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NEW YORK STATE ASSOCIATION FOR
**SUPERINTENDENTS OF SCHOOL
BUILDINGS AND GROUNDS, INC.**

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TESTIMONY

New York State Association for
Superintendents of School Buildings and Grounds

Submitted to
Joint Fiscal Committees of the New York State Legislature

Hearing on the
FY 2014-15 Executive Budget
Tuesday, January 28, 2014

On behalf of the 600 Facilities Professionals – members of *New York State Association for Superintendents of School Buildings and Grounds (SBGA)* – who represent over 700 of New York’s public school districts and 36 BOCES, we are grateful for the opportunity to submit written testimony to share with you our thoughts regarding the Governor’s proposed 2014-15 Executive Budget and present our 2014 legislative and budget priorities.

The New York State Association for Superintendents of School Buildings and Grounds is a professional organization comprised of dedicated men and women responsible for maintaining and operating the thousands of school buildings and facilities across our state. SBGA members are committed to ensuring the safety, health and comfort of the students and staff.

There are over 3,050 school buildings in New York State. These buildings are the places of learning and growth for over 2.7 million students and must be consistently conducive to learning. This means they must have adequate space, equipment and capacity. They must be clean, bright, safe and appropriately maintained.

SBGA was very glad to see the Governor’s proposed 2014-15 executive budget:

- **Smart Schools Bond Act** - The 2014-15 Executive budget recommends a \$2 billion general obligation bond act to be placed before the voters in November 2014. The Bond proceeds will fund enhanced education technology in schools for such projects as high speed broadband. In addition, proceeds will invest in the construction of new prekindergarten classroom space. SBGA supports the proposed Smart Schools Bond Act.
- **Building Aid** - The 2014-15 Executive budget appropriates \$2.84 billion for Building Aid, including Reorganization Incentive Building Aid. This represents an increase of \$116.47, or 4.28 percent.
 - Building Aid is one of the State’s most costly formula-based school aids. Significant state resources and incentives have been available for many years to make capital improvements in our schools; however, there are no requirements or incentives to maintain those improvements, nor to take a longer view of the cost-efficiency of longer term improvements (e.g., the replacement of heating plants, roofs, flooring and windows, or of indoor air quality systems). In fact, in some cases, the capital incentives have been so rich, that it was in some districts’ best interest not to maintain a capital improvement; when the infrastructure deteriorated, the state would pay the large majority of the replacement costs.
 - Failure to properly fund the resources of the facilities management departments of our school districts – or further reductions of these resources - will compound our inability to be as effective as possible in delivering services that maintain the integrity of our infrastructure, the safety of our building and grounds, and the usefulness of our equipment and utilities. SBGA recommends that a percentage of Foundation Aid be set aside to support facilities management and maintenance services.

SBGA's 2014 legislative and budget priorities seek to support professionals who manage school facilities, incentivize efficiencies to ensure long term cost savings, protect the State's investment in our buildings and grounds and eliminate unnecessary requirements that do not add value to our infrastructures.

SGBA asks for your consideration of the following priorities:

1. Energy costs are a wild card for school district. The cost of the commodity is very difficult to predict. Districts use many tools to address price such as purchasing cooperatives. Despite any other factor that effects a child's education, the lights and heat must be on in the building to provide our children with a sound education. Unfortunately the volatility of this cost factor makes it extremely difficult for school districts to plan and budget effectively. Therefore, SBGA supports A.1155/S.1092 by M.A. Cahill and Senator Maziarz which would establish an energy reserve fund.
2. The 2% cap has made it difficult for our members to advance conservation measures. While retro-fitting, upgrading and management measures can all result in short (3-5 year) paybacks Boards of Education are hesitant to use this year's dollars today even though they will create a savings in future years. Therefore, SBGA supports A.5053 by M.A. Englebright which would establish a minimum standard for maintenance funding and allow school districts to make their investments outside the restrictions of the property tax cap.
3. Investments increase cost efficiencies through use of innovative smart technologies, green energy applications, and the commitment to maintenance will reap long terms savings. Unfortunately, most schools do not have the financial stability or extra dollars to make such investments themselves. Therefore, SBGA supports the establishment of an "Energy Efficiency Grant Program" that provides school districts who prioritize energy efficiency access to additional resources to help increase long term productivity and savings.
4. The safety of New York's students is our number one priority. SBGA believes that diligent care and maintenance is essential to ensuring a healthy, safe and accessible environment for student achievement. However, unnecessary and repetitive requirement which provide no added knowledge or value is illogical. Therefore, SBGA supports A.6442/S.3968 by M.A. Gunther and Senator Ritchie which eliminates the requirement for an annual visual inspection.
5. In 2011, New York State established a statewide exam for Directors of School Facilities I, II and III, thereby broadening the pool of qualified candidates statewide. Chapter 403 of the laws of 403 recognized the many responsibilities Directors of School Facilities must be educated and prepared to undertake and created a process for ensuring school districts had access to qualified professionals. However, sometimes those professionals are within the school already and need only the opportunity for promotion. Therefore, SBGA supports A.8493/S.6330 by M.A. Cahill and Senator Golden which makes the technical amendments needed to allow for a promotional examination.

On behalf of the New York State Association for Superintendents of School Buildings and Grounds, we would like to thank you for your continued support of clean, healthy, well maintained school facilities and the opportunity to offer our professional insight.

Respectfully submitted,

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**Testimony before the Joint Fiscal Committees
on the SFY 2014–15 Executive Budget
Elementary and Secondary Education Budget Hearing
January 28, 2014**

**Submitted by
Kate Breslin, President and CEO
Schuyler Center for Analysis and Advocacy**

My name is Kate Breslin and I am President and CEO of the Schuyler Center for Analysis and Advocacy (SCAA). The Schuyler Center is a 142-year-old statewide, nonprofit, policy analysis and advocacy organization working to shape policies that improve health, welfare and human services in New York State.

The Schuyler Center is a founding member of *Winning Beginning NY*, a statewide coalition of about 200 organizations and individuals representing early care and learning programs, parents, and advocates from a range of venues. *Winning Beginning* focuses its efforts on children from the prenatal period to age 8. The Coalition is actively engaged in policy issues relating to early care and education in New York State. The Schuyler Center also participates in the Ready for Kindergarten, Ready for College Campaign which works to advance high-quality early learning including Universal Pre-Kindergarten (UPK) as an essential component of the cradle to career pathway for success in life. I am also a member of the Governor's Early Childhood Advisory Council (ECAC). The ECAC is charged with developing policy and programs for young children.

Thank you for this opportunity to submit testimony.

Budget Recommendation: At least \$225 million in State funds, to support local districts to add new high-quality, full-day Pre-K seats. Fully support New York City's plan to rapidly expand to universal high-quality, full-day Pre-K.

The Executive Budget proposes \$100 million for 2014-15, as part of a vision, articulated by the Governor, to bring high-quality, full-day Pre-K to all four-year-olds throughout New York State within five years. However, that amount is not enough to achieve the vision. The State needs to invest \$225 million statewide for Pre-K this year and each year thereafter to truly move forward with implementation of high-quality full-day Pre-K. With this level of investment in 2014-15, New York could move forward to bring full-day Pre-K to four-year-olds in high need districts. In addition, we support Mayor de Blasio and any locality with a plan to get more young children into high-quality, full-day Pre-K faster. If Mayor de Blasio is able to implement the plan that he has presented for New York City, then the State's investment can support efforts in other parts of the State to reach more four-year-olds statewide sooner.

The Schuyler Center urges the Legislature to allocate sufficient resources toward a down payment on New York finally fulfilling its 1997 promise of statewide, full-day, high-quality Pre-K.

The benefits of Pre-K are well known. Children who attend high-quality early childhood programs, including pre-kindergarten, are more likely to find success in school, graduate from high school and earn more over their lifetimes. High-quality pre-kindergarten can improve educational outcomes, reduce disparities and save money. The achievement gap can begin especially early for the nearly

one in four (24.4%) New York State children under age 5 who live in poverty. The school-readiness gap becomes an achievement gap when children enter school, and this gap can persist over children's school careers. One out of three children in New York State starts Kindergarten behind in basic skills.¹

Eliminating these disparities is critical—for the children whose futures are at stake and for a labor market and society whose goals demand that children be prepared to begin school, achieve academic success, and ultimately sustain economic independence.

We agree with the Governor that now is the time to fulfill the promise of making pre-kindergarten truly universal. However, his funding commitment for five years will not get us there. The estimate for New York City alone is \$340 million for one year to provide Pre-K for all 4-year-olds.

Pre-K funding must be predictable, sustainable, equitable, and adequate to support program stability, including districts' ability to plan and hire and retain staff. Funding should also specifically support quality improvement, for both new and existing programs. The evidence shows that children who attend high-quality Pre-K programs perform better in school and throughout life. It is essential that we invest intentionally in quality improvement to maximize the benefits for our children and our state.

In addition to urging support for additional funding, the Schuyler Center offers the following recommendations to build upon the potential of Pre-K as an essential strategy for boosting student achievement:

- Include and make permanent the new full-day Pre-K initiative as part of State Pre-K aid, with a plan to increase the program over time. Distributing Pre-K funding through a competitive grant process was cumbersome, slow, and administratively and programmatically problematic.
- Protect UPK going forward by allowing unused funds to be reallocated to districts that can use them.
- This funding must be added to funds that support the continuum of learning for children. Expanding high-quality UPK must be part of a broader initiative to support a high-quality prenatal to eight system of early care, development and learning.
- The maintenance of effort requirement should not impose a penalty on districts should districts experience fluctuations in enrollment from year to year due to demographic changes.
- This new funding should require the same investment in community-based (CBO) programs as in existing UPK aid. Currently, about \$200 million of the State's \$385 million in Pre-K is invested in community-based programs allowing for an alignment of teaching and learning across child care, Head Start and Preschool Special Education and making sure that capacity and resources are maximized. This funding for full-day pre-kindergarten should include a mandate that investment in community programs be maintained.

It is important to note that the gains anticipated from investments in pre-kindergarten will not be sustained without investment the larger education system.

Investment in Quality Rating and Improvement is Essential

The Governor's budget neglects to invest in quality rating and improvement. Two years ago, the New York State Education Department (SED) invested \$4 million in Race to the Top funds toward QUALITYstarsNY, a cogent and tested framework for ensuring quality and improving school success

in Pre-K and other early learning programs. But that funding expires in 2014. New York applied for but did not receive a \$75 million Early Learning Challenge Grant, which in part was to support our quality rating and improvement system.

New York is long overdue to make a commitment to quality assurance that includes certified teachers, quality learning environments and effective teaching in early care and learning settings. QUALITYstarsNY is a system that lays out expectations, helps create a blueprint for improvement, improves accountability, ensures that early childhood program staff understand their achievable goals in the context of the plan and gives parents information about the early learning programs available for their children. The State needs to commit to funding QUALITYstarsNY in a meaningful and ongoing way.

Most states that have launched successful Pre-K programs have invested in statewide technical assistance, guidance to local districts, and solid professional development opportunities. New York State has yet to make this targeted and ongoing investment, to ensure that districts have the supports they need to operate programs that will succeed in promoting school readiness for the most at-risk children.

In addition to investing in access to full-day Pre-K, the State needs an intentional investment in quality rating and improvement.

Support After-School Programs with \$9 million in the 2014-2015 Budget in preparation to support the Governor's multi-year plan to expand access to high-quality after-school programs.

The Governor proposes an increased commitment of \$720 million over 5 years, starting in 2015-16, to expand after-school programs, but does not propose new after-school funding in this year's budget. It is exciting that the Governor recognized and articulated the importance of after-school programs but it is important to commit real State dollars this year toward the needed ramp-up in enrichment opportunities for students. We recommend the State invest \$9 million in quality infrastructure in 2014-15 budget, in preparation for 5 years of investment beginning with \$160 million in 2015-16. This investment will need to be expanded in subsequent years 2 through 5 to reach \$825 million annually, providing access to half of the estimated 1.1 million children in need of programs.

Similar to Pre-K, after-school programs are an important part of the continuum to build a comprehensive high-quality system that supports children's learning and development and meets the needs of families. Lack of access to high-quality after-school and summer learning opportunities contributes to the achievement gap that children face through their school years. Research has found that high-quality programs can significantly narrow the gap at each stage of a child's life, and that children need consistent access to such programs to continue making these gains. Creating a system that takes children from birth through high school; assuring access to high-quality programs that support children's development while keeping them safe will put all our children on a path towards success in college, career and life.

Conclusion

We urge the Legislature to support increased investments in full-day pre-kindergarten over the amount within the Executive Budget for high-needs communities and to develop a plan to realize the long-standing promise of universal Pre-K for all. To make the most of this investment in early learning, it is imperative that there be thoughtful investment to ensure high-quality in Pre-K

programs. We also urge that the Legislature invest in supporting after-school programs in this year's budget to assure the after-school system is of high-quality and well positioned to take advantage of the Governor's proposal to expand access to after-school programs in the next five years. Targeted investment in access to **high-quality early learning**, including Pre-K, and **after-school** has the potential to generate school success, improve accountability, and save public dollars in New York's most at-risk communities.

¹ QUALITYstarsNY brochure, Early Childhood Advisory Council, New York State Council on Children and Families, http://ccf.ny.gov/ECAC/WG/Quality/Resources/ECAC_BrochureLowRes.pdf

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DDAWNY Comments on 2014-15 Executive Budget
Education
January 28, 2014

Members of the Senate Finance Committee and the Assembly Ways and Means Committee:

My name is John R. Drexelius, Jr, and I am the Government Relations Counsel for the Developmental Disability Alliance of Western New York (DDAWNY).

DDAWNY is a collaborative group of member voluntary agencies that provide services and supports, including educational services to people with developmental disabilities in the Western and Finger Lakes regions of Western New York. DDAWNY member agencies employ over 22,400 individuals in the seventeen Western and Finger Lakes counties of New York State providing supports and services to over 33,000 individuals with developmental disabilities and their families.

A number of our member agencies provide special education for school age students from three to twenty-one, as well as early intervention services for children birth to three. In addition, our agencies provide vocational & employment services, including career development and assistance in finding competitive work in integrated settings.

DDAWNY is pleased to provide comment to the Joint Fiscal Committees on the 2014-15 Executive budget and in particular the Education portions of the budget.

Education of Students with Disabilities

In order to compete in a highly competitive global economy, New York needs to take a close look at our current educational structure and come up with a blueprint for our students' future success.

An effective educational system will ensure that our students are properly educated and trained to enter the workforce.

Unfortunately, the current educational system all too often fails to deliver this result for students with disabilities, particularly developmental disabilities, including autism.

According to New York State Developmental Disabilities Planning Council (DDPC), for the 2009-2010 School Year, only 1 in 4 students with disabilities graduated from high school in 4 years.

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The DDPC noted that in 2004 the graduation rate was 74% for all students, however, the graduation rate for students with disabilities was less than 44%.

The New York Education Department Information and Reporting Service reports that for the 2009-2010 school year, there were 183,578 high school completers and 36,216 non-completers, of which 17,293 completers and 9,528 non completers were students with disabilities. While this data suggests a little over 16% of all students identified failed to complete high school in 2009-10 over 35% of students with disabilities failed to complete high school that year. (Unfortunately there is no reliable way to make the distinction between students with disabilities and those with developmental disabilities)

Of these students with disabilities:

- 9,300 (54%) received a diploma, 5,566 received an IEP diploma, and 1,924(1%) entered a GED program;
- 12,807 (56%) went on to some kind of post-secondary program, 445 (1%) to the military 3,592 (16%) to employment

Students Receiving an Individualized Education Diploma (IEP)

2008-09	5842
2009-10	5600
2010-11	5465
2011-12	5112

According to the State Education Department 5112 students received an Individualized Education Diploma in 2012. An IEP diploma may be awarded to a student with a disability at the end of the school year in which a student turns age 21 or at any time after a student has attended school or has received a substantially equivalent education elsewhere for at

least twelve years.

Students Taking New York State Alternative Assessments (Secondary Level)

NYS				
	ELA	Math	Soc St	Science
2008-09	2682	2683	2672	2679
2009-10	2875	2873	2862	2869
2010-11	2958	2952	2953	2955
2011-12	2999	2991	2987	2995

Source: SED BEDS Data 2008-2012

Employers, the military, institutions of higher education, business/trade schools or apprenticeship programs, do not accept an IEP diploma because it is not based on standardized criteria (successful completion of required courses and achievement on State assessments). Beginning with the 2013-14

school year the New York State IEP diploma has been replaced with a Skills and Achievement Commencement Credential for students with severe disabilities who are eligible to take the New York State Alternative Assessment.

In 2012, 2999 students took the New York State Alternative Assessment in secondary ELA. This assessment may only be given to students with a severe cognitive disability and significant deficits in communication/language and adaptive behavior.

***Based upon
June 2012 New
York State
graduation rates
less than 5% of
students with
disabilities
graduated with
grades
indicating either
college or career
readiness***

Also in 2012, the State Education Office of Adult Career and Continuing Education Services - Vocational Rehabilitation (ACCES-VR), indicated that individuals with disabilities in New York State have an employment rate of 33.8 percent, compared with 76.3 percent for individuals without disabilities.

The American Community Survey (ACS) found similar results looking at the employment rate of individuals with disabilities in New York State in 2007. The ACS found that of the 1,402,603 individuals ages 16-64 "living in the community" about 463,867 (or 33.1%) were employed.

According to New York Commissioner of Education Dr. John B. King, Jr., as of June of 2012, New York's 4-year high school graduation rate was 74% for all students. Unfortunately, the 4-year high school graduation rate for students

with disabilities was only 45%. Even more alarming is that while 35% of all students graduating had graduation test scores correlating with success in first-year college courses and suggest career readiness, less than 5% of students with disabilities graduated with grades that indicate they were either college or career ready.

Transition services for youth with I/DD

DDAWNY remains concerned New York's current educational system fails to properly educate students with disabilities and fails to adequately train these students to enter the work force. In addition, the transition from school based programming to adult services is uneven and poorly coordinated. DDAWNY also believes the state needs to improve transition planning between the education community and adult services.

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DDAWNY believes successful transition planning requires a much more collaborative approach and participation by the various state and local agencies, particularly ACCES-VR, OPWDD, NYS DOL, Municipal Workforce Development agencies, and a partnership with the business, community based providers and the K-12 education community in this transition planning process.

DDAWNY believes the State needs to develop clearer pathways for high school students with disabilities and these pathways must have an "Employment First" focus. These pathways will support more special needs individuals entering the world of work and lead to economic self-sufficiency.

Students who are involved in career exploration and part time employment are 80% more likely to enter supportive work programs, for example, SEMP, and obtain employment after school.

State policy-makers need to provide appropriate vocational training, career exploration, job readiness activities and work tryout for individuals with disabilities. Individuals engaged in group and at-home day habilitation, prevocational and center-based sheltered employment services ought to have an opportunity to participate in these inclusive workforce initiatives.

An inclusive workforce requires a greater focus on information sharing and benefit advisement. State support for critical transitional and employment supports such as initial benefits screenings and analysis, long-term benefits management support as well as asset development and financial literacy services, duties and responsibilities need to be provided and made a funding priority.

DDAWNY is concerned that the Executive Budget proposals fail to provide the necessary resources to ensure students with disabilities, particularly students with Intellectual and Developmental Disabilities (I/DD) graduate high school with the skill set necessary to live fully integrated lives in the community. Moreover, the failure of the state to adequately fund and coordinate transition services for these students may well violate Title II of the American's with Disabilities Act ("ADA").

The ADA establishes a broad mandate, including that citizens with disabilities have the right to live integrated lives. Title II is part of the ADA's, "clear and comprehensive national mandate" to end the segregation of persons with disabilities in virtually all aspects of American life, including employment, public accommodations, and transportation. See, e.g., 42 U.S.C Sections 1210(a)(2), (b)(1)-(2).

Many youth with I/DD throughout New York can and want to work and

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experience full and meaningful participation in their communities after exiting school. They desire the employment and day services necessary to allow them to opportunity to work in integrated settings and to participate in activities of their choosing when they are not working.

Yet, in New York only 13% of the 69,163 individuals with I/DD supported by the adult DD system worked in an integrated employment setting in 2011.

DDAWNY remains concerned that current state funding levels and the state's current system of providing educational supports and services, including many school -based transition plans which fail to include the type of person centered planning processes and outreach to appropriate non-education resources necessary to adequately prepare students with disabilities for post secondary education or employment, act as a barrier to integration and unnecessarily place youth with disabilities at serious risk of entering segregated employment and day program settings.

Basic transition planning requires that schools:

- Counsel every student, along with his or her family, to think about goals for life after high school and to develop a plan to get there;
- Design the high school experience to ensure that the student gains the skills and competencies needed to achieve his or her desired post-school goals; and
- Identify and link students and families to any needed post-school services, supports and programs before the student exits the school system

DDAWNY believes the state budget must appropriately structure and fund adequate employment-related transition services, for example, site visits, job shadowing, soft skill and job skill development, internships, part-time employment, summer employment, youth development and leadership, peer and adult mentoring, and benefits planning to allow students' access to post-secondary integrated employment. Current funding levels fail to present students with disabilities with meaningful choice to participate in integrated work placements and work-based learning experiences.

DDAWNY believes the state budget needs to provide sufficient funds to develop additional capacity for current integrated employment-related transition services for youth who will transition from schools into the adult system, and who are at risk of unnecessary segregation. The failure of New York to devote sufficient resources to transition services may well lead to federal enforcement activity similar to the recent Rhode Island experience.

853 School Rate Reform

DDAWNY also believes comprehensive reform of the current rate setting structure of Approved Private Schools Serving Students with Disabilities (853 Schools) ought to be included in the agreed FY15 Enacted Budget. Following four years of no growth in tuition reimbursement, the 2013-14 rate methodology included a three percent trend factor for direct care cost of school age providers. DDAWNY is pleased with this action, but this short-term relief does not address many of the shortcomings of the current system.

DDAWNY strongly supports the recommendations of the State Board of Regents to establish an annual tuition rate growth factor based upon an average of state personal income tax growth. For the 2014-15 school year this enactment of this legislative proposal would result in a \$20 million increase in critically needed resources for School aged special education providers. The budgetary impact of this change would occur as part of the FY16 State budget.

DDAWNY also believes 853 schools should be treated equitably with respect to other education funding initiatives, for example 853 schools should be able to participate in the capital program for information technology and teacher bonus programs available to other public schools.

On behalf of DDAWNY, I would like to thank the members for their time and assure you DDAWNY is prepared to help the Legislature as it develops the final 2014-15 State Budget.

Respectfully Submitted

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