



New York State EDUCATION DEPARTMENT

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Joint Legislative Budget Hearing on Education

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Regents State Aid Proposal: State Aid to Schools

Regents 2021-22 Proposal on State Aid to Schools

To help districts maintain services while educating students in a safe manner, the Regents call for maintaining state aid funding in 2021-22 at 2020-21 levels.

The 2021-22 Regents State Aid proposal would:

- Repeal the Pandemic Adjustment and restore each district's state aid levels to ensure that no district experiences an aid loss in 2020-21 and to enable districts to use their federal CARES Act funds for their intended pandemic-related costs;
- Amend the Education Law to allow districts to be reimbursed for costs incurred in maintaining the infrastructure necessary to have transportation services available to support in-person education, and to allow school districts to be reimbursed for costs incurred in using school buses to deliver school meals, homework packets and wi-fi access;

Regents State Aid Proposal: State Aid to Schools

- Amend the Education Law to eliminate the School Aid Growth Cap. It is anticipated that the impact of the Pandemic Adjustment will activate the growth cap and create automatic reductions of \$430 million in state aid;
- Fully fund reimbursement to school districts for expense-based aids, such as Building Aid and Transportation Aid;
- Incentivize efficiencies through indexing the Reorganization Incentive Aid formula to inflation;
- Provide the Department with an additional \$1 million in state operations funds to increase capacity to provide school districts with technical support on financial and management matters; and
- Maintain that, if additional Federal funds are not made available to New York State and further reductions to state aid are necessary, that any permanent reductions be made on a progressive, wealth-adjusted basis and that school districts and charters schools be treated in an equitable manner.

State Aid Comparison Chart- Regents vs. Executive Budget Proposal

Aid Category	Regents Proposal	Executive Budget
Foundation Aid	\$0	\$0
Expense-Based Aids Current Law Change	\$300 million	\$300 million
Services Aid Consolidation	\$0	-\$693 million
Other Adjustments	\$0	\$5 million
Pandemic Adjustment Repeal*	\$1,134 million	N/A
Growth Cap Repeal	\$430 million	N/A
Subtotal	\$1,990 million	-\$388 million
STAR Reduction	\$0	-\$1,352 million
Total	\$1,990 million	-\$1,740 million

* Regents proposal would prepay \$453 million of the pandemic adjustment restoration in the 2020-21 school year.

Regents State Aid Proposal: Mandate Relief

To further assist school districts with the current economic situation, the Regents have advanced the following mandate relief options as part of their 2021-22 Non-State Aid Budget and Legislative priorities:

- Extend the current pay-back period for the school district reserve flexibility that was made available earlier this year and lower the percentage that needs to be paid back each year;
- Increase flexibility for small districts to meet unanticipated expenses by allowing targeted exceptions to the 4% fund balance limit;
- Allow school districts and counties to be reimbursed for costs incurred in maintaining the infrastructure necessary to have transportation services available, and allow school districts to be reimbursed for costs incurred in utilizing school buses to deliver meals, educational materials, or acting as mobile hot spots; and
- Discontinuing duplicative financial transparency reporting in light of the full implementation of the federally required ESSA financial transparency reporting by repealing of Education Law Section 3614.

Regents 2021-22 Budget Priorities

Priority	Request
Supporting Digital Literacy Model Pilot Programming for New York State Students and Families	\$8 million
Creating Culturally Responsive-Sustaining Education Resources	\$250,000
Tuition Rate-Setting Redesign and Funding Parity	\$1.25 million
ESSA: Support Newly Identified (CSI & TSI) Schools	\$3.5 million
Ensuring the Appropriate Provision of ELL Services- ELP Assessment	\$1 million
Establishing a Bridge to College and Career Pilot Program	\$3 million
Increasing State Aid for Library Construction	\$20 million
Expanding Access to Education Programs through Cultural Institutions	\$500,000
Build Oversight & Capacity at SED	5% set-aside within all newly created programs
Webcasting and Transcribing Regular Board of Regents Public Meetings	\$220,000
Enhance Communication with Multilingual Parents, Students, and Professionals	\$1.5 million

Promoting Digital Equity for New York State Students and Families

2021-22 \$8M Budget Request

Support Digital Literacy Model Pilot Programming for New York State Students and Families

As part of comprehensive efforts to promote digital equity in New York, the Department proposes that an initial investment of \$8 million be made available for grants to organizations to provide support parents and guardians of New York State students related to remote learning, including but not limited to technical assistance and digital fluency skills acquisition, to narrow the digital divide in New York.



- These grants would fund a controlled pilot program targeted to high-needs areas across the state as identified by the results of the most recent digital equity survey and would support efforts of organizations with both the capacity to engage in this work, and a knowledge of and ties to the communities or regions they serve.
- Resources created through these funds would be available for the entire state to utilize, replicate, and modify, in order to build capacity to meet local and regional needs.

Creating Culturally Responsive-Sustaining Education Resources

2021-22 \$250,000 Budget Request

Create Education Resources that are Inclusive of the Vast Cultural Identity of Students

The Regents request \$250,000 to curate, compile and publish a set of racially and culturally inclusive education resources to support teaching and learning, using an intradisciplinary approach in the major subject areas and an additional \$50,000 in 2022-23 to finalize this work that goes beyond the 2021-22 fiscal year.

- Funds would be used to engage consultants, to act as a project manager tasked with oversight over creating the curricular guidance product including gathering and analyzing the data collected.
- NYS educators and content experts would form a workgroup to propose, review, critique and recommend available education resources that can be used in grades K-12 to bolster existing curricula to address the goal of racial and cultural inclusion.
- A final published annotated resource document would be posted on the Department's website for use by the entire state.



Redesign Tuition Rate-Setting and Funding Parity

2021-22 \$1.25M Budget Request

Address Financial Stability for Approved School-Age and Preschool Programs Serving Students with Disabilities

The Department establishes annual tuition rates for over 1,000 approved special education programs at private schools, public schools, Special Act School Districts, and BOCES. In recent years, the volume of tuition rate appeals and waivers has increased at an unsustainable rate, resulting in funding delays to the providers and hindering providers' ability to budget for their operations and make sound fiscal decisions.

To improve the financial stability for approved school-age and preschool programs serving students with disabilities and enable them to better provide mandated services to the students they serve, the Regents recommend:

- dedicating targeted resources to enable the Department to design a new tuition rate setting methodology with stakeholder input (\$1.25M); and
- creating a statutory index to provide parity in annual funding increases commensurate with the growth in General Support for Public Schools.

ESSA: Support Newly Identified TSI & CSI Schools

2021-22 \$3.5M Budget Request

Help Schools & Districts Identify School-Specific Solutions Based on their Current Needs



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 most appropriate to their needs. SED provides oversight and support for Comprehensive Support and Improvement (CSI) schools, which are schools in the bottom 5 percent in the state. The local school district oversees the improvement planning process of Targeted Support & Improvement (TSI) schools, which are schools identified for subgroup performance.

Funding would allow the Department to:

- contract with school improvement experts to provide individualized support at approximately 177 CSI schools in 2021-22;
- facilitate training to school districts with TSI schools so that districts can conduct Needs Assessments in all TSI schools; and
- facilitate training on Evidence-Based Interventions so that CSI and TSI schools can learn strategies to ensure that their school improvement plans are evidence-based and implemented strategically.

Ensure the Appropriate Provision of English Language Learner Services *2021-22 \$1M Budget Request*

Develop a New ELP Assessment Program for ELLs with the Most Severe Cognitive Disabilities

Although the New York State English as a Second Language Achievement Test (NYSESLAT) allows accommodations for ELL 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 in 2017, requires an alternate English Language Proficiency (ELP) assessment for ELLs who cannot participate on the current assessment even with appropriate accommodations.**

- Funds would support the development of a new ELP assessment program for ELLs with severe cognitive disabilities over the next three to five years:
 - Year 1: \$1 million would support test design and development;
 - Year 2: \$1 million would support pilot/field testing; and
 - Year 3: \$2 million would allow for the operational administration and additional developmental needs.

Bridge to College and Careers Pilot Program

2021-22 \$3M Budget Request

Enable Out-of-School Youth and Adults to Prepare for Postsecondary Study and Careers



Funding would 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. This pilot program would enable out-of-school youth and adults to obtain critical basic skills and high school equivalency diplomas which would lead to programs resulting in industry-recognized credentials for employment or a college degree.

These programs would include:

- career exploration and career assessment;
- relationships with employers and colleges; and
- apprenticeships and internships.

Increase Support for Public Library Construction

2021-22 \$20M 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.
- The Regents are seeking an additional \$20 million in state funding over the 2020-21 level, for a total of \$34 million, to ensure that New York's libraries are accessible to all library users and can accommodate advances in technology, including improvements to broadband infrastructure.

Summer Reading at New York Libraries is an annual program that brings children and families into local public libraries for reading and activities. In a typical year, more than 2.5 million children participate in the program. In 2020, because of the COVID-19 pandemic, libraries quickly pivoted to offering online and virtual activities and were able to engage approximately 1.3 million children and teens in a modified Summer Reading Program despite the challenges.

Expanding Access to Education Programs Through Cultural Institutions

2021-22 \$500,000 Budget Request

Provide Students with Remote Access to Cultural Institutions

The Regents are requesting new state funds for a pilot program to support museums and cultural institutions with continuing to reach audiences who cannot physically visit their institution, with a particular focus on reaching and supporting teachers and students remotely.

Funding could be used for:

- Research, development, and publication of digital curriculum and teacher resources;
- Civics and citizenship online classes for New Americans that use museum collections and resources;
- Online teacher training through the Continuing Teacher and Leader Education program of the Office of Teaching Initiatives;
- Salary support for museum staff to share resources through remote learning; and
- Research, planning, and production of virtual exhibitions to improve student learning in history, science, languages, and the arts.



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 for administrative costs. These programs include several new prekindergarten programs, several rounds of P-TECH schools, receivership, community schools, extended learning time, performance improvement grants, management efficiency grants, and Smart Schools Bond Act. As districts are faced with implementing these various programs, they rely more and more on the technical support and expertise of the Department.
- It is common in federal programs and in other states for the administering agency to be allowed a set-aside from grant awards to allow for proper oversight of the program.

Webcast Regular Board of Regents Public Meetings

2021-22 \$220,000 Budget Request

Enhance Transparency at the Department

With current limited resources, the Department is only able to provide a live webcast of meetings of the Full Board of Regents. 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 meetings 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, and provide American Sign Language simultaneous interpretation for people with hearing loss.

Enhance Communication with Multilingual Parents, Students and Professionals

2021-22 \$1.5M Budget Request

Support the Translation of Documents into Languages Other Than English

Due to resource constraints, the Department is not currently able to translate certain documents into languages other than English, which can limit the awareness of parents and students who do not speak English as their primary language to available educational programs and services.

- Funding to translate informational and guidance documents into multiple languages would support the Department's culturally responsive-sustaining framework and improve services to ELLs and their families by providing information to families in the language they best understand.

Regents 2021 State Legislative Priorities

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

- Enhance school district reserve fund flexibility by extending the current pay-back period and lowering the percentage that needs to be paid back each year. The repayment period and levels would take into consideration a district's ability to raise local revenue;
- Increase flexibility for small districts to meet unanticipated expenses by allowing targeted exceptions to the 4% fund balance limit;
- Allow districts to be reimbursed for costs incurred in maintaining the infrastructure necessary to have transportation services available to support in-person education, and to allow school districts to be reimbursed for costs incurred in using school buses to deliver school meals, homework packets and wi-fi access;
- Discontinue duplicative financial transparency reporting in light of the full implementation of the federally-required ESSA financial transparency reporting (repeal of Education Law Section 3614).

Regional Secondary Schools Advisory Council– Legislation would create an advisory council to make recommendations 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 to continue successful Early College High Schools (ECHS) and PTECH programs outside of a competitive procurement process.

Regents 2021 State Legislative Priorities

Improving Educational Outcomes for Justice System Involved Youth – Legislation would require school districts in which juvenile justice or DOCCS facilities are located to issue a diploma for students who meet graduation requirements while placed in such facility and authorize the transfer of student records from school districts to juvenile detention facilities, without parental consent, to facilitate students receiving an appropriate education in as timely a manner as possible.

Streamline & Modernize Library Program Requirements – Legislation would propose technical amendments to the Education Law that are funding neutral including, but not limited to:

- Amend Education Law §273-a, to extend the time period for library construction project completion from three years to four years for Library Construction Aid eligibility;
- Amend Education Law §273 to modernize and streamline public library system aid formula language to provide greater flexibility and ease program administration and reporting requirements by:
 - Consolidating Central Library Development aid and Central Book Aid to create a Central Library Services Aid program, and providing for greater spending flexibility within such program;
 - Amending the Public Library Basic Aid formula to streamline formula factors;
 - Consolidating Family Literacy and Adult Literacy within the Public Library System Outreach Aid formula;
 - Consolidating Regional Bibliographic Data Base Aid into Basic Aid for Regional Research Library Systems; and
 - Amending New York Public Library (NYPL) Research Libraries formula language for general support of the NYPL Research Libraries to combine the separate amounts of \$767,000 and the \$5,649,000 stated in the statute into one amount, \$6,416,600.



Thank You.

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