



New York State Catholic Conference

465 State Street • Albany, New York 12203-1004 • Tel. (518) 434-6195 • Fax. (518) 434-9796
www.nyscatholic.org • info@nyscatholic.org

RICHARD E. BARNES
Executive Director

JAMES D. CULTRARA
Director for Education

Testimony

of the

Most Reverend Edward B. Scharfenberger
Bishop of the Roman Catholic Diocese of Albany

representing the

New York State Catholic Conference

regarding the

2017 - 2018

Elementary and Secondary Education Budget

Hearing Room B
Legislative Office Building
Albany, N.Y.

February 10, 2017

Introduction

Parents have always known that a quality education is fundamental in ensuring a promising future for their children. For more than 200 years, the state's Catholic schools have been providing an outstanding education to thousands of our state's children, many of whom are not Catholic. Especially in our inner cities, Catholic schools continue to help bring children out of poverty. As you know, however, parents are increasingly unable to shoulder the dual burden of taxes to support public schools while paying tuition to support the education of their own children. The decline in enrollment and the resulting closing of Catholic schools over the decades is no surprise. Little attention, however, has been paid to the added cost to taxpayers.

Just last week, the Archdiocese of New York announced the closing of six schools at the end of this academic year – on top of the more than 75 Catholic schools across the state that were forced to close in the past six years. More than 300 have closed in the last 20 years. Most of the displaced students then enroll in the already over-burdened public school system at a far greater cost to taxpayers. The shift of enrollment from private to public schools over the last 20 years has increased the cost to taxpayers by more than **\$2 billion- each and every year!** Unless something meaningful is done to support the education of children in religious and independent schools, this trend will continue to exacerbate the burden on taxpayers. But even more importantly, more and more children will be denied the opportunity to escape poverty and have a brighter future that the remarkable success of Catholic schools offers.

While my brother bishops and I have been continuously forced to make the extraordinarily difficult decision to close Catholic schools too many times in recent years, I must note that no Catholic school has closed due to academic failure. This is something that cannot be said about either traditional public or charter schools. Nor have our schools been closed due to lack of desire on the part of parents to enroll their children. The loss of Catholic schools in New York State comes down entirely to the rising costs and the inability of parents to pay the increasing tuition needed to meet those costs. This has been a tragedy for the state, for the parents of those children who are enrolled and those who wish they could be, and for the children themselves. Like many good public schools, Catholic schools have been instrumental in moving hundreds of thousands of children out of poverty, many from immigrant populations and communities of color. But if our schools are to continue being a part of addressing New York's inequality of resources and opportunities, we must work together to meet the fiscal challenges that threaten their very existence. The good news is that you have the opportunity to do something about it, without hurting any other children or any other schools. All it takes is the political will to act now.

Education Affordability:

Governor Cuomo and numerous lawmakers have embarked on a campaign to help New Yorkers pay for *college* tuition, believing, of course, that without a college education, a student's opportunities will be limited. While my brother bishops and I agree that it is important to help individuals earn a college degree, it is important to note that tuition assistance programs have long existed at the college level while no such program is available for New York's families struggling with tuition at the elementary and secondary level. Although demand for our schools remains strong, working and middle class families too often cannot afford even the modest tuition that we must charge – and there are long waiting lists for the limited number of scholarships that can be offered. It is well known that our Catholic schools serve many non-Catholic families; our reach and service goes well beyond the

Catholic community. Our ability to serve poor families and the broader community with a quality education depends on the ability of low-income and minority families to access scholarships. These families are desperate for successful schools, knowing that a quality education for their children is the means to a prosperous future.

Our public schools also continue to face considerable financial challenges – but these challenges are not new. In fact, numerous school districts have long-established fund-raising arms to encourage charitable donations to support important programming in their schools. But as we can attest, the current tax deduction incentive is simply insufficient to drive the level of private sector resources that could otherwise be invested into education.

The Education Affordability Act would help provided desperately needed assistance to public schools and tuition-paying families. It is this balanced approach that explains why the Governor and the overwhelming number of lawmakers support the measure. The measure provides a tax credit for individuals or businesses making a donation to private scholarship organizations or public schools, local education funds established to support public schools, and to non-profit organizations providing educational programs in public schools. The measure also provides a credit directly to families for their educational expenses, including tuition.

Opponents of this measure are simply ignoring reality when they argue that this proposal will diminish public school funding. On the contrary, this measure will only increase overall funding to public schools. Adopting the Education Affordability Act will ensure that public schools get an additional and on-going source of revenue. Moreover, teachers who spend their own money for necessary classroom supplies will benefit from a personal tax credit for those expenses.

Similar programs exist in 26 states and the District of Columbia with great success. New York has fallen behind while lawmakers in other states have enacted programs to help *all* children regardless of whether they go to school.

Families who enroll their children in religious and independent schools desperately need and deserve your help. Public schools, likewise, need and deserve your help. The Education Affordability Act proposal is a balanced and fair way to do both. If this proposal had already been law, many of those schools which were forced to close would be successfully educating students today. How many more fine schools must we lose? We urge you to include Education Affordability Act within the final state budget.

Smart School Bond Act: Governor Cuomo's Executive Budget includes \$25 million to begin to address the inequities created with the implementation of the Smart Schools Bond Act. As currently being implemented, students in the state's religious and independent schools are being denied an equitable share of the portion of bond funds that each school district chooses to devote to classroom technology. We believe lawmakers intended to devote an equitable share of classroom technology expenditures to all students, regardless of where they attend school. The State Education Department, however, has directed school districts to share only that portion of classroom technology funds that are devoted to "loanable" devices to our schools, resulting in every nonpublic school receiving less than that to which they are entitled – and in many cases, receiving no benefit at all. We urge you to include sufficient funds to rectify this inequity for school district grants that have already been approved as well as language directing the State Education Department to ensure that students benefit from an equitable share of *all* classroom technology expenditures.

Mandated Services and Comprehensive Attendance Policy (CAP) Reimbursement: The executive Budget provides a 4 percent increase or a total of \$180,988,000 for both MSR and CAP, representing an increase of \$6,961,000 over last year. This amount is anticipated to fully reimburse schools for their annual expenses. Additionally, the Executive Budget maintains language, first enacted last year, intended to continue the historical practice of reimbursing schools based on “instructional time” to ensure that reimbursement to schools is not arbitrarily reduced. The language, however, addresses only one component of instructional time, namely the standard instructional hours of the day (5 hours for grades k-6 and 5.5 hours for grades 7-12), and fails to address the number of instructional days in the year.

Further, while the June 2015 appropriation of \$250 million and the subsequent \$60 million appropriation have almost completely resolved the state’s prior-year obligations to the state’s religious and independent schools, additional funds will be needed to reimburse *all* schools that incurred CAP expenses in the 2003-04 school year, as well as to close the two-year lag in reimbursement.

We urge that the appropriation language be modified to address instructional days of the year and that sufficient funds be appropriated to completely resolve the state’s prior-year obligations going back to 2003-04 and to close the two-year lag in reimbursement.

State Office of Religious and Independent Schools: Last year’s budget included \$2 million to support the State Office of Religious and Independent Schools and to fund important initiatives to support such schools. The Executive Budget, however, continues only \$800,000 into the 2017-18 fiscal year. We urge you to reinstate the entire \$2 million to ensure that there are sufficient funds to address the unacceptable backlog of work, including the implementation of funded programs, as well as to ensure the department can oversee and enforce the state and federal statutes related to nonpublic schools.

Health, Safety and Security of our Schools: We are grateful to you and Governor Cuomo for providing \$15 million in safety equipment funds and for the additional flexibility enabling schools to be reimbursed for a broader array of activities addressing the health, safety, and security needs of the children and adults who utilize our school buildings. We urge you to support the Executive Budget recommendation.

Nursing Services: An increasing number of children have acute and chronic health problems that require the daily attention and care of professional school nurses. Yet the shortage of school nurses leaves school administrators and teachers in the untenable position of having to respond to health emergencies and manage chronic health problems. School administrators and teachers are not health professionals and simply cannot and should not be forced to manage and respond to their students’ asthma, diabetes, food allergies and other health conditions.

In some cases, these health conditions can be life-threatening. A child who ingests or is otherwise exposed to a food allergen, for instance, can experience anaphylaxis and die without the timely and professional administration of an epi-pen injection. An asthmatic student can easily experience respiratory distress requiring the administration of nebulized medication. Typical playground, athletic and even classroom accidents and injuries often require immediate professional medical attention.

The protracted nursing shortage is well documented. The shortage of school nurses is due, in large measure, to inadequate pay. In some cases, the salary of school bus drivers and custodial employees

exceeds that of school nurses. For parents, as well as for the school staff to whom children have been entrusted, there is nothing more important than the health and safety of their children. It is simply unconscionable to put the lives and well-being of children at risk. We urge you to include sufficient funding to ensure that a full-time nurse is available for every public, independent and religious school.

Teacher Training and Mentoring: The mandated continuing education for certified teachers and school leaders is essential to maintaining high quality academic programs, to meet the growing needs of students and to keep pace with developments in standards, assessments, technology, and other programs. We urge you to include \$10 million for teacher and leader professional development in religious and independent schools.

Transportation: Next to their ability to afford tuition, the second most common challenge faced by parents in enrolling their children in religious or independent schools is their ability to have their children transported to school. When parents are denied their choice of a religious or an independent school because transportation services are not available or are unreasonable or are unreliable, the burden on taxpayers increases as more of these children are forced to enroll in public schools. It makes financial sense to enable more parents to enroll their children in religious and independent schools and therefore we strongly urge the following: (1) Restore 90 percent state reimbursement of school district costs of transporting religious and independent school students; (2) increase the maximum distance school districts are required to transport children to school from 15 to 25 miles; (3) allow parents the option to pay for the cost of transportation beyond 25 miles; (4) ensure that transportation is provided for schools with disparate schedules and calendars – and not denied to religious and independent schools when public schools are closed or when they make mid-year calendar changes; and (5) require small city school districts to transport children up to the maximum mileage limit rather than city limits.

Academic Intervention Services: Currently only \$922,000 is appropriated annually to independent and religious schools to implement the Academic Intervention Services (AIS) regulations promulgated by the Board of Regents, far below the \$20 million that is needed. Without adequate funding now, these at-risk children may easily fall behind even more, requiring more expensive academic interventions later. AIS funding should be increased so that, like public schools, our schools are able to provide these services to our children who are most in need.

Learning Technology Grants: The Governor proposes \$3.3 million for Learning Technology grants. The limited funding for this valuable program, however, serves only 50 school districts along with their independent and religious school partners. We strongly urge you to increase the appropriation to a level sufficient to enable all needy schools to benefit from this program.

Energy Efficiency and Capital Improvements: Advances in technology and construction techniques enable schools to be healthier, safer, more accessible and more energy efficient than ever before. This not only benefits the students, teachers and administrators who occupy school buildings every day, but also benefit utility rate payers and the community at large. Public schools are able to finance these projects with their local tax levy authority coupled with state building aid. Religious and independent students, teachers and administrators are no less deserving of the highest quality facilities, yet these schools do not have the same means to finance such projects. We urge you to appropriate seed money that would enable religious and independent schools to initiate these worthy projects.