



Testimony
to the
**Senate Finance Committee and
Assembly Ways and Means Committee on the
Proposed 2024-25 Executive Budget for
Elementary and Secondary Education
February 1, 2024**

Prepared by:
New York State United Teachers
800 Troy-Schenectady Road
Latham, NY 12110-2455
518-213-6000
www.nysut.org

Representing nearly 700,000 professionals in education and health care
Affiliated with the AFT – NEA – AFL-CIO

*Testimony of
Melinda Person,
President
New York State United Teachers
to the
Senate Finance Committee
Liz Krueger, Chair
and
Assembly Ways and Means Committee
Helene E. Weinstein, Chair
on the
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Chairperson Krueger, Chairperson Weinstein, honorable members of the Legislature and distinguished staff, I am Melinda Person, President of New York State United Teachers (NYSUT). NYSUT represents nearly 700,000 teachers, school-related professionals, academic and professional faculty and staff in higher education, professionals in education, in health care and retirees statewide.

Thank you for the opportunity to testify today on the proposed 2024-25 New York State Executive Budget for Elementary and Secondary Education.

Foundation Aid

This time last year, we appeared before you and lauded the governor for including the full phase-in amount for the Foundation Aid Formula in her executive budget proposal.

In fact, Governor Hochul committed to fully and properly funding New York’s public schools — finally delivering on the promise to provide a sound basic education for all children in the state. So, it is profoundly disappointing that the state would walk back that promise after only one short year.

The executive budget proposal to increase Foundation Aid by \$507 million may seem positive; however, under the law, the Foundation Aid increase should be nearly double what has been proposed — or \$926 million. This means the executive budget is \$419 million short of what is both required and expected. Whether you choose to call these cuts, or a scale back or any other term, the reality is the same: every school in New York State will receive less money than they need this year, and Foundation Aid will not be fully funded.

Without the promised funding, schools will be forced to make cuts that could result in larger class sizes, fewer and diminished educational programs and an overall decline in the quality of education our children receive.

The executive budget makes two changes to the formula that contribute to this lack of funding.

First, it applies an incorrect Consumer Price Index (CPI) figure. Under current law, Foundation Aid is annually adjusted by CPI from the prior calendar year. This annual adjustment has been in place since Foundation Aid was enacted in 2007. However, the executive budget proposal replaces that requirement — which would have increased Foundation Aid by roughly 4 percent — with a 10-year CPI average, which only increases funding by 2.4 percent.

In addition, the executive budget provides for a reduction of overall Foundation Aid if a school district is on Save Harmless. This results in a year-to-year reduction in Foundation Aid of \$167 million to 337 school districts.

The Save Harmless provision has been in place for decades and offers districts a foundation on which to plan their budgets for the coming year. The proposed reductions in state support will impact many low-wealth and high need schools.

NYSUT asks for the full funding of Foundation Aid in accordance with the law. NYSUT also urges the state to update Foundation Aid formula to reflect the actual cost of running a successful school in 2024. This update should take the form of a new costing-out study that will develop a new successful school model based on current levels of spending.

Literacy

A noteworthy proposal in the executive budget involves literacy programs in our schools. Promoting the science of reading practices as a curricular tool will give our educators access to the most up-to-date, science-backed approaches to teaching reading. The executive budget provides \$10 million to NYSUT's Education and Learning Trust (ELT) to offer professional learning opportunities to educators about these best practices for reading instruction.

This is part of a national movement that acknowledges the importance of literacy and recognizes that teaching children to read is complex. In the past ten years, almost every state has implemented new policies to ensure teachers have full access to the latest tools for teaching reading. These policies aren't merely the result of the latest fads. They're guided by new breakthroughs in brain science and backed by solid evidence from hundreds of studies.

Every week I travel across the state and speak with educators who care deeply for their students and want them all to experience the pride and joy that comes with learning to read and write. Our educators deserve the support that will enable them to give *every* student the opportunity to feel the joy and empowerment that comes with literacy.

Too often there is a gap between what educators need to help every student learn and the tools they have been given. This program is one way we are closing that gap.

Community Schools

Community schools serve as hubs of valuable support for students and families. They provide wrap-around services that help keep families healthy, communities safe and children supported.

Community schools have the framework in place to address the stress, trauma and mental health needs of students and their families and to eliminate barriers to success so that all students can have access to a high-quality learning experience.

While most often associated with urban districts, the community school model can and does work in suburban and rural areas as well. Each community school is designed to address the needs of the community it supports.

Over the past few months, NYSUT has visited numerous community schools to see how the model is adapted to meet these specific needs. In Albany and New York city, we saw schools that assisted families with transportation, provided access to health care professionals and even had on-site laundry facilities.

In rural Ilion in Herkimer County, we visited a community school that provided a “community hub” room where students can access supplemental food to bring home as well as toiletries and other hygiene supplies. Students and teachers reported that these resources were regularly accessed free from the stigma often associated with such services.

Community schools are led by a community school director or coordinator who forges connections between the school and local groups and organizations to align available services with the needs of families and students.

In New York city, UFT’s United Community Schools’ data shows that a \$100,000 investment to hire a community school director can bring in more than \$600,000 in services and grants to the school and the community it supports — a 6-to-1 return on investment (ROI). Yet, according to data released by the State Education Department, less than 2 percent of school districts have a community school director.

In the community schools network that encompass Waterville, Rome, Dolgeville and the Town of Webb in Central New York, the average ROI is more than \$14 for every \$1 invested. These are just two of the numerous examples that illustrate the value of investing in community schools.

NYSUT urges the Legislature to allocate categorical aid for this model. Currently a little over 400 schools have implemented the community schools model across the state. An additional \$100 million in categorical aid for the expansion of community schools would allow New York to double this number.

Universal Pre-Kindergarten

The executive budget provides \$483.7 million for Universal Pre-K education. However, the budget proposal does not address the issue of school districts hiring staff directly for these programs.

By law, districts must allocate at least 10 percent of their grant funds towards collaborative efforts with community-based organizations (CBOs) for providing these services. Yet, many districts are outsourcing all their grant-funded services to CBOs, making no effort to build their own capabilities to provide pre-K services within public schools. This jeopardizes students' continuous access to services and qualified teachers — elements that are essential for high-quality education and positive student outcomes.

NYSUT is concerned about this trend. NYSUT is calling on the Legislature to require districts that outsource these services to submit a plan to the State Education Department outlining how they will increase their internal capacity to offer these services themselves and to also commit to fully integrating certified teachers into their programs within three years of plan implementation.

School-Based Health Centers

NYSUT supports the inclusion of an additional \$3 million for school-based health centers and an additional \$5 million in Fiscal Year 2026 in the executive budget.

Additionally, NYSUT strongly supports enactment of legislation S. 1875 (Brouk)/A.7668 (Reyes) to require New York to submit a State Plan Amendment (SPA) enabling schools to receive Medicaid reimbursement for a broader range of mental and physical health services. The SPA would extend these services to all Medicaid-enrolled students, not just those with disabilities or those who have an Individual Education Plan (IEP).

Additional School Health and Mental Health Professionals

Today's school-age children face many challenges, including anxiety, depression, bullying, academic stress and the impacts of the COVID-19 pandemic, among others. These issues do not discriminate by race or socio-economic status and require the attention of skilled professionals within the school environment. The presence of licensed health and mental health staff in schools is crucial for addressing these widespread concerns.

The school setting provides a unique opportunity for mental health professionals to observe, engage with and support students. Having these resources readily available in schools increases the likelihood that students will seek and receive the help they need.

Given the disparity between the high needs of students and the limited availability of trained health professionals, NYSUT is urging the Legislature to adopt the measures proposed in S.7558 (Jackson)/A.7743 (Gonzales-Rojas). Every school should have access to licensed or state-certified health and mental health professionals to support the diverse needs of students. This legislation would mandate that the State Education Department work with professional associations representing school counselors, nurses, psychologists and social workers to establish appropriate health and mental health professional-to-student ratios in New York's public schools.

This step is vital to ensuring that every student has access to the necessary support for their health and well-being.

FAFSA Completion for High School Seniors

The executive budget proposes requiring school districts to educate high school seniors about state-sponsored financial aid options for college and offer help or refer them to resources for completing the Free Application for Federal Student Aid (FAFSA). Every high school senior, or their parent or guardian, would need to confirm that they have filled out and submitted the FAFSA, applied for aid through the DREAM Act, or they would have to sign a waiver stating they are aware of the FAFSA but have opted not to complete it.

NYSUT recognizes the connection between this proposal and the goal of providing students with all the options that may help them attend our institutions of higher education. However, completing these forms is a personal matter that can involve considerations of citizenship, income and tax information, and family structure. These are not necessarily topics students and families may be prepared to discuss at school. This will also impact the educators and school counselors, who are already called upon to handle many other challenges. And, some students will require extra time and assistance, especially in families where the student is the first-generation to apply for college or English is not their first language.

To best address logistical and other concerns, NYSUT urges that school district leaders and other stakeholders be consulted when determining implementation.

Ending Student Hunger

A child who comes to school hungry will have difficulty focusing, learning and getting the most out of school. NYSUT members have observed the critical link between nutrition, student health and academic performance first-hand. Making sure our children are fed is just about the most basic thing that we can and should be doing to ensure children have opportunities to learn and grow. Unfortunately, 760,000 children under the age of 18 are living in poverty in our state. They are children in need in every school district.

In the past year, we have made great progress in providing free school meals to more children throughout the state; yet more remains to be done. Therefore, we are advocating for an additional \$90 million in funding to ensure free breakfast and lunch for all New York state students. NYSUT is also urging the Legislature to make Universal School Meals a permanent fixture in the final budget.

Charter Schools

NYSUT objects to expanding the number of corporate charter schools in New York without the same transparency and accountability standards that public schools must adhere to. NYSUT also opposes the provision of additional funds to charter schools that are operating without being required to adhere to the same transparency and accountability standards as our public schools.

BOCES/Career and Technical Education (CTE)

Across the state, schools are implementing new hands-on learning programs that are not only teaching students the skills they will need for high-tech jobs, but also teaching them valuable lessons about how to work collaboratively, solve problems and be nimble thinkers.

Career and Technical Education (CTE) programs are growing rapidly across the state for good reason. These kinds of programs offer students experiential learning that aligns with future careers. These courses range from robotics to forensics to cybersecurity to agriculture.

They allow students to “learn by doing;” figures and words jump off the page and become project budgets, essential measurements like teaspoons and grams, data to chart, or measurements for construction projects.

CTE courses do more than encourage kids’ natural curiosity and potential. Students who graduate from these programs are prepared to pursue a four-year college degree or immediately enter the workforce. These programs create a kind of career pipeline that paves fulfilling career paths for students and is the driver for a new wave of workforce development. A workforce development initiative that not only draws companies to invest in the Empire State but also empowers our young people to pursue advanced, rewarding careers right here in New York.

It's working already — in December, chip manufacturer Micron Inc. announced it would invest millions of dollars in partnership with the state to help students develop the skills they will need for careers in the semiconductor industry.

These programs must remain current and relevant as workforce and economic trends change rapidly. But the current aid formula for BOCES CTE programs has not changed since 1990, and the state only provides aid for the first \$30,000 of a BOCES instructor’s salary. The example below illustrates the financial constraints of the law.

Year	Salary (Base, Adjusted for Inflation)	Aid Ratio	Local Share
1990	\$30,000	A district with a 60 percent Aid Ratio received $\$30,000 \times .6 = \$18,000$ in BOCES aid.	\$12,000
2024	\$60,000	Same district still gets $\$30,000 \times .6 = \$18,000$ in BOCES Aid	\$42,000
The effective aid ratio is not 60 percent — it is 30 percent.			

NYSUT urges the Legislature to reform the BOCES funding formula, making these services more financially accessible to school districts by covering a larger portion of program costs. Moreover, the current cap on Special Services Aid, particularly for the Big 5 city school districts, leads to decreased state funding for CTE programs, causing local schools to bear more costs and resulting in underfunded programs.

NYSUT calls upon the Legislature to adopt measures from S.5024 (Mayer)/A.7481 (Conrad) into the budget, to enhance and grow BOCES and CTE programs across the state and to raise the per-pupil funding cap for special services aid. NYSUT also urges the Legislature to include ninth graders in the Big 5 districts' special services aid.

Special Schools

NYSUT members working in Special Act, 853, and 4201 Schools and in 4410 Programs across New York state have dedicated themselves to students with significant medical and social/emotional needs who cannot be accommodated in traditional public schools. These special education settings demand extra resources and services to meet the unique challenges faced by both educators and students.

The previous budget cycle included an initiative to update the outdated rate methodology system for these schools and programs. The current executive budget proposal has earmarked an additional \$1.4 million to continue these study and design efforts and extends the deadline for completion from 2025 to 2027.

NYSUT is also seeking an increase of \$20 million in funding for Excessive Teacher Turnover Grants (ETTG), which are available to certain educators in these specialized settings. Furthermore, NYSUT is calling on the Legislature to create and allocate \$40 million to a new Direct Care Support Turnover Grant to be made available to support staff such as speech pathologists, occupational therapists and physical therapists, among others, who play a crucial role in the development and well-being of their students.

4201 Schools

The executive budget provides \$111.9 million for these schools.

In addition, NYSUT, in collaboration with the 4201 Schools Association, is advocating for a \$30 million grant over three years to help these vital schools attract and keep the educators and therapists they need.

Teacher Centers

The Legislature established Teacher Centers to offer continuous professional development and support services to educators. As the sole state-funded initiative for teacher development, these centers play a crucial role in over 200 high-need districts, BOCES, non-public and charter schools by developing programs that respond to evolving educational trends and needs.

Notable programs include professional development for mentors guiding new teachers, workshops for parents on technology use and support strategies for their children's learning, robotic coding, technology, 3D science training, enhancing content knowledge in pre-K through 12 standards and support for special education teachers, struggling learners, students with disabilities and English language learners.

Unfortunately, the executive budget proposes a cut of \$21.4 million in funding for Teacher Centers. We strongly advocate for the restoration of this funding to its previous level of \$21.4 million. Such funding is essential for continuing to support New York's educators, enhancing student achievement and equipping them with the necessary tools for effective teaching.

Many Threads, One Fabric

Because of support from the Legislature, the last three budgets have included money for our union-led implicit bias training called "Many Threads, One Fabric." This program has trained thousands of educators across the state in inclusive, research-based best practices. Today, we are asking for \$2 million in support so NYSUT can continue toward our goal of providing this training to every NYSUT member. Funding for this initiative was not contained in the executive budget.

Human Service Providers

The executive budget includes a 1.5 percent COLA for human service providers who contract with a variety of state agencies to care for New Yorkers. NYSUT represents several ARCs and other human service provider staff across the state and joins other organizations calling for a 3.2 percent COLA for those who work in these agencies.

Mayoral Control

NYSUT and our New York city local, the United Federation of Teachers, have long expressed concerns with mayoral control since its inception in 2002. You will hear more details on these concerns from UFT President, Michael Mulgrew.

SED Staffing and Development

NYSUT strongly advocates for additional funding and the ability for SED to hire staff and develop in-house expertise in the many areas for which they are responsible, be it instruction, curriculum, school finance or teacher certification. While a limited number of positions was included in the executive budget submission, additional funding and staffing will be required to carry out the duties and responsibilities of the department.

Retirement Tier Equity (Fix Tier 6)

New York state will need more than 180,000 new teachers in the next decade, but a significant detriment to our schools' ability to recruit new teachers and retain existing employees is a lack of retirement security for our newest members.

Tiers 5 and 6 of the public pension system provide significantly reduced benefits when compared to previous tiers. Our Tier 6 members — hired on or after April 1, 2012 — must work many years longer and pay larger percentages of their salaries into the system, and yet they will still earn significantly less in retirement than their counterparts in Tier 4.

This is not just an education issue; it affects essential public employees across the state in professions where a dignified retirement was once a guarantee.

As the workforce ages, it will only get worse. While the teacher shortage has already hit selected subject specialties and geographic areas, the overall shortage of public employees in general will cause further gaps in critical public services throughout our state.

Two years ago, the Legislature enacted the first change to Tier 6 since its creation — the reduction of the vesting requirements from 10 to five years of service. This change guaranteed pension benefits to an additional 85,000 of our members. While this was a good first step, there are more corrective actions that must be put in place to fix Tier 6.

These include fixing the employee contribution to 3 percent of salary and adjusting the final average salary in the pension calculation to provide retirees with a benefit that more closely reflects the rising costs of living.

Unfortunately, the executive budget proposal fails to include any changes to Tier 6. Accordingly, we call on the Legislature to prioritize Tier 6 reform in their one-house budget proposals for inclusion in the final state budget. This will ensure that all public employers are able to recruit and retain employees.

Raising Revenue

Our state has vast resources to fund our schools, support our children and strengthen our communities, if we choose to access them.

But rather than cutting arbitrary elements in our school funding formula for immediate savings, we must make long-term investments toward systemic change.

NYSUT supports four revenue enhancements that could be added to this year's enacted budget. These include a surcharge on capital gains for those filing jointly who earn over \$500,000 — similar to the provisions contained in S.2162 (Rivera)/A.2576 (Kim), which could raise over \$12 billion annually; a progressive income tax that would affect the top 5 percent of the state's earners S.2059 (Jackson)/A.3115 (Meeks), which could generate over \$21 billion annually; a group of corporate tax reforms S.1980 (Hoylman-Sigal)/A.3690 (Kelles), that include reducing the pass-through entity rebate and the federal GILTI provisions, as other states have done for companies that move offshore to shelter their profits from American taxes; and a billionaires tax on the increase in value of stocks and investment portfolios S.1570 (Ramos)/A.3252 (Kelles), that could generate \$20 billion in its first year and around \$1.5 billion thereafter.

Conclusion

NYSUT stands ready to partner with you as you begin your work on this year's state budget.

I ask that this budget cycle, you consider the future of our state. We agree with many of you and with the governor that the key to future prosperity of New York State lies in providing our children with the best education possible. We urge you to consider this — and the detrimental consequences of underinvestment or backtracking on our commitments to be all in for our state's children.

Thank you for the opportunity to testify before you today.