Joint Legislative Budget Hearing on Education

MaryEllen Elia, President of the University of the State of New York and Commissioner of Education
Regents State Aid Proposal: State Aid to Schools

Recommends a $2.1 billion total increase in Foundation aid for the 2019-20 school year to support our schools.

- Provides $1.66 billion in formula aid to school districts, providing a significant increase in Foundation Aid. This increase would include a new $85 million English language learner (ELL) setaside within the Foundation Aid (similar to the existing Community Schools setaside enacted three years ago), to accelerate additional Foundation Aid to districts through an ELL-driven formula, and would ensure that such funds are spent consistent with meeting Part 154 of the Commissioner’s regulations that govern requirements for the education of ELLs.

- The Regents State Aid Proposal also includes $410 million in increases for reimbursement-based aid formulas for the 2019-20 school year, such as Building, BOCES and Transportation Aids.
Regents State Aid Proposal: Support for College and Career Pathways

College and Career Pathways ($25 million):

- **Enhanced BOCES Aid for CTE Pathways Programs** - the instructional salary eligible for BOCES Aid has remained fixed at $30,000 per year since 1992. Since this flat reimbursement amount has not kept pace with the actual costs to employ well-prepared teachers to run strong programs, the state has effectively reduced its direct support for these programs over time.

- To address this issue and reap the benefits of high-quality CTE programming for both students and the State’s economy, the Regents recommend doubling the instructional salary ceiling to $60,000 over the next five years, with 20 percent of the gap funded for services provided in 2019-2020, and 20 percent annually for four years thereafter.
Regents State Aid Proposal:
Support for College and Career Pathways Continued

College and Career Pathways ($25 million):

- **Enhanced & Expanded Aid for CTE Programs Operated by the Big 5 School Districts and Non-component School Districts** - the current program pays a flat per-pupil amount to the Big 5 and non-component school districts which has not been adjusted for inflation in some time. This has made it difficult for these districts to maintain quality programs. As a result, the Board recommends changing the reimbursement model for these districts to be more similar to that used for BOCES-operated programs.

- As a transition, we recommend a $25 million increase in Special Services Aid as “seed money” so that non-BOCES component districts can begin to expand their programs in the 2019-20 school year, while they wait for reimbursement in the 2020-21 school year.
Implementing the recommendations of the Regents Early Childhood Workgroup’s Blue Ribbon Committee would support a clear, coherent, and comprehensive strategy to ensure that all of New York State’s children have the fairness of an even start and access to services that are developmentally appropriate and responsive to culture, race, ethnicity, language, citizenship status, and socioeconomic status:

$26 million to expand Prekindergarten:

- $20 million to allow for 2,000 additional 4-year old children to be served; and
- $6 million to create a single reimbursement structure for prekindergarten inclusion programs by blending existing prekindergarten and preschool special education funding mechanisms.
Access to High-Quality Early Education & Early Care Programs
2019-20 $6 M Budget Request

Ensure that all of NYS’s Children have the Fairness of an Even Start

Recommendations of the Regents Early Childhood Workgroup’s Blue Ribbon Committee:

- Establish 5 Early Learning Regional Technical Assistance Centers (TACs) across NYS to provide support to early care and educational settings including mental health consultation, help ensure compliance, and professional learning to implement high-quality early childhood education- $2 million

- Expand QUALITYstarsNY to enhance services and ensure quality pre-k programs- $3 million

- Establish a multi-agency comprehensive developmental screening process- $700,000

- Conduct a cost study to validate the actual cost of a high-quality prekindergarten program for all 4-year-old children with appropriate weightings for areas of economic disadvantage, emergent multilingual learners, and students with disabilities- $300,000
Elevate Teacher and Leader Preparation and Professional Learning
2019-20 $2.5 M Budget Request

Address Teacher Shortages in Bilingual Special Education in the Early Grades

The Board of Regents also requests a state investment to implement the recommendation of the Regents Early Childhood Workgroup’s Blue Ribbon Committee to Elevate Teacher Preparation and Professional Learning.

There is a need for NYS to develop goals to establish a more culturally responsive and linguistically prepared early childhood workforce that can support the cognitive, language, and physical development of children from diverse backgrounds. Investment is required to address the teacher shortage in Bilingual Special Education in the early grades and to prepare participants to be dually certified in Bilingual Special Education and Early Childhood, and to encourage more Institutes of Higher Education to offer this unique dual certification.

- The Regents recommend $2.5 million for school year 2019-20 to replicate a model called Quality Universally Inclusive Early Responsive Education. It is anticipated that approximately 200 applicants would receive scholarships to participate in this statewide program. Participants in this program would be expected to teach in NYS for three years upon completion of the program.
# Regents 2019-20 Budget Priorities

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<td>Promote Positive School Climate &amp; Bullying Prevention</td>
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<td>Expand Access to Quality High-Level Coursework</td>
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<td>ESSA: Provide High-Quality Professional Learning</td>
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<td>Develop Regents Exams in World Languages</td>
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<td>Enhance Teacher Effectiveness- Albert Shanker Grants</td>
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<td>Bridge to College &amp; Careers Pilot Program</td>
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<td>Support Independent Living Centers</td>
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<td>Expand Access to Education Programs through Cultural Institutions- The Museum Education Act</td>
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<td>State Aid for Library Construction</td>
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<td>Expand Public Broadcasting Education Programs</td>
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<td>Build Oversight &amp; Capacity at SED</td>
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<td>Webcast Regular Board of Regents Public Meetings</td>
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Promote Positive School Climate and Bullying Prevention
2019-20 $8 M Budget Request

Every Child Deserves to Attend a Safe, High-Quality School and be Treated with Respect

It is critical that the State provide additional resources for schools to be able to assess their current environment and provide them with the assistance necessary to develop and implement a plan, derived from evidence-based strategies and best practices, for improving school culture, climate, and safety. Building on the $2 million provided last year, expand the Supportive Schools Grant Program to:

- Establish 4 additional technical assistance centers across NYS to provide leadership, technical assistance, training, and support for schools to create a positive school environment including to prevent and respond to bullying by data reporting on this issue, and ensuring/enhancing DASA compliance- **$1.6 million**; and

- Make funds available to additional school districts to support the implementation/expansion of efforts in their action plans through partnerships with technical assistance centers. The funding would be targeted to school districts through a methodology that weights factors such as identification as Potentially or Persistently Dangerous, Struggling or Persistently Struggling, and chronic absenteeism, suspension and drop-out rates, among others. Districts would have to supplement not supplant a district’s current efforts- **$6 million**.

- The enacted Supportive Schools Grant Program included a **5% set-aside** to support staff at the Department for administration of the program. Thank you! We ask that this be included in any program expansion as well.
Expand Access to Quality High-Level Coursework

2019-20 $3.0 M Budget Request

Increase Equity in Educational Experiences & Access for All Students to High-Level Coursework

Capitalizing on the strength of existing, successful regional online learning programs, and strategic use of funds to increase availability of Advanced Placement (AP) courses and provide no-cost access to high needs, underserved, and Big 5 public school districts. Future expansion of and support for access to all higher-level coursework, including dual enrollment and IB, is envisioned.

The coursework would be required to be:

- Taught by an appropriately NYS-Certified teacher who has received training in instructional best practices (as well as AP instruction, if applicable);
- Aligned to instructional best practice for online learning that is culturally and linguistically responsive; and
- Vetted by NYS-Certified School Building/District Leaders (or other appropriate approval).
Enhance the Achievement of English Language Learners

2019-20 $4.43 M Budget Request

Provide Educational Opportunities for New York’s Diverse Student Population

New funding would support a Spanish Language Arts test development ($3.43 million - 5 year phase-in) and translation of all required state assessments into the State’s eight most common home foreign languages ($1 million).

- Over the past 10 years, the state’s English language learner student enrollment has increased by 20 percent, and these students now make up over 8 percent of New York’s student population.
- In order to provide English language learners with the opportunity and resources to demonstrate achievement of higher standards, the Department is seeking funding to develop and implement a Spanish Language Arts test, beginning with students in Grades 3 through 5.
- In addition, the Department is seeking to offer translations of all required state assessments to better inform educators about students’ knowledge and abilities.
Enhance the Achievement of English Language Learners (ELLs)
2019-20 $4.43 M Budget Request

New funding would assist schools in transforming and improving their systems to support the success of English Language Learner (ELL)/Multilingual Learner (MLL) students through investments in the RBERN network. New York State currently funds eight Regional Bilingual Education Resource Network (RBERN) support centers, with seven RBERNs assigned to geographic zones and one Statewide Language RBERN, to provide and conduct professional learning, technical assistance and compliance support.

- Expand RBERN professional learning as well as technical assistance and compliance support staff to ensure the RBERNs can play an in-depth local role in understanding the needs of English Language Learner (ELL)/Multilingual Learner (MLL) students, as well as investigating parent complaints, and conducting site visits, monitoring, and other enforcement work ($1.6 million); and

- Expand the role of the RBERNs in the provision of culturally responsive and linguistically accessible resources, including translations of Department documents such as guidance documents for district and school administrators and teachers, parent communications, and other public information ($775,000).

Expand Regional Bilingual Education Resource Network (RBERN) Support Centers

New York State currently funds eight Regional Bilingual Education Resource Network (RBERN) support centers, with seven RBERNs assigned to geographic zones and one Statewide Language RBERN, to provide and conduct professional learning, technical assistance and compliance support.
Ensure the Appropriate Provision of English Language Learner Services
2019-20 $2 M Budget Request

Develop a new English Language Proficiency (ELP) Assessment Program for Certain Students

Although the New York State English as a Second Language Achievement Test (NYSESLAT) allows accommodations for English Language Learner (ELL)/Multilingual Learner (MLL) students with disabilities, it is not well suited for those students with the most severe cognitive disabilities. In addition to better serving students, a new assessment is required to fulfill federal requirements. Guidance from the US Department of Education released last year, requires an alternate English Language Proficiency assessment for ELLS/MLLs who cannot participate on the current assessment even with appropriate accommodations.

- The development of a new English Language Proficiency (ELP) assessment program for ELL/MLLs with severe cognitive disabilities over a three-year period:
  
  - The first year of funding ($2 million) would support test design and development, the second year of funding ($2 million) would support pilot/field testing, and the third year of funding ($2 million) would allow for the operational administration and additional developmental needs.
The Every Students Succeed Act (ESSA) identified a number of new federal requirements for how states work with struggling schools. Identified schools must undergo a Needs Assessment and use the results to inform their improvement plans and include an evidence-based intervention as part of it. SED provides oversight and support for Comprehensive Supports and Improvement (CSI) schools, which are schools in the bottom 5 percent in NYS. The local school district oversees the improvement process of Targeted Support & Improvement (TSI) schools.

Funding would allow us to:

- Contract with school improvement experts to lead on-site Needs Assessments at the 245 Comprehensive Supports and Improvement schools;
- Facilitate training to school districts with TSI schools so that districts can conduct Needs Assessments in all 125 TSI schools; and
- Facilitate training on Evidence-Based Interventions so that TSI and CSI schools can learn strategies to ensure that their school improvement plans are research-based and implemented strategically.
US Department of Education data shows that 43% of youth in a juvenile detention facility did not return to school after release, and another 16% enrolled in school, but dropped out after over five months. In NYS, students are served in no less than 12 different types of neglected and delinquent facilities (more than 350 facilities total) that serve approximately 20,000 students under the purview of the: State Education Department, Office of Children & Family Services, Department of Criminal Justice Services and the Department of Corrections & Community Supervision.

Many of these facilities do not consistently use curricula aligned with NYS standards, which can result in credit transfer issues, and they can provide different levels of educational services based on inconsistencies in various legislative and regulatory mandates.

- This funding would allow for contracting with an independent, third-party vendor to conduct an evaluation of current policies, procedures and practices related to transition into, among, and out of neglected and delinquent facilities under the purview of the agencies list above and generate a report detailing key findings and recommendations. Based on this evaluation, agency staff would identify standardized criteria to be included in a formal transition protocol utilized by all facilities in NYS.
ESSA: Provide High-Quality Professional Learning
2019-20 $2.9 M Budget Request

Streamline Professional Learning Efforts to Leverage NY’s Professional Learning Providers

New York State’s new professional learning strategy will achieve two goals to meet the needs of all educators:

- Equitable access for all educators – providing consistent and high-quality supports and tools directly to educators
- Leveraging our strongest professional learning leaders to establish centers of expertise, where high-quality professional learning opportunities can flourish and be scaled up to the rest of the state

The Statewide Supports goal includes three strategies:

- Improve coordination and communication of professional learning efforts
- Provide high-quality supports and tools for all educators
- Establish expectations for BOCES District Superintendents and other partners regarding their role in implementing high-quality professional learning
ESSA: Create a Parent-friendly Data System
2019-20 $2.5 M Budget Request

Provide Parents Access to Easy to Understand Education Data

The Every Students Succeed Act (ESSA) requires that New York appropriately develop, collect, analyze and report new data elements; develop, maintain and provide ongoing enhancements for additional reporting requirements; and create a new parent-friendly data system to report data elements, such as chronic absenteeism and the college and career readiness index.

- This funding would allow for data collection and reporting for all new data elements associated with NY’s ESSA plan, including the creation of a parent-friendly data system.
- The development would be implemented over a 3-year period, with additional costs in Year 2 ($4.4 million) and Year 3 and ongoing ($1.9 million) and would include working with the Department's Chief Privacy Officer to ensure that the privacy of students' personally identifiable information is protected in compliance with state and federal law.
ESSA: Address the Shortage of Bilingual & ESOL Teachers
2019-20 $770,000 Budget Request

Ensure Schools Have Appropriately Certified/Qualified Bilingual & ESOL Teachers

Last year the enacted Budget included $770,000 to support the expansion of the Clinically Rich Intensive Teacher Institute (CR-ITI) program, which provides graduate students the opportunity to receive certification in English for Speakers of Other Languages (ESOL) and/or to complete the requirements for the Bilingual Extension (BE). The program’s objective is to supply LEAs with highly qualified and certified teachers to serve their ELL/MLL population. A shortage of properly certified BE and ESOL education teachers continues to be a challenge across NYS.

- This funding will support CR-ITI programs at seven institutions.
- Each program trains 20 new teachers per year for a combined total of 140 teachers per year (a total of 280 teachers trained over the course of the two years).

A second year of funding was not included in the Executive Budget.
For well over a century, the Department developed and oversaw the administration of Regents Exams in World Languages to provide a uniformly high-standard for instruction in the tested languages in high schools across New York. Unfortunately, due to state budget cuts, these exams had to be discontinued in the 2011-12 school year.

The lack of these exams has limited graduation options under the Regents Multiple Pathways “4+1” option.

- The Department is seeking $950,000 in state funding (for year 1 of a 5-year plan) to resume Regents Exams in the four World Languages (Spanish, French, Chinese (simplified), and Italian) that are taught most frequently in New York high schools.
Address Teacher Shortages in Approved Private Schools Serving Students with Disabilities & Special Act Schools

2019-20 $6 M Budget Request

Special Education & Bilingual Special Education Teacher Shortages

The Special Education and Bilingual Education Teacher shortage is affecting the recruitment and retention of qualified staff to serve students with disabilities who are placed in approved special education programs, including the approved private schools serving students with disabilities (853 Schools), Special Act School Districts, approved private preschool (4410) Special Class, and Special Class in an Integrated Setting programs. **Teachers working in these schools earn on average 40% less in salary than their peers in public school districts.**

- The Regents recommend adding $4 million to the existing $8 million in funding for Excessive Teacher Turnover Prevention, for a total investment of $12 million in 2019-20. Because tuition reimbursement for school-age and preschool special education schools is shared, the State, school districts and counties would also share the fiscal impact of this proposal.

- The Regents also recommend $2 million in new Teacher Preparation funding as NYSED seeks to develop an approach, in collaboration with stakeholders, to identify incentives needed to expand the number of qualified individuals for these essential teaching positions.
Create a Special Education Services Management Data System
2019-20 $3.46 M Budget Request

Second Phase of Project to Build a Special Education Services Management System

The 2017-18 Enacted Budget provided funding to NYSED to develop a blueprint for a student services and provider data management system that would improve the Department’s ability to collect, use, and disseminate relevant programmatic and fiscal information relating to programs and services operated by approved providers in NYS. This funding, for Phase II of this project, would provide for the following activities to begin:

- **School District Portal** - communicate data regarding students’ recommended programs and services used to determine regional need for programs and would be linked to State reimbursement.
- **Provider Portal** - communicate required information to NYSED (applications, tuition waivers, variances, capital projects) and report current enrollment to identify program availability, streamline communication, and improve NYSED processing timelines.
- **County Portal** - maintain provider lists and link to State reimbursement.
- **Public Portal** - improve information for parents and students about the availability of programs and services regionally and throughout NYS.
Develop a New Project Management System for the Office of Facilities Planning

The 2017-18 Enacted Budget provided funding to NYSED to attain consulting services to conduct the analyses necessary to understand and document the requirements—including processes and date reporting needs—to develop a new project management system for the Office of Facilities Planning. This additional funding would complete the analysis, development, testing, date migration, and implementation of the replacement system. It is critical that NYS continue to support this project to develop a system that will:

- Reduce failure risk and ensure that school building project data flows into the State aid system for the payment of building aid;
- Replace outdated business practices with state-of-the-art management practices;
- Better service school districts by decreasing the timeline for processing applications significantly through electronic submission of materials;
- Enable school districts to check the status of their projects online, receive updates via email, and see if any additional information must be submitted; and
- Provide districts with instantaneous notification of project approval and receipt of building permits.
Enhance Teacher Effectiveness
2019-20 $500,000 Budget Request

Expand the Albert Shanker Grant to Provide Assistance to Public School Teachers in NYS

The Albert Shanker National Board for Professional Teaching Standards Certification Grant Program (Shanker Grant) was established in 1999 to encourage teachers to pursue National Board certification by supporting eligible NYS public school teachers with the fee for National Board certification and supportive services for districts.

The certification process allows teachers to hone their practice, showcase their talent in the classroom, and demonstrate dedication to their students and profession. The cost of this ($1,900 for each teacher) deters many educators from participating in the National Board process, though interest has been on the rise and is anticipated to grow again in the upcoming year.

- This funding would expand the Albert Shanker grant to provide assistance to public school teachers in New York in seeking National Board certification.
Bridge programs enable out-of-school youth and adults to obtain critical basic skills, a high school equivalency diploma, and industry-recognized credentials.

The Department requests $3 million in funding to create a Bridge to College and Career Pilot Program consisting of partnerships between adult education programs and college or training providers in each of the seven Regional Adult Education Network regions of the state.

These programs would include:
- Career exploration and career assessment;
- Relationships with employers and colleges; and
- Apprenticeships and internships.
Support Independent Living Centers
2019-20 $5 M Budget Request

Expand Services for Adults with Disabilities

- Independent Living Centers (ILCs) provide an array of services that assist New Yorkers with disabilities in living fully integrated and self-directed lives. Assisting with all aspects of living, learning and earning, ILCs provide a wide range of services including information and referral, peer counseling, independent living skills training, and additional services based on local needs.

- ILCs have indicated that their ability to meet the full spectrum of needs in their communities could be jeopardized if additional funding is not provided. For over a decade state support for ILCs remained flat at $12.3 million each year. Though the ILC network received a $1 million increase in 2015 to $13.3 million, the impact was limited as existing programs received approximately $10,000 in additional funds.

- The Regents support a $5 million increase to expand independent living services and supports for individuals with disabilities to live and work in their communities, while enhancing transparency that demonstrates the service needs of individuals with disabilities are being met.
Pass the Museum Education Act
2019-20 $5 M Budget Request

Expand Access to Education Programs Through Cultural Institutions

More than 1,500 museums, historical societies, zoos, botanical gardens, aquariums, and cultural arts institutions across NYS provide instruction to over six million children. These cultural institutions receive no direct state support to initiate, expand, and enhance educational services through access to museum collections, scholarship and virtual learning.

Students living in low-income communities in urban, suburban, or rural settings benefit from having access to the type of learning provided by cultural institutions. Fair and equal access to these types of institutions will provide enhanced learning opportunities for students.

- Funding would establish a competitive grants program to support cultural institutions that seek to establish or improve museum educational programs designed to support student learning opportunities, including the development of local curricular aids.
Support Public Library Construction
2019-20 $11M Budget Request

Ensure That All New Yorkers Continue to Have Access to State-of-the-Art Libraries

- All public libraries should be able to accommodate new technologies and provide the resources New Yorkers need to be successful in an information-driven global environment.
- Despite the successes of the library construction program, the Department is seeking an additional $11 million in state funding to support new construction, renovation, and expansion of existing public libraries throughout the state.

Summer Reading at New York Libraries is an annual program that brings children and families into local public libraries for reading and activities. 2.4 million children participated in the summer reading program in 2018, an increase of 230,000 participants over last year’s program.
Support the Enterprise America & GPS for Success Programs

**The Enterprise America** program is a "model city" that students run for a day. In this hands-on learning environment, students are taught: civic responsibility through holding and voting in elections; entrepreneurship by running and owning businesses including applying for business loans and negotiating service costs; and financial literacy through enrolling in health insurance, earning salaries, contributing to charity, and paying for everyday expenses such as lunch and shopping using Enterprise America dollars. Students and teachers can take the lessons and curriculum back to the classroom for further evaluation and analysis. To roll out this program statewide, each public television station would develop its own model city.

**GPS for Success** is a multi-platform webpage that includes educational and training roadmap videos and web content for high school and post-high school students that is presented in career clusters identified locally as experiencing a shortage of skilled workers entering the workforce and in fields that are determined will be in-demand careers in the next five to ten years. This resource is developed in collaboration with the regional BOCES, business leaders, and other stakeholders. With additional funding each public television station will develop its own videos and content based on the need in each region of New York State.
Build Technical Assistance and Support Capacity at SED
5% Set-Aside

Resources to Provide Proper Oversight & Support of New Programs

The state should enact a 5% set-aside within all new programs for administrative oversight and technical assistance at the Department.

- Following the end of federal grants to the Department, and years of agency funding constraints, the Department has lost significant capacity to provide districts with implementation support and technical assistance.
- Since 2011, state budgets have included new education programs for which SED has received no additional state support. As districts are faced with implementation of these various programs, they rely more and more on the technical support and expertise of the Department.
- It is common in federal programs for the administering agency to be allowed a 5% set-aside from grant awards to allow for proper oversight of the program.
With current limited resources, the Department is only able to provide a live webcast of meetings of the Full Board of Regents. In order to increase transparency and provide public accessibility to important education-related discussions and determinations made at such meetings, it is important that the Department is able to webcast other regular public meeting of the Board of Regents, including each month’s Committee and Subcommittee meetings, as well as provide for the verbatim transcript for such meetings which is currently done for all Full Board meetings.
**Tuition Rate Setting Methodology** – Legislation would create a statutory index for establishing the growth in annual tuition for Special Act School Districts and Approved Private Schools Serving Students with Disabilities (853 Schools) as well as authorize these schools to establish a general reserve fund.

**Mandate Relief and Flexibility** – Legislation would enact a series of mandate relief measures to promote cost savings and provide relief from reporting requirements including the additional provisions to:

- Forgive penalties associated with the late filing of Final Cost Reports (FCRs) for all school district construction projects approved by the Commissioner before July 1, 2011; and
- Allow district to lease space outside of the district in certain emergency situations.

**Mandatory Full-Day Kindergarten** – Legislation would require that all school districts offer full-day kindergarten for all children by the 2020-21 school year.
Regents 2019 State Legislative Priorities Continued

**Improve Teacher Recruitment for Preschool Special Education Programs** – Legislation would allow approved preschool special education programs to enter into contracts with BOCES for data processing services for pupil personnel records and other administrative records - this would include allowing access to preschool special education providers to the Online Application System for Education (OLAS) or other similar BOCES recruitment services.

**Regional Secondary Schools Advisory Council** – Legislation would create an advisory council to meet and make recommendations regarding a model to expand regional high schools in the state.

**Increase Access to College & Reduce the Cost to Students through ECHS & PTECH** – Legislation would codify and provide a mechanism for the continuation to successful Early College High Schools (ECHS) and PTECH programs outside of a competitive procurement process.

**Tenure and Seniority Protections for Bilingual /ESOL Teachers/TAs** – Legislation to require school districts, in an event of the abolition of a position, to consider bilingual/ESOL instruction needs.
Thank You.

2019 Regents Budget & Legislative Priority Proposals: http://www.nysed.gov/govrel/
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