

**TESTIMONY TO
JOINT LEGISLATIVE BUDGET HEARING
ELEMENTARY & SECONDARY EDUCATION
FEBRUARY 3, 2015**

Submitted by: Steven Sanders, Executive Director
ACTS (Agencies for Children's Therapy Services)

Chairman DeFrancisco , Chairman Farrell, Chairman Flanagan, Chairwoman Nolan and Members of this Joint Budget Committee:

My name is Steven Sanders, I am Executive Director of Agencies for Children's Therapy Services (ACTS). The 35 agencies that comprise ACTS provide Early Intervention and Pre School Special Education services to toddlers and youngsters represent Long island and New York City, the Northern Suburbs, the Hudson Valley, the Capital Region and even north to Plattsburgh.

I want to comment on an important proposal that the Governor made in this budget which would impact pre-school special education and specifically the Special Education Itinerant Teacher program commonly known as SEIT.

Currently all SEIT providers, hundreds of them, receive a tuition rate from the State Education Department (SED) for their services which is arrived at separately for each and every SEIT provider or agency. This is a time consuming process and often times not even a very accurate reflection of their actual costs. The Governor proposes to change that. And instead he would authorize the State Education Department to implement a regional rate for all SEIT providers in specific regions of the State. That way the providers in the same parts of the State with similar costs would receive the same rate for their services.

I want to be clear ACTS supports the concept of regional rates and that SEIT providers in the same geographic area should do their important work with essentially the same resources.

Last year the Governor recommended something similar. At that time ACTS opposed it, and the Legislature rightfully rejected it because the Governor's proposal was too simplistic. This year he has modified that proposal somewhat by saying that the new rates should not go into effect all at once and immediately as his proposal did last year, but rather the new rates would be phased even over a period of time, not to exceed four years. This would avoid dramatic changes in a provider's budget and business model. It would afford time for agencies to make financial adjustments. Moreover the SED has been studying the question of regional rates to replace the current tuition. SED held extensive meetings with stakeholders during last year. The Regents are currently considering the policy options as they should.

My reservation is that the proverbial devil is in the proverbial detail. So if the Governor is merely making this recommendation in order to cut State spending by lowering most rates, without properly calculating what the needed costs in a given region actually are, then the Governor is merely disguising cuts under the guise of reform. That would not be fair, nor would it be good for the youngsters who rely on these services.

So my bottom line is a simple one...the Legislature should not relinquish its oversight of this policy change which otherwise would require a statutory change to section 4410 of the State Education Law. The Assembly and Senate should make sure that whatever the Regents put forward as a new policy, it should not bypass the Legislative approval process. Frankly ACTS can live with whatever the Regents come up with so long as it passes Legislative muster. The Governor's current proposal leaves ALL the

details to SED and his own Division of the Budget. Any policy change as important as this one must be vetted and approved by both Houses of the Legislature, as it would otherwise absent the Governor's budget recommendation.

So ACTS says by all means let's move forward with the concept of regional rates for SEIT. But in so doing let's do it the right way without the Legislature ceding its authority in this matter to SED and the Executive.

It has been my experience in the Legislature and life that usually the right process leads to the right policy. The Legislature remains the place where such final decisions should continue to be made. I hope that you agree.

Thank you for this opportunity to be heard once again.