



LEGISLATIVE PRIORITIES

SUCCESS AND
SUSTAINABILITY:
REIMAGINING
EDUCATION
POST-PANDEMIC

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2022-2023

EDITION



INTRODUCTION

The 2021-22 school year can be considered a year of recovery and reinvention for school districts. As our schools continued to navigate lingering challenges, economically and psychologically from the pandemic, we entered the 2022-23 school year with a great deal of optimism for normalcy.

The pandemic has impacted almost every aspect of education. We are still developing a greater understanding of the overall effect on our students, their families and our staff members. Most profoundly, for our students, we have been witness to the impact it has had on learning loss, as well as their overall mental health wellness. We are grateful to our partners in the legislature who have provided us with unprecedented levels of funding to navigate this period of recovery. With the financial resources received, our districts have sought to return stronger than ever and reinvent education for our students. By combining lessons learned about equitable access and effective technology integration with the tried and true pedagogical methodologies of the past, we have invested in innovative approaches to address and support the diverse needs of all of our students.

The SCSSA Legislative Committee surveyed the superintendents in Suffolk County regarding their top advocacy priorities for the coming budget cycle. The “Top 5” items in the survey results can be summarized as follows:

1. **School Safety:** 65.2% of superintendents identified providing support to schools for School Safety and Cyber Security as their highest priority.
2. **Annual Professional Performance Review:** 56.5% of superintendents identified amending current law §3012-d (APPR).
3. **Student Mental Health Challenges:** 54.3% of superintendents identified providing support to schools for mental health resources.
4. **Funding Flexibility - Fund Balance and Reserves:** 47.8% of superintendents identified funding flexibilities such as increasing the unrestricted fund balance limit.
5. **Revision of Foundation Aid Formula:** 43.5% of superintendents identified revision of the Foundation Aid formula to better reflect evolving district profiles/demographics.

The highest priority for school districts, even above their educational mission, is to ensure the physical and emotional safety of their students. To this end, we have worked collaboratively with local law enforcement agencies to develop a comprehensive approach to addressing school safety. We have lobbied for changes in legislation and have been encouraged by the passage of Red Flag laws. We have also taken proactive measures and developed plans to support the social, emotional, and mental health of our students.

Since 2013, superintendents throughout NYS have increasingly identified funding for mental health programs and resources as a top funding priority. Last year, 80% of NYS school superintendents indicated their budgets would demonstrate increased support for mental health initiatives.

Issued in November of 2021, an advisory by the U.S. Surgeon General's office, titled Protecting Youth Mental Health - The U.S. Surgeon General's Advisory, indicated that:

"Since the pandemic began, rates of psychological distress among young people, including symptoms of anxiety, depression, and other mental health disorders, have increased. Recent research covering 80,000 youth globally found that depressive and anxiety symptoms doubled during the pandemic, with 25% of youth experiencing depressive symptoms and 20% experiencing anxiety symptoms."

In the introduction, Vivek H. Murthy, M.D, M.B.A., Surgeon General of the United States, boldly stated:

"If we seize this moment, step up for our children and their families in their moment of need, and lead with inclusion, kindness, and respect, we can lay the foundation for a healthier, more resilient, and more fulfilled nation."

The report concludes, "This is the moment to demand change—with our voices and with our actions." Now is the time to make school safety and mental health wellness a priority in NYS. We ask that you consider the following legislative actions that are essential to support overall school safety:

- Provide for an exemption to the tax levy limit calculation to exclude expenses related to additional mental health supports and school safety/cyber security.
- Establish an expense-driven categorical aid with the designation of "School Safety Aid" to partially reimburse districts for expenditures related to school security and mental health supports.
- Permanently remove the earnings limit for retired law enforcement officers working as school security staff.
- Amend Election Law Section 4-104(3) to add public school buildings to the list of public places that can file a written request to be removed from the list of polling places.



FOUNDATION AID/FUNDING FLEXIBILITY

The influx of ESSER and ARP funds coupled with the three-year phase-in towards fully funding the Foundation Aid formula has provided school districts throughout the state with the necessary resources to be at their best at a time when all of our schools needed to come back stronger and thrive. However, in order to sustain this level of education in the future, the ability to have predictability in our long-term financial planning is now more important than ever.

The phase-in of Foundation Aid has already had the impact of decreasing some of the per-pupil inequities that have been evident and growing since its inception. School districts are incredibly grateful for the state aid provided. We ask that the state follow through on the commitment to fully fund Foundation Aid in the coming year.

Along with the commitment to fully funding Foundation Aid, now is the time to commit to a thoughtful revision of the formula that better captures the factors that provide for a successful education for all students in New York State. The current formula, as it stands, is in need of revision. The weightings within the formula must be adjusted to adequately reflect the impact of educating students with special needs and English Language Learners in our schools. Further, it must also include more accurate data collection methods to truly reflect the diverse demographics and measures of student poverty and district wealth factors. In addition, the formula should be adjusted to adequately address the regional cost differences that exist in providing a successful education for all students. Finally, the 2% tax levy cap limits school districts' ability to raise local revenues and the formula must account for this. Considering all of these factors, it is essential that the Foundation Aid formula be revised. In order to provide for the equitable distribution of state aid funds and provide our school districts with the ability for accurate long-range fiscal planning, a reliable and accurate multi-year school aid formula is necessary.

In addition, there is some trepidation that once funding sources level off and we can no longer carry over the federal funds that have come in over the past two years, districts are facing a "fiscal cliff." Some no-cost actions that would help school districts to navigate this pending fiscal cliff include:

- Provide for flexibility in allowing ESSER and ARP funds to be spent over a longer window of opportunity (five years instead of three).
- Allow for flexibility in the 4% maximum carryover in school districts' unrestricted fund balance.
- Provide for the allowance for districts to borrow from reserves to eliminate the use of Tax Anticipation Notes (TANs).



PRUDENT AND REASONABLE MODIFICATIONS TO THE 2% TAX LEVY CAP

The tax levy cap has been successful in preventing excessive increases in property taxes across the state. However, in six of the past 11 years, “2%” has been below 2%. This has provided challenges for school districts in communicating their spending plans to their communities. Now, after 11 years of implementation, we are witnessing inflationary rates (8.06%) that were not contemplated in the creation of the tax cap. It is time to make necessary adjustments in the law to address unintended consequences. We advocate for the following prudent and reasonable modifications:

- Establish a fixed 2% tax levy cap, rather than the lesser of 2% or CPI.
- Include properties covered by PILOTS in the tax base.
- Modify the tax levy limit calculation to exclude expenses related to:
 - Addition of new mental health initiatives
 - School safety and cyber security initiatives
 - New unfunded government mandates
 - Exempt increases in health insurance costs above 2%

CIVIL SERVICE REFORM

Hiring and retaining highly qualified civil service employees is essential to the efficient operations of our schools. Many of the antiquated rules and regulations governing civil service procedures are unnecessarily burdensome and interfere with our ability to expeditiously recruit and hire qualified employees for essential functions in our schools. We ask that a thorough review of the statutory requirements be completed and consider the following:

- Offer tests on a continuous basis to allow for real-time recruitment.
- Modernize content on exams to ensure they are relevant and consistent with job requirements.
- Establish a procedure to transition successful provisional employees to permanent status.
- Allow part-time employees for some titles to be hired non-competitively.
- Eliminate the requirement to utilize traditional mail for canvass letters and allow for electronic canvassing.
- Amend the Rule of 3 to a Rule of 5. This will allow for a larger candidate pool.



ED LAW 3012-D APPR ADJUSTMENTS

The purpose of a successful Annual Professional Performance Review (APPR) lies in its ability to improve teaching and learning. The current system is built upon a punitive model and is not focused on innovation and enhancing professional practice. Improving teaching and learning is foundational to providing a quality education for our students that empowers them to become future leaders and contributors to our society. It is essential that we revisit this conversation and amend the law so that it can accomplish what is most important and return the process of oversight to local control. To this end we ask to:

- Convene a panel of experts to create an Annual Professional Performance Review (APPR) system that encourages innovation and is based on a growth model for enhancing professional practice for the state.

LONG ISLAND FUNDING COMPARED TO NYC AND REST OF STATE

The 125 school districts in Nassau and Suffolk counties educate almost 16.1% of the state's students, yet receive only 13.1% of the state aid. This is a difference of \$913.3 million for Long Island school districts. Our state aid per pupil is 21% less than the rest of the state (\$8,194 vs. \$10,375).

Long Island: Comparing percent of students being educated, to percent of aid received from the state				
	Students %	State Aid %	Total State Aid	Amount Per Pupil
Long Island	16.1%	13.1%	\$ 4.1 billion	\$8,194
Difference for Long Island		(3%)	(\$900 million)	(\$2,181)

2022-23 Legislative State Aid Runs
Enrollment - TAFPU

OTHER ITEMS



Universal Pre-Kindergarten

The prekindergarten expansion funding has positively impacted school readiness for thousands of 4-year-old students throughout the state. We are appreciative of the recent expansion funding increases for Universal Prekindergarten (UPK). However, the minimum per pupil allotment of \$2,700 for half-day instruction and \$5,400 for full-day instruction included in UPK funding has not been increased since 2006. We ask for continued support for high-quality early education programming through an increase in the minimum per pupil allotment for school districts, as well as greater flexibility in the use of these UPK funds.

Childhood Nutrition - Universal School Meals Program

Food insecurity is a real and significant challenge for many students in our Long Island schools and throughout the state. It is estimated that almost 15% of students in NYS experience hunger, and disproportionately so in Black and Latin communities. Simply put, a hungry child cannot learn. Students who are hungry have higher absenteeism rates than their peers and are at greater risk of developing mental and physical health problems.

The implementation of a universal school meals program would ensure all public school students in NYS are offered daily nutritious meals, free of charge. Universal access to nutritious meals will serve to level the playing field, allowing all students the opportunity to succeed.

Zero-Emission Buses

The statewide requirement that all school districts must purchase and lease only zero-emission buses by 2027, and that all buses owned by districts or by a transportation service provider must be zero emission by 2035 is fraught with challenges. Costs related to the lease, purchase, construction or installation of zero-emission buses and charging infrastructure will place an undue burden on districts. We ask that you reconsider the implementation timeline and aid structure for this mandate.



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