your testimony.

4 And I will officially end the 2025
5 Joint Legislative Budget Hearing for
6 Elementary and Secondary Education.

7 Thank you very much.

8 CHAIRWOMAN KRUEGER: Thank you.

9 (Whereupon, the budget hearing
10 concluded at 7:26 p.m.)

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