



THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE OF NEW YORK / ALBANY, NY 12234

Office of the Board of Regents
89 Washington Avenue, Room 110
Albany, NY 12234
Tel. (518) 474-5889
Fax (518) 486-2405
E-mail: RegentsOffice@nysed.gov

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The Honorable Betsy DeVos
Secretary of Education
U.S. Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202

Dear Secretary DeVos,

Thank you for taking the time to reach out to the Department to discuss the needs of New York State's local educational agencies as they provide continuity of learning to our preschool, elementary and secondary students during the school closures that have occurred as a result of the COVID-19 emergency. As a follow up to our conversation, I am writing to request your support as we advocate to Congress for additional federal funding to meet not only our current needs, but also anticipated needs over the summer and into the fall.

As you know, New York State, and in particular New York City, has been the epicenter of the COVID-19 pandemic in the United States. New York State's updated financial report, released on April 25, 2020, projects a \$13.3 billion deficit for the state fiscal year that began on April 1st. Our state financial plan calls for billions of dollars in reduced aid to localities spending and an across the board 10 percent reduction in agency operations expenditures. Many schools across our State, both in both rural and urban communities, have faced tremendous challenges as they have addressed the needs created by COVID-19. Since our schools' expenditures are rising to address COVID-19 needs, the impact of reductions in state-provided funding will be devastating to their ability to meet the needs of their students. In addition, the reduction in our Department's operational budget will impede our ability to assist school districts, nonpublic schools, approved preschool and school-age special education programs and charter schools through this crisis.

Below, please find the areas of need we have identified. We ask that funding be provided to State Educational Agencies in as flexible a manner as possible, similar to the structure used for the Elementary and Secondary School Emergency Relief Fund under the CARES Act, to enable SEAs to address the needs of schools across our state.

Preparing for Reopening Schools

Schools in New York State are closed until at least the end of the ten-month 2019-20 school year. The New York State Board of Regents and the New York State Education Department (NYSED) is working to form a statewide task force of educational leaders to guide the reopening of the state's schools. The task force will work with the New York State Department of Health and share recommendations with Governor Cuomo's New York Forward Re-Opening Advisory Board.

While more details will be forthcoming as the task force undertakes its work, preliminarily, we have identified the following areas where federal funding is needed to help us reopen our public, private and charter schools and special education programs in a manner that ensures the safety of our students, their families, and school staff:

- *Bridging Gap for Most at Risk Populations:* Data (NY and nationwide) indicates that the biggest impact of the pandemic has been on Black and Hispanic families, children and low-income communities. This includes the data on deaths, hospitalizations, lack of computers/digital divide, job loss, etc. The intent is to provide supplemental services to the most impacted demographic.
- *Health Services:* Over half of our public school buildings do not have a full-time nurse. Additional funding is needed for school nurses and health staff and for health office supplies, including thermometers.
- *Mental Health Services:* Many students will return to school after facing significant trauma including the loss of loved ones, economic insecurity, or social isolation. Funding is needed for additional school counselors and social workers to help address these social-emotional needs.
- *Personal Protective Equipment (PPE):* Funding is needed to supply PPE to school staff and students.
- *Cleaning/Sanitizing:* Funding is needed to pay for additional staff costs to clean school buildings, playgrounds and buses, and for the cost of additional cleaning supplies.
- *Transportation Costs Due to Social Distancing:* Social distancing measures are likely to continue into the fall. Additional transportation costs will be incurred if school buses cannot transport their usual loads. Additional staffing costs will be incurred if school days are extended to allow for smaller class sizes.
- *Child Care for Healthcare Workers and First Responders:* When schools closed in New York State in mid-March, school districts were directed to provide child care for the children of essential workers who live or work in their area. School districts fulfilled this requirement in a number of ways. Some districts provided the child care services in school buildings with their own staff, with volunteer or staff from local child care providers at the district's expense. Others contracted with local child care providers to purchase "slots" for the children of essential workers. Given the increasingly dire fiscal conditions facing school districts, and the likely ongoing need for child care to be provided to front line workers, additional federal funding to reimburse these services is critical.

Addressing the Digital Divide

Even before the COVID-19 pandemic, the inequitable access to technology and internet services in students' places of residence was a priority to be addressed. Sometimes referred to as the "homework gap" or the "digital divide," the lack of equitable access disproportionately affects low income, minority, and rural populations both nationally and within New York. The closure of New York schools and subsequent shift to remote learning has only put a brighter spotlight on this urgent need.

New York State teachers have made heroic efforts to continue to provide high-quality learning opportunities to our 2.6 million students, but this has proven to be a significant challenge as tens of thousands of New York State students do not have, or do not have sufficient, access in their place of residence to computing devices, broadband services, and other technologies (including assistive technologies for students with disabilities).

To address inequitable access to broadband services and computing devices, additional federal funding is needed for solutions such as Wi-Fi hotspots; modems; routers; devices that combine modems and routers; connection devices including computers; other advanced telecommunications and information services; and home Internet access service. We would support measures that would accomplish this, such as H.R. 6563, the Emergency Educational Connections Act of 2020, introduced on April 21 by Rep. Grace Meng (NY). This bill would appropriate \$2 billion for remote learning solutions and would direct the Federal Communications Commission to receive those monies and disburse them through the E-Rate program, prioritizing support to students, staff or library patrons that lack access to such equipment and/or Internet access.

Access to devices and high-speed Internet is not the only hurdle to developing and maintaining a quality remote learning program. Districts need additional funding to cover the costs of high-quality digital content; online learning platforms, programs and services; and cybersecurity measures to ensure students and students' data are secure.

While it is true that some online learning sites are providing free access to schools for a limited time, New York anticipates these resources will continue to be needed in the summer and fall. It is crucial for students' continuity of learning to maintain a familiar format for the distance learning that may be necessitated by staggered schedules or short-term closures as districts continue to address the COVID-19 crisis over the next year.

Special Education

Additional federal funding is necessary to ensure students with disabilities receive compensatory services and extended school year (ESY) services, as appropriate, as recommended by their Committee on Preschool Special Education or Committee on Special Education (Individualized Education Program (IEP) Team). Due to the COVID-19 school closure periods in New York State, NYSED is anticipating many students with disabilities may require compensatory services to regain skills lost and/or an increase in students being eligible for ESY services to prevent substantial regression. Some students who may not have been eligible for ESY services in past years may now meet the eligibility criteria due to the extended school closures. Funding for additional teachers and related service providers will be necessary to provide these services to students with disabilities to ensure they receive a free appropriate public education.

Summer School

Learning loss over the summer months is always an issue as students return to school in fall. However, due to COVID-19 school closures, students will experience far greater academic deficiencies this year. Districts will need to provide additional opportunities for students to receive academic services over the summer to make up for learning loss due to school closures. Funding for additional staffing will be necessary for district planning and implementation of programs necessary to meet the additional needs of the students and prepare them for the 2020-21 academic year. Additionally, if schools cannot reopen this summer and must continue remote learning, funding will be needed for devices, connectivity and, in areas where this is not possible, delivery of learning materials to student homes.

English Language Learners

We are anticipating an increase in the number of students classified as English Language Learners (ELLs) due to the cancellation of assessments and potential regression in English language proficiency for students who have not had regular exposure to English speaking environments during school closures. Additional school staff will be needed to provide programming to support an increased number of ELL students, and funding is needed to provide interim formative assessments for ELLs.

Mental Health and Social-Emotional Learning

Additional funding is needed to provide social emotional learning, mental health and trauma supports for students and staff both now and when schools reopen. We need to increase the numbers of counselors and social workers per student in order to support students as they reintegrate into the school setting. Funding is needed to hire multilingual counselors or social workers to ensure that our ELL students receive effective social-emotional learning without concern for potential language barriers. In addition, funding is needed to hire additional school counselors and social workers, to provide training to school staff on how to provide these supports for students, and to provide the supports school staff will need as they grapple with their own anxiety, depression, trauma and grief.

School Meals

Additional funding above the current federal rates of per meal reimbursement is needed to enable schools to provide children from low income/food insecure households access to safe nutritious meals, as the per meal cost is much higher than the current reimbursement rates. Moreover, additional funding is needed for potential changes in the way in which schools will need to adjust the provision of school meals, as social distancing restrictions could restrict the use of communal settings such as cafeterias.

Meeting the Unique Needs of At-Risk and Vulnerable Students

Students in Neglected and Delinquent Facilities: In many instances, school staff have been prohibited from entering facilities to provide face-to-face education services and have relied on providing educational packets to students. In addition, youth leaving neglected and delinquent facilities are struggling to transition to an educational program in a timely manner due to school closures. Additional funding for educational technology, mental health/social-emotional supports, cleaning, health services and special education compensatory services is particularly critical for students in facilities.

Homeless Students: Educational outcomes for students identified as homeless are worse than their permanently housed peers and their peers who are economically disadvantaged. Schools offer stability and safety for children who are homeless. When schools close or move to online learning, the health, safety, and education of children and youth experiencing homelessness is jeopardized. With New York State's precarious economic position, we are anticipating a significant increase in the number of students experiencing homelessness. Additional funding for educational technology, mental health/social-emotional supports, and special education compensatory services is particularly critical for homeless students, who experience significant barriers to successfully engaging in remote learning.

Migrant Children and Families: Migrant children face unique challenges stemming from mobility as a result of their migrant lifestyle. These factors are further compounded by the effects of COVID-19, resulting in a lack of educational continuity, time for instruction, school engagement,

English language development, and education support in the home. Additional funding for educational technology, summer learning and supplemental program activities, mental health/social-emotional supports, and special education compensatory services is particularly critical for migrant children, who also experience significant barriers to successfully engaging in remote learning.

Charter Schools

Additional federal funds are needed to foster and share the nationally recognized work of New York State's charter schools. Funding is needed to support the development and dissemination of innovative practices in existing charter schools to help all schools – district, charter, or independent - rethink how to approach education in a post-COVID-19 world.

Religious and Independent Schools

New York State has approximately 2,000 religious and independent schools. These schools serve over 400,000 of our state's school age children. Many of the leaders of these schools (across the spectrum from Christian to independent to Orthodox Jewish) are reporting to NYSED that their families are suffering from financial uncertainty and are unable to continue their tuition payments. This has already resulted in teacher and staff layoffs, as well as school closures, in our private school community. In New York State, we respect the incredible diversity of our religious and independent schools, and we want them to flourish. NYSED is asking that additional federal funding be made available to address the need to provide support for the core functions of our private schools.

Thank you for your consideration of our requests. We look forward to your support as we advocate for additional funding to assist our students during this unprecedented public health crisis.

Sincerely,



Betty A. Rosa
Chancellor, New York State Board of Regents



Shannon L. Tahoe
Interim Commissioner of Education

cc: New York State Congressional Delegation