



**TESTIMONY**

**OF**

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**CITIZENS' COMMITTEE FOR CHILDREN OF NEW YORK, INC**

**PRESENTED TO THE**

**NEW YORK STATE SENATE FINANCE COMMITTEE**

**AND**

**NEW YORK STATE ASSEMBLY COMMITTEE ON WAYS AND MEANS**

**REGARDING THE**

**NEW YORK STATE EXECUTIVE BUDGET PROPOSALS FOR  
EDUCATION**

**STATE FISCAL YEAR 2013-2014**

**JANUARY 29, 2013**



Good Morning. My name is Moira Flavin and I am the Policy Associate for Early Childhood Education, Education and Youth Services at Citizens' Committee for Children of New York (CCC). CCC is a 69 year old privately supported, independent, multi-issue child advocacy organization, dedicated to ensuring every New York child is healthy, housed, educated and safe. CCC does not accept or receive public resources, provide direct services, or represent a sector or workforce. For 69 years CCC has undertaken public policy research, community education and advocacy efforts to draw attention to children and their needs so that we can advance budget, legislative, and policy priorities that are cost-effective and produce better outcomes for New York's youngest residents. I would like to thank Chairman Farrell and Chairman DeFrancisco and members of the Assembly Ways and Means and Senate Finance Committees for this opportunity to testify on the Governor's Executive Budget for State Fiscal Year 2013-2014.

Governor Cuomo's \$136 billion Executive Budget closes a \$1.3 billion deficit, while aiming to strengthen our State's education system, increase jobs and better protect our state from unpredicted disasters such as Superstorm Sandy. CCC is grateful for many of the measures the Governor and the Legislature have taken over the past few years to stabilize the State's economy and help to build a better New York.

The Governor's Executive Budget takes some notable steps to improve the lives of children such as raising the minimum wage, beginning to implement the recommendations of the *New NY Education Reform Commission*, and continuing to reform the juvenile justice system.

While these are notable enhancements, there are also budget reductions to programs and services that CCC is very concerned about, including cuts to post-adoption services, Nurse-Family Partnership, after-school programs, services for sexually exploited and runaway and homeless youth, as well as the elimination of the funds for the Court Appointed Special Advocates (CASA) program.

While continuing to prudently address State spending is critical to New York's recovery from the economic downturn, few have been hit harder by this recession than poor children and their families. It is CCC's belief that we must not allow this year's budget to chip away at the safety net needed to ensure that the next generation of New Yorkers can reach their full potential.

### Education

CCC would like to acknowledge Governor Cuomo's commitment to improving the education system in New York State. The State has maintained the highest per-pupil spending level in the nation, even during difficult economic times. The fact that Governor Cuomo has continued to make education the largest component of his budget and increase State Aid demonstrates his commitment to providing educational opportunities for all students. We applaud the Governor's leadership in establishing the *New NY Education Reform Commission* as part of last year's SFY '12-13 Executive Budget. We are pleased that the proposed SFY '13-14 Executive Budget allocates funding to implement key recommendations made by the Commission this year and demonstrates the Governor's ongoing commitment to making education a priority in New York State.

## School Aid Growth

The SFY '13-14 Executive Budget seeks to support improved student outcomes, sustainable cost growth, and equitable distribution of aid, as well as to implement the *New NY Education Reform Commission* recommendations, for a total year-to-year proposed increase in education aid of \$889 million (4.4%). This is comprised of a proposed \$611 million increase (3%) in School Aid for the 2013-2014 school year, a proposed \$203 million in one-time financial relief to school districts to offset extraordinary increases in fixed costs, and \$75 million to support recommendations of the *New NY Education Reform Commission*.

CCC appreciates the Governor's ongoing commitment to improving the education system for New Yorkers. We also appreciate the proposal to target the School Aid to high-need school districts. It is CCC's hope that the increase in State Aid will result in New York making a real investment to ensure that all students have access to the essential resources for a sound, basic education as outlined in the Campaign for Fiscal Equity decision.

To be eligible for the increase in School Aid, including the \$611 million in aid, the \$203 million in fiscal relief, and the \$75 million allocation for *New NY Education Reform Commission* initiatives, districts must implement and comply with teacher evaluation systems statewide. While we are very supportive of efforts to ensure that all New York students have quality teachers, CCC is concerned by the level of aid at risk and potential loss of federal grants this year that could result from a lack of agreement on a teacher evaluation system. During his budget address, Governor Cuomo stated that 99% of school districts in New York State reached agreements on teacher evaluations. While that may be true, New York City alone represents nearly 40% of all students in the state.<sup>1</sup> CCC is concerned that so many students are not benefitting from needed increases in State Aid this year and may not be eligible next year. We feel strongly that our school children should not be penalized for the failure of adult parties to reach consensus. Our students have one chance at an education, and we must not jeopardize that chance. We implore the City DOE and UFT to reach agreement and put NYC's children first.

CCC is grateful for the proposed \$203 million in one-time financial relief to school districts to offset increases in fixed costs. We hope that consideration can be given to maintaining fiscal relief beyond this budget cycle given the financial hardships that districts statewide are experiencing.

As part of the \$889 million total increase in State Aid, the Governor's SFY '13-14 Executive Budget proposes allocating \$75 million to support recommendations of the *New NY Education Reform Commission*. The initiatives supported by these funds include \$25 million for full-day universal pre-kindergarten, \$15 million for community schools, \$20 million for extended learning time, \$4 million for Early College programs, and \$11 million for a master teacher program.

As noted earlier, Governor Cuomo established the *New NY Education Reform Commission* as part of last year's Executive Budget. The Commission, made up of leaders from across the state and from a variety of sectors, was charged with examining the current structure of education in

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<sup>1</sup> Based on enrollment data from the NYSED 2010-2011 State Report Card and NYC DOE enrollment figures.

New York State through the lens of what is best for students, and studying best practices in public education in order to make recommendations that would enhance student achievement. The Commission held a series of public hearings throughout the state and heard from students, parents, educators, and community leaders about successful initiatives taking place in classrooms, schools, and districts, as well as the challenges facing the education system. The Commission released its preliminary recommendations in January 2013 and will release a second report in the coming months. The Commission's first report and recommendations "provide the roadmap for an education that will support a student from cradle to college and career—beginning in pre-kindergarten."<sup>2</sup>

### *Universal Pre-Kindergarten*

CCC is very pleased with the SFY '13-14 Executive Budget proposal to use State funds to support the development of full day pre-kindergarten. While half-day (2 ½ hour) pre-kindergarten programs are beneficial for young children, full day pre-kindergarten has demonstrated even greater success.<sup>3</sup> The proposed investment of \$25 million to expand full-day UPK in high-need, low-wealth districts is an important step toward ensuring that young children have access to safe, quality, affordable early childhood education so they can enter kindergarten prepared to succeed academically and socially.

Unfortunately, universal pre-kindergarten is still far from universal, as only about half of 4-year-olds statewide are served in half-day UPK programs.<sup>4</sup> To reach universality, New York State would need to achieve 65-75% enrollment, or about 149,000-172,000 of 4-year-olds statewide.<sup>5</sup> Thus, we view the investment of \$25 million as a down payment on full-day UPK statewide. CCC urges the Governor and the Legislature to work together to develop a comprehensive plan to ensure that all children have access to quality early childhood education.

### *Community Schools*

CCC supports the SFY '13-14 Executive Budget proposal to allocate \$15 million to develop community schools in New York State. Children and families benefit significantly from the integration of academic, social, and health services within schools. Around the country, community schools have proven to positively impact student learning, family engagement, and community cohesion. A 2003 report by the National Coalition for Community Schools highlights several examples of the benefits of these programs for families, schools, and communities. The community school model has been shown to increase school readiness through linkages with early childhood education, improve reading proficiency, test scores, and graduation rates, and

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<sup>2</sup> New NY Education Commission report. <http://www.governor.ny.gov/assets/documents/education-reform-commission-report.pdf>. Quote on page 12.

<sup>3</sup> Impact of Full-day Prekindergarten Program on Student Academic Performance. Montgomery County Public Schools. February 2009  
[http://www.montgomeryschoolsmd.org/departments/sharedaccountability/reports/2009/FD%20PreK%20outcome%20evaluation%20report\\_final\\_2\\_19\\_09.pdf](http://www.montgomeryschoolsmd.org/departments/sharedaccountability/reports/2009/FD%20PreK%20outcome%20evaluation%20report_final_2_19_09.pdf)

<sup>4</sup> New York State Report Card. Accountability and Overview Report. 2010-2011.  
<https://reportcards.nysed.gov/statewide/2011/statewideAOR.pdf>

<sup>5</sup> This estimate is based on the total number of 4-year-olds in New York State, which is 229,583, according to the 2010 Census. U.S. Census Bureau, 2010 Census Summary File 1, Table PCT12.

decrease suspensions. The model also has demonstrated positive impacts on parent leadership, families' access to health care, and overall community engagement.<sup>6</sup>

CCC hopes that some of the proposed \$15 million investment in community schools will be used to help schools and community organizations overcome barriers to effective implementation, including, space limitations, data sharing challenges, inadequate transportation, or limited access to community-based services.<sup>7</sup>

Importantly, CCC hopes that New York City schools are also able to benefit from the community schools grants. We urge the Governor to work together to make a multi-year commitment to grantees so that the work they begin as part of this important initiative is sustainable. Without a multi-year funding commitment, many districts may be unwilling to engage in the extensive planning process that is necessary to implement a comprehensive community school model.

### *Extended Learning Time*

The SFY '13-14 Executive Budget proposal to allocate \$20 million to support high quality extended learning time programs in New York State will also benefit students. Districts applying for grants must agree to expand learning time at least 25%. CCC is grateful that the New York Education Reform Commission recognized the value in extended school day and extended year programs, and that the Governor's SFY '13-14 Executive Budget allocates funds to cover the cost of extended learning time for students.

Research shows the benefits of students' participation in high quality academic and social enrichment beyond the traditional school calendar. A Wallace Foundation review of extended learning time programs found that extended school day (ESD) programs are mostly correlated with positive academic outcomes, and are perhaps most beneficial for students failing academically and/or at risk of dropping out of school.<sup>8</sup> In addition, the literature has shown that extended school year (ESY) programs tend to be more successful when targeted to lower-achieving students or make use of intercession time to support students in need of extra help.<sup>9</sup> Extended school year programs have also been found useful in addressing summer learning loss. Further, quality expanded learning opportunities (ELOs) have been shown to improve school engagement, study habits, and academic achievement.<sup>10</sup> CCC appreciates the flexibility within the Governor's proposal that allows localities to pursue many different types of extended learning time. We urge the State Education Department to look critically at programs that effectively balance both quantity and quality of extended time, focus on core and enrichment

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<sup>6</sup>Coalition for Community Schools. (2003) *Making the Difference: Research and Practice in Community Schools* <http://nationalcenterforcommunityschools.childrensaidsociety.org/system/files/making-the-difference.pdf>

<sup>7</sup> The Federation for Community Schools. (2009) *Community School Transformation: A Guide for Schools, Districts, Parents, and Community Members* [http://www.communityschools.org/assets/1/AssetManager/Wkshp1\\_GregHall\\_GuideCS\\_Transformation.pdf](http://www.communityschools.org/assets/1/AssetManager/Wkshp1_GregHall_GuideCS_Transformation.pdf)

<sup>8</sup> The Wallace Foundation (2012) *Expanding Time for Learning Both Inside and Outside the Classroom: A Review of the Evidence Base.* <http://www.wallacefoundation.org/knowledge-center/summer-and-extended-learning-time/extended-learning-time/Documents/Expanding-Time%20for-Learning-Both-Inside-and-Outside-the-Classroom.pdf>

<sup>9</sup> *ibid.*

<sup>10</sup> *Ibid.*

activities, as well as and targeting low-performing, disadvantaged students, as these are the programs that research shows to be most beneficial.

As is the case with the community schools grants, CCC is hopeful that New York City schools will be able to benefit from the funds for extended learning time. We consider the \$20 million investment to be an important first step in expanding extended learning opportunities for students statewide. We hope that the Governor and the Legislature will work together to make a multi-year commitment to grantees so that they engage in thoughtful planning to reimagine the school day and year, and are able to sustain the important work started under this critical initiative.

### *Early College High School Programs*

The SFY '13-14 Executive Budget proposal to add \$4 million in new funding to Early College High School programs will bring the total State investment in these programs to \$6 million. Early College High School programs, which allow students opportunities to earn a high school diploma and college credit simultaneously, are effective in promoting college access and helping students achieve success in postsecondary education. This is especially true for students who might otherwise struggle with the transition to college. An evaluation of the Early College High School model demonstrated that students in these schools were more likely to be on track for college, had improved attendance and fewer suspensions, and reported greater engagement in school. Further, these programs appear to be effective in closing some achievement gaps between students underrepresented in college and other students.<sup>11</sup> CCC appreciates the Governor's commitment to expanding a promising strategy to promote college and career readiness in New York State.

### *Rewarding High Performing Teachers*

CCC strongly believes that all children deserve a quality education that prepares them for college and career, and research shows that quality instruction plays a large role. Last year, the *New York Times* reported on the release of a study by economists at Harvard and Columbia that tracked 2.5 million students over 20 years and showed that elementary- and middle-school teachers who help raise their students' standardized-test scores seem to have a wide-ranging, lasting positive effect on those students' lives beyond academics, including lower teenage-pregnancy rates, greater college matriculation and adult earning.<sup>[1]</sup>

The SFY'13-14 Executive Budget proposes to allocate \$11 million for incentive pay for high-performing teachers, as well as enhanced professional development, and peer training/mentoring. Teacher incentive programs are popular and have been used elsewhere. Yet, CCC would caution that research on their effectiveness is mixed. For example, Massachusetts and North Carolina implemented salary incentive programs to attract teachers to struggling schools. While the increased pay had some success in initially drawing teachers to these schools, the incentives did little to compensate for the lack of support teachers received once they began teaching at some of

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<sup>11</sup> Edmunds, J. A. (2010). A Better 9th Grade: Early Results from an Experimental Study of the Early College High School Model. A Policy Brief. Greensboro, NC: SERVE Center.  
<http://www.serve.org/FileLibraryDetails.aspx?id=179>

the schools.<sup>[2]</sup> In New York City and Chicago, teacher incentive programs had little impact on student achievement, though they had some positive impact on teacher retention. In part, the lack of impact on student achievement was due to the difficulty districts encounter in linking student data to individual teacher performance.<sup>[3],[4]</sup> Furthermore, research demonstrates that supporting teachers is often critical to retaining them and ensuring success in the classroom. CCC is particularly supportive of targeted investments in enhanced professional development and peer training/mentoring, as these strategies can positively impact student achievement<sup>12</sup>. We therefore urge the State Legislature and the Governor to adopt a budget that targets a greater share of resources in this initiative toward comprehensive professional development and supports for teachers.

### Preschool Special Education

Preschool special education costs have been increasing steadily over the past several years, in large part due to increased enrollment. CCC supports improving fiscal oversight of preschool special education in order to prevent fraud. New York State must ensure that all eligible students receive the services they need and that our limited resources are directed appropriately to children and families.

CCC recognizes that preschool special education costs in New York City are growing faster than in the rest of the state. We appreciate the SFY '13-14 Executive Budget proposal to give New York City the flexibility to set provider rates and select providers for services. This proposal gives New York City an opportunity to develop a rate system that is logical and to contract with providers of quality programs. Should the proposal move forward, CCC asks the New York State Education Department to ensure it provides the appropriate level of oversight to the City so that the rates remain sufficient to run a quality preschool special education program and there is no disruption in services for children during the provider selection process and transition.

CCC appreciates the focus on mandate relief in the SFY '13-14 Executive Budget. However, we have some concerns about the proposal to create a new waiver process and allow school districts to petition the State Education Department for flexibility from special education requirements. There are provisions in New York State law (above and beyond federal law), which afford important protections for children and families receiving special education services. For example, current New York State law requires that if a child's multi-disciplinary team proposes a change to the child's IEP without holding a meeting, the team must provide the parent with a copy of the written proposal and the opportunity to consult with the appropriate personnel or related service providers concerning the proposed changes. There is no federal equivalent to this law. Second, New York State requires that psychologists participate in IEP meetings, but that is

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<sup>[2]</sup>David, J. (2008) Teacher recruitment incentives. *Educational Leadership*. Volume 65, Number 7.

<http://www.ascd.org/publications/educational-leadership/apr08/vol65/num07/Teacher-Recruitment-Incentives.aspx>

<sup>[3]</sup>Glazerman, S. and Seifullah, A. (2012). An Evaluation of the Chicago Teacher Advancement Program (Chicago TAP) After Four Years [http://www.mathematica-mpr.com/publications/pdfs/education/tap\\_year4\\_impacts.pdf](http://www.mathematica-mpr.com/publications/pdfs/education/tap_year4_impacts.pdf)

<sup>[4]</sup> Goodman, S. and Turner, L. (2010) Teacher Incentive Pay and Educational Outcomes: Evidence from the New York City Bonus Program

[http://educationnext.org/files/ednext\\_20112\\_GoodmanTurner\\_Unabridged.pdf](http://educationnext.org/files/ednext_20112_GoodmanTurner_Unabridged.pdf)

<sup>12</sup>Joyce, B. & Showers, B. (2003). Student Achievement Through Staff Development.

<http://literacy.kent.edu/coaching/information/Research/randd-engaged-joyce.pdf>



not the case in federal law. Also, New York State law has important provisions governing the size of co-taught classes and other standards for special education instruction, such as the size of caseloads and student groupings. These provisions also have no federal equivalent.<sup>13</sup> At a minimum, CCC hopes that, under this proposal, school districts would be required to submit documentation of how their proposed changes would improve student achievement.

#### Contract for Excellence Program

CCC is pleased that the SFY '13-14 Executive Budget maintains funding for the Contract for Excellence Program (C4E) so at least 15 school districts, including the Big Five, will be able to participate. This program provides support for important initiatives related to teacher and principal quality, time on task (which includes supplemental before or after-school activities), middle and high school restructuring, class size reduction, and programming for English language learners. Furthermore, C4E targets this support to high-need students in addition to supporting district-wide initiatives. The funding is important for ensuring that all New York students receive a quality education.

#### High School Equivalency

CCC was disappointed to see that the SFY '13-14 Executive Budget did not include additional funding to support the transition to the new High School Equivalency (HSE) exam in New York State, slated to begin in January 2014. We appreciate the State Education Department's (SED) commitment to carefully selecting a vendor or vendors for the new exam, and want to ensure that young adults and the providers working with them are well-equipped for the anticipated surge in the number of individuals taking the GED® before a new State-supported HSE exam is implemented. New York State must protect and expand funding for the High School Equivalency Program in order to achieve a successful transition to the new HSE.

CCC realizes that the State Education Department has not yet completed its review of the proposals received in response to the recent RFP. However, we are aware that Pearson and the GED Testing Service chose not to respond to the State's RFP. Given that the GED will not be the HSE exam offered through the State Education Department beginning in January 2014 (though it may continue to be offered privately at a cost to test takers), CCC believes that it is critical that NYSED launch a broad public awareness campaign to educate New Yorkers about the changes to the High School Equivalency exam well before start of the new test. Further, NYSED must continue its outreach to "near-passers" of the GED®, meaning those New Yorkers who have taken and passed parts of the current GED®. We believe that at a minimum, the state will need to commit at least \$200,000 for this ongoing outreach. In addition, to address an increased demand prior to the transition, we believe that the State will need to invest \$1 million for testing seats and \$2 million for an additional 2,000 classroom seats to help youth and adults prepare for the current GED® exam.

As New York State moves toward a computer-based HSE test, NYSED must provide sufficient resources to help educators and students prepare and to maintain access to the exam for all who

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<sup>13</sup> See New York State Law, Regulations and Policy Not Required by Federal Law/Regulation/Policy, revised February 2009 [http://www.p12.nysed.gov/specialed/idea\\_nyslawsanalysis-209.htm](http://www.p12.nysed.gov/specialed/idea_nyslawsanalysis-209.htm)

wish to take it. To help facilitate the transition, we urge the State to invest \$1 million to install at least 1,000 computers in classrooms statewide.

CCC urges the State Legislature and Governor to protect the resources necessary to maintain the number of tests available statewide. We are supportive of the current law prohibiting charging fees to test takers for the GED, and hope that law will apply to any State-subsidized HSE exam, not just the GED. Charging a fee would create potential barriers for New Yorkers looking to sit for the HSE test, many of whom are low-income. No New Yorker wishing to further his or her education or employment should face unnecessary obstacles in doing so.

CCC supports New York State's commitment to align the New York State High School Equivalency test with the Common Core State Standards as part of a plan to increase the college and career readiness of out-of-school youth and adults. We feel strongly that all students should be held to high standards and receive the support they need in order to achieve success. Thus, we believe it is imperative for New York State to invest in professional development for educators so they are familiar with the new test content and therefore equipped to adequately prepare test-takers to pass the more rigorous exam beginning in January 2014. New York State must invest at least \$2.1 million to support professional development on the new Common Core State Standards for 1,000 teachers.

Finally, it is unfortunate that the SFY '13-14 Executive Budget fails to include \$2 million to support the enrollment of undocumented students in school or HSE preparation programs. This option would allow undocumented students to apply for protected status under the Deferred Action for Childhood Arrivals (DACA) Program, created by President Obama's Executive Order in June of 2012. We feel strongly that all New York students, regardless of their immigration status, have access to quality education.

### Multiple Pathways to a Diploma

CCC was dismayed to see that the SFY '13-14 Executive Budget did not include financial support for the development of multiple pathways to a high school diploma. Given that the Local Diploma is no longer an option for general education students as of June 2012, all students must now pass Regents exams in order to earn a high school diploma. CCC supports the State's emphasis on high standards for all students and wants all students to be prepared for post-secondary options. CCC believes, however, that there is a cohort of students who will be unable to achieve a Regents diploma under the current criteria, and we want to make certain they do not drop out of school. For example, data show that students of color and students who graduate in five or six years have been more likely to earn a Local Diploma.<sup>14</sup>

While it is encouraging that the Board of Regents has begun to have discussions about alternative pathways to graduation, we feel strongly that these pathways must be available to all students, not just students with disabilities. Furthermore, CCC hopes that the Legislature and Governor can reach agreement in this budget to offer investments in pathways to graduation for all students. Any pathway developed must be open to all students (not just students with

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<sup>14</sup> New York State Education Department. *2006 Cohort Graduation Rate Summary*. June 2011. <http://www.p12.nysed.gov/irs/pressRelease/20110614/home.html>

disabilities), lead to a high school diploma, build on individual students' strengths, and be meaningful to employers and colleges.

In closing, we urge the Legislature to negotiate a budget with the Governor that ensures that the state remains committed to the programs that produce positive outcomes for children, and ultimately saves the state money on more expensive interventions such as foster care, medical care, homeless shelters, and the juvenile justice system.

While we appreciate that very difficult choices about revenue increases and expense reductions need to be made, we urge you to protect the services that will ultimately be less costly to the children of today and the taxpayers of tomorrow.

Thank you for the opportunity to testify.

